

# THE CORPORATION OF THE TOWN OF TECUMSEH

## BY-LAW NUMBER 2019-46

Being a by-law to authorize the sale of McColl Ave.

**Whereas** pursuant to Section 268 of the *Municipal Act* S.O. 2001 Chapter 25, as amended, provide that every Council with authority to sell land shall by by-law establish procedures governing the sale of real property, including the giving of notice;

**And Whereas** pursuant to Section 268 of the *Municipal Act* S.O. 2001 Chapter 25, as amended, the Council of the Corporation of the Town of Tecumseh enacted By-law No. 2003-09 establishing procedures for the sale of surplus property and the notice of sale;

**Whereas** pursuant to Section 34 of the *Municipal Act* S.O. 2001 Chapter 25, as amended, the Council of a municipality may pass by-laws for permanently closing a highway or part of a highway, subject to giving public notice of its intention to pass the by-law;

**And Whereas** pursuant to Section 43 of the *Municipal Act* S.O. 2001 Chapter 25, as amended, a municipality that permanently closes a portion of highway may convey the land forming the highway, if it is not covered with water;

**And Whereas** pursuant to Section 251 of the *Municipal Act* S.O. 2001 Chapter 25, as amended, the Council of the Corporation of the Town of Tecumseh enacted By-law No. 2003-06 establishing procedures for notices as required under the *Municipal Act, S.O. 2001*;

**And Whereas** notice of intention of the Council of The Corporation of the Town of Tecumseh to pass a by-law to close and convey McColl Avenue was published in the Shoreline Week on the following dates: Friday, August 24, 2108, Friday, August 31, 2018 and Friday, September 7, 2018 in accordance with By-law No. 2003-06;

**Now Therefore the Council of The Corporation of The Town of Tecumseh hereby enacts as follows:**

1. **That** the lands PIN 75261-0062 being McColl Avenue by Plan of Subdivision PL1183 in the Town of Tecumseh (subject property) be and the same is hereby closed and declared surplus to the needs of the Corporation;
2. **That** the subject property be sold by way of direct sale to Briday Inc.;
3. **That** the Mayor and the Clerk be and they are hereby authorized to execute on behalf of The Corporation of the Town of Tecumseh, and to seal any and all documents necessary to implement this by-law and the sale of the subject property.
4. **That** this by-law shall come into full force and take effect after its final passing, and upon its registration in the Land Registry Office for the County of Essex.

**Read** a first, second and third time and finally passed this 28<sup>th</sup> day of May, 2019.

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Gary McNamara, Mayor

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Laura Moy, Clerk