



Bill No. 107

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 Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955; City of Barrie, being part of PINs 58910-1064(LT) and 58910-1069(LT).

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 Act, 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 Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955; City of Barrie, being part of PINs 58910-1064(LT) and 58910-1069(LT) is no longer required for highway purposes.

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

1. **THAT** Part of Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955; City of Barrie, being part of PINs 58910-1064(LT) and 58910-1069(LT), be and hereby is permanently closed.
2. **THAT** the City Clerk be authorized to execute all documents necessary to carry out the intent of this by-law.
3. **THAT** this by-law will have effect upon registration in the Land Registry Office of Simcoe County.
4. **THAT** Schedule "A" to this By-law, being an Affidavit of Wendy Chafe, sworn October 16, 2017 forms a part of this by-law.

READ a first and second time this 23rd day of October, 2017.

READ a third time and finally passed this 23rd day of October, 2017.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

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, September 15, 2017, Friday, September 22, 2017, Friday, September 29, 2017 and Friday, October 6, 2017, notice with respect to permanently closing, declaring surplus and selling of the soil and freehold of Part of Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955; City of Barrie, being part of PINs 58910-1064(LT) and 58910-1069(LT) 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 16th day of October, 2015.


A Commissioner, etc.



WENDY CHAFE



70 COLLIER STREET
 P.O. BOX 400
 BARRIE, ON L4M 4T5
 barrie.ca/PublicNotices

NOTICE OF PARTIAL ROAD CLOSURE

TAKE NOTICE that The Corporation of the City of Barrie intends to permanently close a portion of the highway legally described as:

Part of Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955, City of Barrie, being part of PINs 58910-1064(LT) and 58910-1068(LT)

As shown as Subject Property on the site map below, for the purpose of road realignment.

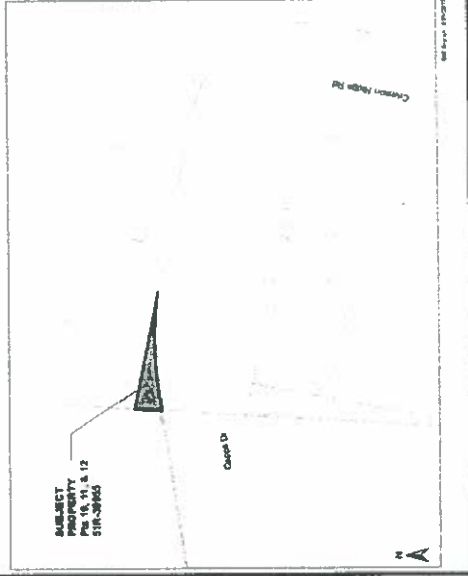
AND TAKE FURTHER NOTICE that Council of The Corporation of the City of Barrie, after the publication of this Notice for at least one time per week for four successive weeks in the Barrie Examiner, at its regular meeting to be held at the Council Chambers at the City Hall, 70 Collier Street, Barrie Ontario on October 23, 2017, at approximately 7:00 p.m., consider passage of a By-law to permanently close a portion of the highway described as:

Part of Capps Drive, Plan 51M-681, being Parts 10, 11 and 12, Plan 51R-39955; City of Barrie, being part of PINs 58910-1064(LT) and 58910-1068(LT)

As shown as Subject Property on the site map below, for the purpose of road realignment.

THIS NOTICE was first published on the 15th day of September, 2017.

ANY PERSON having questions regarding this transaction should be directed to Gary Mathie, Senior Development Services Technologist, City of Barrie's Engineering Department at (705) 739-4220, Ext. 4448.



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 16th day of October AD 2017
 _____ a Commissioner, etc.