

The Corporation of the Municipality of Brockton



By-Law 2019-152

Being a By-Law to Authorize the Transfer of Property from the Corporation of the Municipality of Brockton to 2131313 Ontario Ltd.

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 the registered owner of the lands known as Joseph Street, Walkerton, Ontario and legally described as PT ST. JOSEPH ST PL 106 LYING S OF 3R4068 & WK14045; BROCKTON, bearing parcel identifier number 33198-0038 (LT) within the Municipality of Brockton (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 2019-128;

And Whereas the lands have been closed as a public highway by the Municipality of Brockton as per By-Law 2019-134;

And Whereas the Council of the Municipality of Brockton accepted the tender of 2131313 Ontario Ltd for the purchase of the lands as per By-Law 2019-149;

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 2131313 Ontario Ltd.
- 2.0 That The Corporation of the Municipality of Brockton's ownership in the lands is to be transferred to 2131313 Ontario Ltd at the time of closing of the transfer.
- 3.0 That 2131313 Ontario Ltd 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 Joseph Street Walkerton to 2131313 Ontario Ltd By-Law”.

Read, Enacted, Signed and Sealed this 3rd day of December, 2019.

Mayor – Chris Peabody

Clerk – Fiona Hamilton