



The Municipal Corporation of the Town of Fort Erie

By-law 142-2023

Being a By-law to Authorize the Exchange of Lands between The Corporation of the Town of Fort Erie, Darren Flagg and Janine Perry-Flagg and 2850524 Ontario Incorporated (MJ Subenthiran) for purposes of a Pedestrian Corridor as identified in the Spears-High Point Secondary Plan

Whereas Report CAO-03/LC-01-2023 was considered and approved at the Council-in-Committee Meeting held February 13, 2023, to authorize the disposal of part of the Florence Drive road allowance lying east of Benner Avenue to the abutting land owners located at 1102 Benner Avenue, subject to the lands legally merging in title with 1102 Benner Avenue, and, conditional upon the exchange of Florence Drive to the owners of 1102 Benner Avenue in return for lands fronting on the east side of Benner Avenue measuring 10 metres in width and 113 metres in length (approximately) to the Town for the purpose of a 10-metre-wide multi-use trail/pedestrian corridor as identified in the Spears-High Pointe Secondary Plan; and

Whereas it is deemed desirable to proceed with the exchange of lands approved by Council and to enter into an Agreement of Purchase and Sale with Darren Flagg and Janine Perry-Flagg and 2850524 Ontario Incorporated in order to complete the transaction;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the sale of Florence Drive, Plan 462, Bertie, lying east of Benner Avenue, Fort Erie, being all of PIN 64236-0373 (LT), to the abutting land owners at 1102 Benner Avenue, subject to the lands legally merging in title and conditional upon the exchange of Florence Drive to the owners of 1102 Benner Avenue in return for lands fronting on the east side of Benner Avenue measuring 10 metres in width and 113 metres in length (approximately) to the Town for the purpose of a 10-metre-wide multi-use trail/pedestrian corridor as identified in the Spears-High Pointe Secondary Plan, is authorized and approved,
- 2. That** the entry into an Agreement of Purchase and Sale with Darren Flagg and Janine Perry-Flagg and 2850524 Ontario Incorporated for the exchange of lands outlined in section 1, in a form satisfactory to the Town's solicitor, is authorized and approved.
- 3. That** the Chief Administrative Office, or his designate, is authorized and directed to execute all documentation necessary to complete the transaction and to affix the corporate seal thereof.
- 4. That** this by-law shall expire one (1) year from the date of passage if the exchange of lands has not been completed.

5. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of September, 2023.

Mayor

Clerk