



## The Corporation of the Town of Fort Erie By-law 123-2024

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### Being a By-law to Accept and Declare Lands as Public Highway – Elm Street (3701 Elm Street – 1000314955 Ontario Inc. (Mark Mirabella))

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**Whereas** pursuant to the Decision of the Town of Fort Erie Committee of Adjustment regarding Applications B01/24, B02/24 and B03/24, F.E., the owner is required to convey land to The Corporation of the Town of Fort Erie for the purpose of a road widening along Elm Street, 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 land for road widening purposes and declare and assume same as public highway forming part of Elm Street;

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

- 1. That** the acceptance of land from 1000314955 Ontario Inc., legally described as Part of Lot 10 (south side of Elm Street), Plan 349, and Part of Lot B, Plan 349, Bertie, designated as Part 1 on Reference Plan 59R18102; Fort Erie, being part of PIN 64190-0050 (LT) (the "Land"), for road widening purposes, free and clear of all encumbrances, is authorized and approved.
- 2. That** the Land described in section 1 is established, laid out, declared and assumed as public highway forming part of Elm Street, 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 16<sup>th</sup> day of December 2024.

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Mayor

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Clerk