



BY-LAW NUMBER 2017-

A By-law of The Corporation of the City of Barrie to permanently close the soil and freehold described as Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie.

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act"), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS pursuant to Section 34 of the *Municipal Act, 2001* the Council of every municipality may pass by-laws to sell the soil and freehold of part of a permanently closed highway, and to set the sale price of the land to be sold;

AND WHEREAS Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie is no longer required for highway purposes.

NOW THEREFORE the Council of The Corporation of the City of Barrie hereby enacts the following:

1. **THAT** Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie, be and hereby is permanently closed.
2. **THAT** Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie, is hereby declared surplus to the needs of the Corporation of the City of Barrie.
3. **THAT** the City Clerk be authorized to execute all documents necessary to carry out the intent of this by-law.
4. **THAT** the permanent closure of Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie contemplated within this by-law will have effect upon registration in the Land Registry Office of Simcoe County.
5. **THAT** Schedule "A" to this by-law, being an Affidavit of Wendy Chafe, sworn June 12th, 2017 forms a part of this by-law.

READ a first and second time this 19th day of June, 2017.

READ a third time and finally passed this 19th day of June, 2017.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR ~J.R. LEHMAN

CITY CLERK – D. MCALPINE

Schedule "A"

AFFIDAVIT OF WENDY CHAFE

I, WENDY CHAFE, of the Township of Springwater, in the County of Simcoe, **MAKE OATH AND SAY:**

1. **THAT** I am employed as a Law Clerk with The Corporation of the City of Barrie, and as such have knowledge of the matters to which I am deposing.
2. **THAT** on Friday, May 19, 2017, Friday, May 26, 2017, Friday, June 2, 2017 and Friday, June 9, 2017, notice with respect to permanently closing, declaring surplus and selling of the soil and freehold of Part of the Road allowance between Lots 5 and 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, being part of PIN 58914-0022(LT), City of Barrie in the City of Barrie, County of Simcoe was published in The Barrie Examiner, a newspaper having general circulation in the City of Barrie.
3. Attached to and marked as Exhibit "A" to my Affidavit, is a copy of the Notice as published in The Barrie Examiner.

SWORN before me at the City of
Barrie, in the County of Simcoe

This 12th day of June, 2017.

A Commissioner, etc.

)
)
) Wendy Chafe
) WENDY CHAFE
)
)

PETER KRYSIAK
Barrister, Solicitor, Notary

The City of
BARRIE
200 Collier Street
P.O. Box 100
Barrie, Ontario
L4N 1A2
519-953-4000
519-953-4001

Notice of Road Closure and Surplus and Sale of Land

TAKE NOTICE that The Corporation of the City of Barrie intends to permanently close the highway described as Part of RDAL Between Lots 5 & 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, and being part of PIN 58914-0022(UT), City of Barrie, shown as Subject Property on the site map below.

AND TAKE FURTHER NOTICE that The Corporation of the City of Barrie proposes to declare surplus and sell to the adjacent owner, the property described as, Part of RDAL Between Lots 5 & 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, and being part of PIN 58914-0022(UT), City of Barrie, shown as Subject Property on the site map below.

AND TAKE FURTHER NOTICE that Council of The Corporation of the City of Barrie, after the publication of this Notice for at least one time per week for four successive weeks in the Barrie Examiner, at its regular meeting to be held at the Council Chambers at the City Hall, 70 Collier Street, Barrie Ontario on June 19, 2017, at approximately 7:00 p.m., consider passage of a By-law to permanently close the highway described as Part of RDAL Between Lots 5 & 6, Con 13, (AKA Patterson Road, not travelled); more fully described as Parts 3, 4, 5 & 6, Plan 51R-40687, and being part of PIN 58914-0022(UT), City of Barrie, shown as Subject Property on the site map below.

THIS NOTICE was first published on the 19th day of May, 2017.

ANY PERSON having questions regarding this transaction should be directed to Andrew Mills, Manager of Legal Services, City of Barrie's Legal Services Department at (705) 739-4220, Ext. 5051.

This is Exhibit "A" as referred to in the affidavit
of Wendy Chafe of the Twp. of Springwater
In the County of Simcoe
sworn before me in the City of Barrie in the County
of Simcoe,
this 18th day of June 2017 AD
PJ
a Commissioner, etc.

PETER KRYSIAK
Barrie, Solicitor, Notary