

**Document General**
Form 4 — Land Registration Reform Act, 1984**D**

<div style="text-align: center;">NUMBER 161422 CERTIFICATE OF REGISTRATION '86 JUN 19 12:41 HALDIMAND No. 13 CAYUGA LAND REGISTRAR</div> <div style="margin-top: 20px;">New Property Identifiers <div style="text-align: right;">Additional: See Schedule <input type="checkbox"/></div></div> <div style="margin-top: 10px;">Executions <div style="text-align: right;">Additional: See Schedule <input type="checkbox"/></div></div>	(1) Registry <input type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of 6 pages
	(3) Property Identifier(s) Block Property	Additional: See Schedule <input type="checkbox"/>
	(4) Nature of Document By-Law	
	(5) Consideration <div style="text-align: right;">Dollars \$</div>	
	(6) Description See Schedule "A" - Page 6	
(7) This Document Contains (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input type="checkbox"/>		

(8) This Document provides as follows:

See Schedule - Pages 2. 3. 4. and 5.

Continued on Schedule ☐

(9) This Document relates to instrument number(s)
Plan 217, Indiana

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D
THE CORPORATION OF THE TOWN OF HALDIMAND		
By their Solicitor		1986 06 13
C. EDWARD MCCARTHY		

(11) Address for Service P.O. Box 400, Cayuga, Ontario NOA IEO

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D

(13) Address for Service

(14) Municipal Address of Property
R.R. #5,
Cayuga, Ontario
NOA IEO

(15) Document Prepared by:
MCCARTHY & FOWLER
Barristers & Solicitors
17 Main Street S.
Hagersville, Ontario, NOA H00

Fees and Tax

Registration Fee	16.00
Total	16.00

THE CORPORATION OF THE TOWN OF HALDIMAND

BY-LAW # 508/86

Being a By-law for the stopping up and closing and selling the soil and freehold of portions of certain Streets in Plan 217, Indiana, in the former Township of Seneca, now in the Town of Haldimand, in the Regional Municipality of Haldimand-Norfolk, as more particularly described in Schedule "A" attached hereto.

WHEREAS the lands described Firstly in Schedule "A" have at various times been a Township Road, a County Road, a King's Highway and are no longer used for public travel;

AND WHEREAS it would appear that the same were assumed as a King's Highway (Highway 54) in 1937, pursuant to Deposited Plan #656 and #665;

AND WHEREAS Highway 54 was substantially rebuilt in the early 1950's and its route was diverted at that time through a portion of the Village of Indiana as shown on Deposited Plan #2907;

AND WHEREAS following the reconstruction of the said Highway and its diversion at Indiana, the lands described Firstly in Schedule "A", being a portion of the former King's Highway #54 were no longer necessary for the purposes of the Province of Ontario and accordingly an Order-in-Council was passed by the Ontario Government reverting the lands described Firstly in Schedule "A" to the Municipality previously liable for the maintenance and repair of the same, which said Order-in-Council was deposited as #3294;

AND WHEREAS it would therefore appear that the County of Haldimand once again had jurisdiction over the said lands;

AND WHEREAS Instrument #119127 is a copy of By-law No. 556 of the former Township of Seneca, which purports among other things to close the lands described Firstly in Schedule "A" as a public road but there does not appear to be any evidence registered on title as to how jurisdiction over the lands described Firstly in Schedule "A" passed from the County of Haldimand to the Township of Seneca, although the County of Haldimand did pass By-law #1534, (unregistered) confirming By-law #556 of the Township of Seneca, as was required at the time by the provisions of the then Municipal Act;

AND WHEREAS it would appear that By-law #556 required the consent of The Lieutenant-Governor-in-Council, pursuant to Section 84(2) of The Highway Improvement Act, R.S.O. 1950, Chapter 166, before the said By-law became effective;

AND WHEREAS such consent was apparently not given;

AND WHEREAS the present Government is not prepared to consent to the said By-law on account of its age and hence a new By-law has to be passed to legally close the above mentioned lands; AND WHEREAS it would appear that even if jurisdiction and control of the above mentioned lands was not transferred by the former County of Haldimand to the former Township of Seneca prior to the passage of By-law #556, (Instrument #119127), that the said

lands would nevertheless now be under the jurisdiction of the Town of Haldimand since, if the same happened to be still under the jurisdiction of the County of Haldimand at the inception of Regional Government in 1974, the said lands would thereby become part of the Regional Road system, and the same would have been effectively subsequently removed from the Regional Roads system by By-law #32 of the Regional Municipality of Haldimand-Norfolk, which took all Regional Roads out of the Regional Roads system and then selected only those roads which the Region wanted included in the Regional Roads system and since the said lands were not so included in the said By-law, the same would therefore be left under the jurisdiction of the Town of Haldimand.

AND WHEREAS the Town of Haldimand therefore believes it has jurisdiction to close the above mentioned lands and desires to pass a new by-law to stop up the said lands and authorize the sale of the soil and freehold in the same so that the same can be properly closed and the by-law submitted to the Minister of Transportation and Communications for approval as is now required by Section 24(3) of The Public Transportation and Highway Improvement Act, R.S.O. 1980, Chapter 421;

AND WHEREAS portions of the other lands described in Schedule "A" were also purportedly closed by said By-law No. 556, but the confirming By-law of the County of Haldimand is not registered on title and in-so-far as Robinson Street is concerned, since it intersected The King's Highway, the consent of The Lieutenant-Governor-in-Council, pursuant to the said Section of The Highway Improvement Act was also required in connection with the closing of that Street;

AND WHEREAS it is therefore desirable to re-close those portions of those Streets in order to cover any defects there might be with respect thereto in said By-law No. 556;

AND WHEREAS none of the lands described in Schedule "A" are any longer open for public travel;

AND WHEREAS pursuant to Section 298(1) (c) and (d) of The Municipal Act, R.S.O. 1980, Chapter 302 as amended, the Council of the Town of Haldimand therefore deems it advisable to stop up and close the said lands and to sell the soil and freehold of the same to the persons entitled thereto pursuant to the provisions of The Municipal Act;

AND WHEREAS pursuant to Section 299(1) of The Municipal Act, the effect of passing this By-law will not deprive any person of the means of ingress or egress to or from his lands or place of residence as the said road allowance is not being used for public travel.

AND WHEREAS pursuant to Section 301(1) of the said Municipal Act, notice of the proposed By-law has been published at least once a week for four (4) successive weeks in The Haldimand Press, a weekly newspaper published for the Cayuga and Hagersville area, in the Town of Haldimand, which has general circulation in the area of the above mentioned lands;

AND WHEREAS there were no objections received concerning the proposal in question;

AND WHEREAS pursuant to Section 49(1) of The Regional Municipality of Haldimand-Norfolk Act, R.S.O. 1980, Chapter 435 as amended, due notice has been given to the Regional Council of the Regional Municipality of Haldimand-Norfolk of the intention of the Town of Haldimand, to stop up and close the said lands in question and a letter has been received from Regional Council indicating that it has no objection to the proposal.

NOW THEREFORE, the Council of the Corporation of the Town of Haldimand, ENACTS AS FOLLOWS:

1. That those lands, that is to say those portions of York Street and Colborne Street, Robinson Street, Winniett Street Hepburn Street and Canboro Street, Plan 217, Indiana, in the former Township of Seneca, now in the Town of Haldimand, in the Regional Municipality of Haldimand-Norfolk, as more particularly described in Schedule "A", BE AND THE SAME ARE HEREBY STOPPED UP AND CLOSED.
2. That the soil and freehold of the said lands as described in the preceeding paragraph or the relevant portions thereof, be sold to the persons entitled thereto, pursuant to Section 316 of The Municipal Act, R.S.O. 1980, Chapter 302, for the sum of One Dollar plus the costs of the Town of Haldimand in connection with the preparation and registration of this By-law, as well as the cost of the conveyance of the said lands or the relevant portions thereof.

- 4.
3. That the Mayor and Clerk of the Town of Haldimand are hereby authorized and instructed to execute the necessary conveyances and other documents to give effect to the intentions hereto and the Clerk of the Town of Haldimand is hereby authorized to affix the Corporate Seal of the Municipality to the By-Law and other documents as may be required herein.
4. That the Clerk is hereby instructed to deposit a copy of this By-law, certified under his hand and Seal of the Municipality, in the Registry Office for the Registry Division of Haldimand, pursuant to Section 299(12) of the said Municipal Act.
5. That Schedule "A" attached hereto shall be and form part of this By-Law.

Read a first and second time, this 24th day of March 1986.

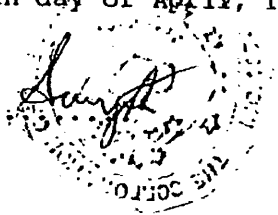
Edith Fuller
MAYOR

.....*Norman Luyth*
CLERK

Read a third time and finally passed this 14th day of April, 1986.

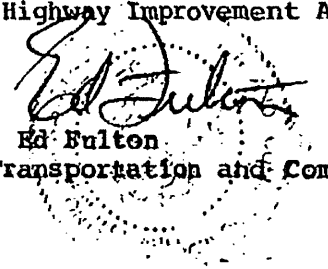
Edith Fuller
MAYOR

.....*Norman Luyth*
CLERK



Consent accorded this 26th day of May 1986 pursuant to subsection 24(3) of the Public Transportation and Highway Improvement Act RSO 1980 ch.421.

Ed Fulton
Ed Fulton
Minister of Transportation and Communications



SCHEDULE "A"

ALL AND SINGULAR those portions of certain Streets in Plan 217, Indiana, in the former geographic Township of Seneca and County of Haldimand, now in the Town of Haldimand, in the Regional Municipality of Haldimand-Norfolk, more particularly described as follows:

FIRSTLY:

That portion of York Street and Colborne Street, Plan 217, Indiana, lying between Robinson Street and the projection westerly of the northerly limit of Lot One (1) west of Winniett Street, Plan 217, Indiana, as shown outlined in Yellow on a plan deposited in the Registry Office for the Registry Division of Haldimand as Deposit #3294. SAVE AND EXCEPT that portion thereof between the following two straight lines drawn across the said street, the most northerly line being drawn between the southwest angle of Lot three (3) west of Winniett Street and the southeast angle of lot One Hundred and Three (103) west of York Street, Plan 217, and the most southerly line being the projection westerly across the said street of the southerly limit of Canboro Street (Indiana Road) Plan 217, Indiana.

SECONDLY:

All that portion of Winniett Street between Dunn Street and Canboro Street, (Indiana Road), Plan 217, Indiana. ✕

THIRDLY:

All that portion of Hepburn Street north of Dunn Street, Plan 217, Indiana. ✕

FOURTHLY:

All that portion of Robinson Street between Colborne Street and Hepburn Street, Plan 217, Indiana. ✕

FIFTHLY:

All and any portions of Canboro Street, Plan 217, Indiana, lying east of Colborne Street, Plan 217 and south of the present southerly limits of the Indiana Road. ✕