

The Corporation of the Municipality of Brockton



By-Law 2019-146

Being a By-Law to Authorize the Transfer of Property from the Corporation of the Municipality of Brockton to the Corporation of the Municipality of West Grey.

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council;

And Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-Law;

And Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 270(1), as amended, provides that a municipality may adopt and maintain policies regarding the sale and other disposition of surplus land;

And Whereas the Corporation of the Municipality of Brockton is a registered owner, along with the Corporation of the Municipality of West Grey, of the lands described as Part of Lots 2 and 3 on Plan 80 Bentinck, West Grey; being the former Elmwood Public Library land (which is now vacant land); and more particularly described as: PT LT 2-3 PL 80 BENTINCK AS IN GS17213 AND GS119083; WEST GREY; being all of PIN 37198-0191(LT) (the "lands").

And Whereas notice of this By-Law has been published in accordance with By-Law 2007-90, and the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25*, and the Municipality's Procedural By-Law, and By-Law 2007-87 – Disposition of Real Property have been complied with;

And Whereas the lands have been declared surplus to the needs of the Municipality as per By-Law 2019-129;

Now Therefore the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That The Corporation of the Municipality of Brockton's ownership in the lands be hereby transferred to The Corporation of the Municipality of West Grey.
- 2.0 The Corporation of the Municipality of Brockton's ownership in the lands is to be transferred to the Corporation of the Municipality of West Grey for no consideration acknowledging that a donation will be made by The Corporation of the Municipality of West Grey in the amount of \$500.00 to the Elmwood Community Centre Board (a joint board, which has members appointed by both the Municipality and the Corporation of the Municipality of West Grey) at the time of closing of the transfer.
- 3.0 The Corporation of the Municipality of West Grey be required to pay all costs incurred in the transfer of the land, including but not limited to the legal and land registration costs of the Municipality.
- 4.0 The Mayor and Clerk are hereby authorized to execute any documents required to authorize the transfer contemplated herein, including all deeds and other documents as required, and to affix the corporate seal as required.
- 5.0 The Municipal Solicitors, Grove-McClement and Fischer LLP, be authorized to complete the transaction on behalf of the Municipality.

6.0 This By-Law shall come into full force and effect upon final passage.

7.0 This By-Law may be cited as the “Transfer of Former Elmwood Public Library to West Grey By-Law”.

Read, Enacted, Signed and Sealed this 12th day of November, 2019.

Mayor – Chris Peabody

Clerk – Fiona Hamilton