

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NUMBER 98-425

A by-law authorizing the reconveyance of a certain road allowance.

WHEREAS:

1. By by-law number 89-225 of the Corporation, a certain road allowance described as: road allowance in front of Mining Location JS2 in the Township of Strathcona, designated as Part 1 on Plan 36R-8006 (the "Road Allowance") was stopped up and closed at the request of James Bickell, the owner of certain lands abutting the road allowance.
2. By by-law number 89-228, the Corporation approved the sale of the Road Allowance to James Bickell for the sum of ONE THOUSAND (\$1,000.00) DOLLARS.
3. It is clear that it was Mr. Bickell's intent that ownership of the road allowance be held by his spouse Betty Marion Bickell. As a result of miscommunication, the Deed to the property registered May 10th, 1991 (the "1991 Deed") was endorsed in favour of James Swift Bickell.
4. Mr. Bickell has requested the Corporation assist him in rectifying the situation by accepting a reconveyance of the Road Allowance from James Bickell to the Corporation, and delivering a correcting conveyance of the Road Allowance from the Corporation to Betty Marion Bickell.
5. The Corporation having received the sum of ONE THOUSAND (\$1,000.00) DOLLARS contemplated by by-law 89-228 in connection with the 1991 Deed, the Corporation will receive no fresh consideration for the reconveyance of the Road Allowance. The conveyances requested by Mr. Bickell do not constitute a "sale" of municipal property within the meaning of Section 193 of the Municipal Act, R.S.O. 1990, c M-45, or the municipal by-law enacted thereunder.

NOW THEREFORE, the Council of the Corporation of the Municipality of Temagami enacts as follows:

1. The Council accept a reconveyance of the Road Allowance from James Bickell.
2. The Corporation forthwith provide Betty Marion Bickell with a new conveyance replacing the Deed registered May 10th, 1991, the new Deed to be in favour of Betty Marion Bickell.
3. The Corporation having received the agreed-upon sum of ONE THOUSAND (\$1,000.00) DOLLARS coincidentally with the completion of the purchase in 1991, no further payment by way of purchase price will be required.
4. Any legal fees or conveyancing costs associated with the conveyances contemplated by this by-law will be borne by the firm of Smith, Byck & Grant to the intent that the Corporation will incur no costs in completing the transactions.

READ a first, second and third time this 2nd day of July, 1998.


Mayor


CAO