

THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY

BY-LAW NO. 2009-069

A BY-LAW:

(i) TO AUTHORIZE THE PERMANENT CLOSING OF CERTAIN PORTIONS OF THE SHORELINE ROAD ALLOWANCE ALONG LAKE CLEAR LYING IN FRONT OF LOTS 21 AND 22, CONCESSION 12, LOT 21, CONCESSION 13, AND THE ROAD ALLOWANCE BETWEEN CONCESSIONS 12 AND 13, IN THE FORMER GEOGRAPHIC TOWNSHIP OF SEBASTOPOL, NOW IN THE TOWNSHIP OF BONNECHERE VALLEY, COUNTY OF RENFREW;

(ii) TO DECLARE THE FOREGOING LANDS AS SURPLUS TO THE MUNICIPALITY'S NEEDS; AND

(iii) TO AUTHORIZE THE SALE OF SUCH LANDS;

IN ACCORDANCE WITH SECTIONS 34 OF THE *MUNICIPAL ACT, 2001*, S.O. 2001, CHAPTER 25, AS AMENDED.

WHEREAS it is deemed expedient and in the interest of The Corporation of the Township of Bonnechere Valley certain parts of the Shoreline Road Allowance along Lake Clear lying in front of Lots 21 and 22, Concession 12, Lot 21, Concession 13, and the Road Allowance between Concessions 12 and 13 in the former geographic Township of Sebastopol, now in the Township of Bonnechere Valley, County of Renfrew, be permanently closed pursuant to Sections 34 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended;

AND WHEREAS it is further deemed expedient and in the interest of The Corporation of the Township of Bonnechere Valley that those parts of the Shoreline Road Allowance to be permanently closed be declared surplus to the municipality's needs and the land be sold;

AND WHEREAS Council has agreed to sell the foregoing lands to the owners of the abutting lands in accordance with this by-law;

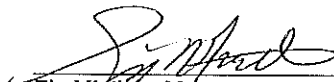
AND WHEREAS notice of this by-law has been given in accordance with the procedures approved by Council for giving such notice;

NOW THEREFORE the Council of the Corporation of the Township of Bonnechere Valley hereby enacts as follows:

1. Those portions of the Shoreline Road Allowance along Lake Clear lying in front of Lots 21 and 22, Concession 12, Lot 21, Concession 13, and the Road Allowance between Concessions 12 and 13, in the former geographic Township of Sebastopol, now in the Township of Bonnechere Valley, County of Renfrew, more particularly described in Column 1 of Schedule "A" to this by-law be permanently closed.
2. The foregoing portions of the Shoreline Road Allowance are hereby declared surplus to the municipality's needs.
3. In consideration of the sum of Three Dollars (\$3.00) per linear foot of frontage and other good and valuable consideration paid to the municipality, the foregoing portions of the Shoreline Road Allowance shall be sold to those owners described in Column 2 of Schedule "A" to this by-law as lot additions to those lands described in Column 3 of Schedule "A" to this by-law.
4. The transfers to the owners of those portions of the Shore Road Allowance closed shall be subject to an easement reserved in favour of the municipality on terms satisfactory to it for the purpose of a pedestrian path to be available for use by all members of the public over Parts 2, 6, 9, 12, 15, 18, 21, 24 and 27, 49R-17028.
5. It shall also be a condition of the transfer of those portions of the Shore Road Allowance closed by this by-law that the municipality shall receive from the applicable owners the following:
 - a. A Grant of Easement on terms satisfactory to it for the purpose of a turning circle for use by municipal maintenance vehicles over that part of Lot 22, Concession 12, being Part 4, 48R-17028, being part of PIN 57466-0421;
 - b. A Grant of Easement on terms satisfactory to it for the purpose of a municipally operated parking area for the benefit of the public, including

- the installation of a pit privy, over that part of Lot 21, Concession 13, being Part 30, 48R-17028, being part of PIN 57466-0313 in connection with the municipal beach located on Part 29, 48R-17028; and
- c. A Transfer in fee simple over that part of Lot 21, Concession 13, being Part 31, 48R-17028, being part of PIN 57466-0313 and forming part of the municipally maintained Buelow Road.
6. If the municipality should at anytime decide to permanently close the public beach located on Parts 29, 33 and 42, 49R-17028 and the portion of Buelow Road being Parts 31, 32 and 41, 49R-17028, the municipality shall:
- release to the adjacent owners those easements reserved to the municipality in Section 4 of this by-law;
 - release to the owner of the adjacent lands in PIN 57466-0313 those easements granted to the municipality in Sections 5(a) and (b) of this by-law;
 - grant to the owner of the adjacent lands in PIN 57466-0313 a first right of refusal to purchase at nominal cost those lands described as Parts 29, 31, 32, 33, 41 and 42, 49R-17028.
7. In addition to the foregoing, each of the owners described in Column 2 of Schedule "A" to this bylaw shall pay his or her share of all costs incurred by the municipality arising from the passing of this by-law, including, without limitation, the cost to publish notice of this by-law and all administrative, survey, legal, and registration costs, together with land transfer tax and Goods and Services Tax payable in connection with the owner's transfer.
8. For the purpose of Section 7 of this bylaw, each owner's share of the municipality's costs shall be pro rated according to the number of linear feet of frontage transferred to the owner as a percentage of the total number of linear feet transferred to all of the owners described in Column 2 of Schedule "A" to this bylaw.
9. The Mayor and Clerk be and are hereby authorized to execute on behalf of the municipality under corporate seal such transfers, acknowledgements, directions and other documents as may be necessary to convey title to the lands to be conveyed by the municipality.
10. This by-law shall not take effect until a certified copy hereof has been registered in the Registry Office for the Land Titles Office of Renfrew (No. 49).

READ AND PASSED this 1st day of September, 2009.


Zig Mintha - Mayor


Bryan Martin - Chief Administrative Officer

SCHEDULE "A"
TO

BYLAW NO. 2009- Portion of Shore Road Allowance Closed	COLUMN 1	COLUMN 2 Transferee/Owner	COLUMN 3 Abutting Land
Parts 1, 2, 3, 49R-17028		John Bryson Kitts and Liliana Kitts	Part Lot 22, Concession 12, being all of PIN 57466-0421 (LT)
Parts 5, 6, and 7, 49R-17028		Annette Mildred Richards and Joshua Richards	Part of Lot 22, Concession 12, being all of PIN 57466-0306 (LT)
Part 8, 9 and 10, 49R-17028		Bruce Wayne Becker and Jean Marie Becker	Part of Lot 22, Concession 12, being all of PIN 57466-0307 (LT)
Parts 11, 12 and 13, 49R-17028		Shirley Dianne Rosien	Part of Lots 21 and 22, Concession 12, being all of PIN 57466-0317 (LT)
Parts 14, 15 and 16, 49R-17028		Shirley Rosien	Part of Lots 21 and 22, Concession 12, being all of PIN 57466-0316 (LT)
Parts 17, 18 and 19, 49R-17028		Donald Willard Rosien	Part of Lots 21 and 22, Concession 12, being all of PIN 57466-0089 (LT)
Parts 20, 21 and 22, 49R-17028		Jack Robert Rosien	Part of Lots 21 and 22, Concession 12, being all of PIN 57466-0088 (LT)
Parts 23, 24 and 25, 49R-17028		Philip James Rosien	Part of Lots 21 and 22, Concession 12, and Part of Lot 22, Concession 13 and part of the road allowance between Concessions 12 and 13, being all of PIN 57466-0087 (LT)
Parts 26, 27 and 28, 49R-17028		James Charles Rosien	Part of Lot 21, Concession 12, Parts of Lots 21 and 22, Concession 13 and part of the road allowance between Concessions 12 and 13 being all of PIN 57466-0314 (LT)

