



The Corporation of the Town of Fort Erie By-law 104-2024

Being a By-law to Accept and Declare Lands as Public Highway – Nigh Road and Burleigh Road (3404 Nigh Road – Joshua Mackenzie)

Whereas pursuant to the decision of the Town of Fort Erie Committee of Adjustment regarding Applications B30/23, B31/23, and B32/23 F.E., the owner is required to convey lands to The Corporation of the Town of Fort Erie for the purpose of a road widening along Nigh Road and Burleigh Road, and for the establishment of a daylighting triangle at the northwest corner of Nigh Road and Burleigh Road, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act*, 2001, as amended, provides that if a municipality acquires land for the purposes of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of lands for road widening purposes and declare and assume same as public highway forming part of Nigh Road and Burleigh Road;

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

- 1. That** the acceptance of land from Joshua Mackenzie, legally described as Part of Lot 21, Concession 3, Lake Erie, designated as Parts 4 and 5 on Reference Plan 59R-18133; Fort Erie, being part of PIN 64194-0089 (LT) (the "Lands"), for road widening purposes, free and clear of all encumbrances, is authorized and approved.
- 2. That** the Lands described in section 1 are established, laid out, declared and assumed as public highway forming part of Nigh Road and Burleigh Road, for public use.
- 3. 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 21st day of October, 2024.

Mayor

Clerk