



## **The Corporation of the Town of Fort Erie**

### **By-law 171-2023**

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#### **Being a By-law to Stop Up, Close and Convey Part of the Road Allowance Between Lots 22 and 23, Concession 3, Lake Erie, Bertie**

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**Whereas** By-law 60-2017 establishes a policy for the sale of land owned by The Corporation of the Town of Fort Erie (the "Sale of Land Policy"); and

**Whereas** at the Council meeting held October 2, 2023, Report PDS-68-2023 was considered and approved to authorize the sale of an unopened road allowance legally described as Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Parts 1 to 5 on Reference Plan 59R17897 (the "Road Allowance"); and

**Whereas** the said Road Allowance is to be conveyed, in parts, to the abutting landowners at 847 Ridge Road North (Henry Van Der Sluis and Jane Grace Allison), 865 Ridge Road North (Suzanne Marie Griffis), 869 Ridge Road North (Peter and Lynda Kentie) and 0-12779 Ridge Road North (1000037691 Ontario Inc. – Arne Rungi), with the condition that these lands undergo a legal merger in title with their respective portions of the Road Allowance, in accordance with the Sale of Land Policy; and

**Whereas** it is deemed necessary to proceed with a by-law to stop up, close and convey the said Road Allowance and to authorize the entry into Agreements of Purchase and Sale with respect to same;

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

- 1. That** the unopened road allowance legally described as Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Parts 1 to 5 on Reference Plan 59R17897; Fort Erie, being all of PIN 64194-0090 (LT) is hereby stopped up and closed.
- 2. That** the sale of Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Parts 1 and 2, on Reference Plan 59R17897; Fort Erie, being part of PIN 64194-0090 (LT) to Henry Van Der Sluis and Jane Grace Allison, for the purchase price of \$8,434 plus HST, is authorized and approved, subject to the condition that these lands undergo a legal merger in title with the lands at 847 Ridge Road North.
- 3. That** the sale of Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Part 3, on Reference Plan 59R17897; Fort Erie, being part of PIN 64194-0090 (LT) to Suzanne Marie Griffis, for the purchase price of \$3,780 plus HST, is authorized and approved, subject to the condition that these lands undergo a legal merger in title with the lands at 865 Ridge Road North.
- 4. That** the sale of Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Part 4, on Reference Plan 59R17897; Fort Erie, being part of PIN 64194-0090 (LT) to Peter and Lynda Kentie, for the purchase price of \$2,885 plus HST, is authorized and approved, subject to the condition that these lands undergo a legal merger in title with the lands at 869 Ridge Road North.
- 5. That** the sale of Part of the Road Allowance between Lots 22 and 23, Concession 3, Lake Erie, Bertie, designated as Part 5, on Reference Plan 59R17897; Fort Erie, being part of PIN 64194-0090 (LT) to 1000037691 Ontario Inc. (Arne Rungi), for the purchase price of \$9,450 plus HST, is authorized and approved, subject to the condition that these lands undergo a legal merger in title with the lands at 0-12779 Ridge Road North.

- 6. **That** the entry into Agreements of Purchase and Sale with each of the parties identified in Sections 2 to 5, in a form satisfactory to the Town Solicitor or the Chief Administrative Officer, or designate, is authorized and approve.
- 7. **That** the Chief Administrative Officer, or designate, is authorized and directed to execute the Agreements of Purchase and Sale and all other documentation necessary to complete the transactions and to affix the corporate seal thereto.
- 8. **That** the proceeds from the sales shall be credited to the Major Capital Expenditure Reserve Fund of The Corporation of the Town of Fort Erie.
- 9. **That** this by-law shall expire one year from the date of passage if the parties have not completed their respective transactions.
- 10. **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 18<sup>th</sup> day of December 2023.**

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Mayor

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Clerk