

**THE CORPORATION OF THE TOWNSHIP  
OF SOUTH ALGONQUIN**

**BY-LAW NUMBER 2014-461**

**Being a By-law to provide for the closing and stopping up of parts of 66 foot unopened shore road allowance along the shore of McKenzie Lake, also the 66 foot unopened original road allowance designated for a road in front of Lot 10 on Plan 36M-602 of Reference Plan 36R-10448 Part 1 in the geographic Township of Lyell, in the Township of South Algonquin in the District of Nipissing and for the sale thereof to the abutting land owner.**

**WHEREAS:**

1. The original road allowance laid out by the original Crown survey along the shore McKenzie Lake is a "highway" by virtue of Section 26 of The Municipal Act, 2001, S.O.2001, c.25 (the "Act") as amended; and
2. By Section 9 and Section 11 of the Act, a municipality is empowered to permanently close a highway; and
3. The owners of land abutting part of the said original road allowance have applied to the Municipality to close it and sell it to the said owners; and
4. The closure will not result in any person having no motor vehicle access to and from that person's land over any highway; and
5. The part of the said road allowance closed by this By-law is not covered with water and does not abut any land owned by the Crown in right of Canada or lead to any work owned by the Crown in right of Canada, and therefore, the consent of neither the Ministry of Natural Resources of Ontario, nor the Government of Canada to the passing of this By-law is required by Section 43 or Section 34(2) respectively of the Act; and
6. Adequate and reasonable public notice of its intention to pass this by-law was given by the Municipality, in accordance with Township of South Algonquin By-Law 2008-296.

**NOW THEREFORE the Council of The Corporation of the Township of South Algonquin hereby enacts as follows:**

1. That those parts of the original allowance for road along the shore of McKenzie Lake lying in front of Lot 10 Plan 36M-602 in the geographic Township of Lyell in the Township of South Algonquin, in the District of Nipissing designated as Part 1 of Reference Plan 36R-10448 be, and the same are hereby permanently closed.
2. That the said parts of the said road allowance be and the same are hereby declared surplus in accordance with Township of South Algonquin Res. 188-1998.

3. That those parts of the said road allowance described in paragraph 1 hereof be sold and conveyed to the owners of the land abutting same (or their successors in title) for a price calculated at the rate of \$4.00 per linear foot plus all survey, advertising, administrative, legal and other costs and expenses associated with the said closure, sale and conveyance.
4. That the Mayor and Clerk of the Municipality be, and they are hereby authorized and directed to perform all acts and to take such steps and execute such documents under the seal of the Municipality as are required to transfer the said parts of the road allowance permanently closed by this By-law to the owners of the abutting land, and to authorize the electronic registration of a Transfer in the Land Registry Office for the Land Titles Division of Nipissing (#36) North Bay in consideration of and upon payment of the sale price and costs and expenses aforesaid.
5. That this By-Law shall take effect upon the final passing hereof.

**READ A FIRST AND SECOND TIME THIS 5<sup>th</sup> DAY OF June, 2014.**

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**Jane Dumas, Mayor**

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**Harold Luckasavitch, Clerk-Treasurer**

**READ A THIRD TIME AND FINALLY PASSED THIS 5<sup>th</sup> DAY OF June, 2014.**

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**Jane Dumas, Mayor**

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**Harold Luckasavitch, Clerk-Treasurer**