

BY-LAW NO. 1004

BEING A BY-LAW of the City of North Bay for the purpose of expropriating an Easement or Right-of-way over the lands hereinafter described pursuant to Section 338 of Chapter 233 of the Revised Statutes of Ontario 1927, and amendments thereto.

WHEREAS a Petition has been presented to the Municipal Council of the City of North Bay for the construction of a sanitary sewer on Hammond Street which necessitates the use of the Easement or Right-of-way hereinafter described.

AND WHEREAS the said Petition has been sufficiently signed by the proper ratepayers.

AND WHEREAS the Municipal Council of the City of North Bay deem it necessary to expropriate an Easement or Right-of-way through, over and under the hereinafter described lands.

THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That said Right-of-way or Easement be expropriated over the lands described as follows:-

Firstly ALL and SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of North Bay, in the District of Nipissing and Province of Ontario being composed of part of the south-easterly sixty-six (66') feet of Lot 35 on the north-westerly side of Regina Street according to a plan of subdivision prepared by J. L. Morris, O.L.S., and registered in the Registry Office for the said District the 28th, September, 1887, and which said parcel may be more particularly described as follows:

COMMENCING at a point in the north-westerly limit of the said Regina Street distant ninety-two feet and eight inches (92'8") measured north-easterly thereon from the point where the said limit is intersected by the north-easterly limit of Second Avenue; thence north-easterly along the said limit of Regina Street, thirty-nine feet and four inches (39'4") more or less to the north-easterly limit of the said lot 35; thence north-westerly along the last mentioned limit, sixty-six feet (66'); thence south-westerly and parallel with the said limit of Regina Street, twenty-nine feet and ten inches (29'10") more or less to a point distant one hundred and two feet and two inches (102'2") measured north-easterly and perpendicularly from the said limit of Second Avenue; thence south-easterly in a straight line, sixty-six feet and seven inches (66'7") more or less to the said point of commencement.

Secondly:

ALL and SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of North Bay in the District of Nipissing and Province of Ontario being composed of the north-westerly thirty-three feet of the south-easterly ninety-nine feet of Lot 35 on the north-westerly side of Regina Street according to a plan of subdivision prepared by J. L. Morris, O.L.S. and registered in the Registry Office for the said District the 28th, Sept. 1887, and which said parcel may be more particularly described as follows:-- COMMENCING at a point in the interior of the said lot which may be located in the following manner: Beginning at a point where the north-westerly limit of the said Regina Street is intersected by the north-easterly limit of Second Avenue; thence north-westerly along the said limit of Second Avenue, sixty-six (66) feet; thence north-easterly and parallel with the said limit of Regina Street, one-hundred and two feet and two inches (102'2") to the said point of commencement; thence north-easterly and parallel with the said limit of Regina Street, twenty-nine feet and ten inches (29'10") more or less to the north-easterly limit of the said lot 35; thence north-westerly along the last mentioned limit, thirty-three feet (33') thence south-westerly and parallel with the said limit of Regina Street; thirteen feet and two inches (12'2") more or less to a point

distant one hundred and eighteen feet and ten inches (118'10") measured north-easterly and perpendicularly from the said limit of Second Avenue; thence southerly in a straight line thirty-seven (37) feet more or less to the said point of commencement.

2. The said Right-of-way or Easement is for the purpose of laying a sewer on Hammond Street and connecting same with the septic tank on Second Avenue and Regina Street in the said City of North Bay.

3. The City Engineer shall deposit with the City Clerk certified copies of plans and specifications of the work or undertaking which shall show the names of the owners of the lands to be expropriated and the nature and extent of the Easement or Right-of-way to be acquired.

4. The City Clerk shall cause to be served upon every owner of land to be expropriated, a Notice of the Council's intentions to proceed with the work and the expropriation of the lands necessary therefore and that certified copies of plans and specifications may be inspected at his office and that any claim for compensation on account of the land being injuriously effected must be filed in his office with a statement of the amount claimed within Sixty days (60) and that in default thereof the claim of such person will be barred.

THIS BY-LAW shall go into effect immediately upon the passing thereof.

Read a First time In Open Council this 16th of February, 1931

Read a Second time in Open Council this 16th of February, 1931.

Rules of Order were suspended and By-Law was read a Third time short and passed this 16th of February, 1931.

-----*B. Rowe*-----

M A Y O R

-----*W. J. Snyder*-----

C L E R K

FORM OF NOTICE  

---

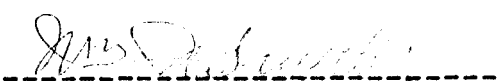
TAKE NOTICE THAT the Council of the Corporation of the City of North Bay intends to construct a sewer on Hammond Street and connect same with a Septic Tank on Second Avenue and Regina Street in the said City, according to plans and specifications certified copies of which are now filed with me and may be inspected at my office in the City Hall between the hours of 10 A.M. and 5 P.M. any of the days on which the said office is opened.

AND THAT the City Council intends to enter upon take and use in the construction of the sewer as aforesaid the land necessary therefore being those shown in red upon said plans.

AND THAT the owners and occupiers and other persons interested in any land to be entered upon, taken and used as aforesaid on the proposed work must within sixty days (60) from the service upon them respectively of this Notice file with me their claim of any damages by reason of the said proposed work showing in each case the amount claimed for such damages with full particulars thereof.

AND THAT in default thereof the claim of such persons will be barred.

Dated at the City Hall in the City of North Bay  
this            day of February, 1931.

  
-----  
CITY CLERK