

By-law 50-95 is hereby approved dated
MARCH 22, 1995 pursuant to
Ontario Regulations 55/85 and 548/85, and
By-law 113-85 of the Region of Peel.



D. R. Billett, Director
Development Review and Transportation Planning



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 50-95

To stop up and close and authorize
the sale of the lane between Lots
12 and 13 on Registered Plan 406

The Council of the Corporation of the City of Brampton is the successor municipality to The Corporation of the Township of Toronto Gore pursuant to the provisions of the Regional Municipality of Peel Act.

The Corporation of the Township of Toronto Gore passed By-law 1048 on June 27, 1973, to stop up and close the lane between Lots 12 and 13 on Registered Plan 406 and convey the lane to the owners of Lot 13 in exchange for a conveyance of the southerly 24 feet of Lot 13.

The Corporation of the Township of Toronto Gore failed to comply with the public notice requirements of the Municipal Act prior to enacting By-law 1048, thereby invalidating the closure of the lane.

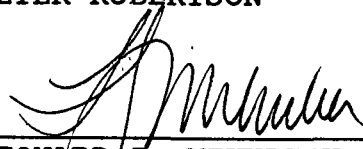
NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. The lane running between Lots 12 and 13, Registered Plan 406, is hereby stopped up and closed.
2. The conveyance of the said lane to the abutting owners of Lot 13, Plan 406, is hereby authorized. The consideration for the conveyance is the conveyance from the predecessor owners of Lot 13, Plan 406 to The Corporation of the Township of Toronto Gore of the southerly 24 feet from front to rear of Lot 13, Plan 406, which deed was registered as Instrument No. 295781V.S.
3. The Mayor and Clerk are hereby authorized to execute all documents approved by the City Solicitor that in his opinion are necessary to effect the conveyance of the said lane.
4. The affidavit of Leonard J. Mikulich attached as Schedule A forms part of this by-law.

READ a FIRST, SECOND, and THIRD TIME, and PASSED in Open Council this 27th day of February, 1995.

APPROVED AS TO FORM LAW DEPT. BRAMPTON
WCC
DATE Feb 22


PETER ROBERTSON MAYOR


LEONARD J. MIKULICH CLERK

SCHEDULE A TO BY-LAW 50-95

I, LEONARD J. MIKULICH, of the City of Brampton, in the Regional Municipality of Peel, MAKE OATH AND SAY:

1. I am employed as Clerk of The Corporation of the City of Brampton and as such, I have knowledge of the facts herein contained.
2. The Corporation of the Township of Toronto Gore, a predecessor municipality of The Corporation of the City of Brampton, passed By-law 1048 on June 27, 1973 to stop up and close the lane lying between Lots 12 and 13 on Plan 406 and authorize its conveyance to the owners of Lot 13, Plan 406.
3. By Instrument Number 295243V.S. registered on November 1, 1973, The Corporation of the Township of Toronto Gore deeded the lane between Lots 12 and 13 on Plan 406 to the owners of Lot 13, Plan 406, Edmund George Richardson and June M. Richardson. The consideration was a deed to The Corporation of the Township of Toronto Gore of the southerly 24 feet from front to rear of Lot 13, Plan 406, which deed was registered on December 28, 1973 as Instrument No. 295781V.S.
4. By a quit claim deed registered as Instrument No. 309868V.S. on April 18, 1974, Patrick G. Boyle and Pearl G. Boyle, the registered owners of Lot 12, Plan 406, released their interest in the said lane in favour of the owners of Lot 13, Plan 406, Edmund George Richardson and June M. Richardson.
5. I am advised by W.C. Connor, a solicitor for The Corporation of the City of Brampton, that because the public notice requirements of the Municipal Act were not followed by The Corporation of the Township of Toronto Gore prior to passing By-law 1048, the closure of the lane by The Corporation of the Township of Toronto Gore was not valid.
6. Notice of the intention of the Council of The Corporation of the City of Brampton to pass this by-law to stop up and close and authorize the sale of the lane between Lots 12 and 13, Plan 406, was published in the Brampton Guardian on the dates listed below:

January 18, 1995
 January 25, 1995
 February 1, 1995
 February 8, 1995.
7. In accordance with Section 44 of the Regional Municipalities Act, a notice was service upon The Regional Municipality of Peel advising the Region of Council's intention to pass this by-law. The Regional Municipality of Peel, in a letter from D.R. Billett, Director of Development Control, to whom the Region has delegated authority for approving street closures, advised that it had no objections.
8. The matter of the stopping up, closure and sale of the lane between Lots 12 and 13, Plan 406 came before Brampton City Council at its meeting of February 27, 1995. No persons applied to be heard in respect of this matter.

SWORN BEFORE me at the)
 City of Brampton in the)
 Regional Municipality of)
 Peel this 27th day of)
 February, 1995.)
 _____)
 A Commissioner etc.)



 LEONARD J. MIKULICH
 City Clerk