

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2014-98**

**By-law to provide for the transfer of easement
for the purpose of ingress and egress**

WHEREAS under Section 9 of the Municipal Act 2001, S.O., 2001, c. 25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

AND WHEREAS under Section 8(1) of the Municipal Act 2001, S.O., 2001, c. 25, as amended, shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS Hampton Holdings of Windsor Limited has requested a release of an existing easement in exchange for granting of a new easement over lands owned by the Town described as Part Lot 33, Plan 240, being Part 2, Plan 12R20711, Town of Amherstburg, County of Essex, being PIN 70544-0252;

AND WHEREAS the Council deems it appropriate to grant the said transfer of easement for the purpose of ingress and egress;

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg enacts as follows:

1. THAT a Transfer of Easement for the purpose of ingress and egress in the form annexed hereto and referred to as Schedule "A" be granted to the benefitting lands being;
 - (a) PT LT 31A, 32 PL 240 AMHERSTBURG PTS 1, 4 & 5 PL 12R20594 S/T EASE OVER PT 5 PL 12R20594 AS IN CE26968, S/T EASE OVER PT 4 PL 12R20594 AS IN CE26969, being PIN 70554-0269
 - (b) PT LT 31A, 32 PL 240 AMHERSTBURG AS IN R832907 (FIRSTLY); AMHERSTBURG, being PIN 70554-0240
 - (c) PT LT 31A, 32 PL 240 AMHERSTBURG PT 2 PL 12R20594, being PIN 70554-0241
 - (d) PT LT 32 PL 240 AMHERSTBURG PARTS 3 & 6 PL 12R20594 S/T EASE OVER PT 6 PL 12R20594 AS IN CE26969, being PIN 70554-0268
 - (e) PT LT 32 PL 240 AMHERSTBURG DESIGNATED AS PART 2 ON 12R20905, AMHERSTBURG, being PIN 70554-0417
2. THAT the costs associated with the transfer of easement will be the responsibility of the transferee;
3. THAT this By-law shall come into force and take effect immediately upon the final passing thereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

Read a first, second and third time and finally passed this 22nd day of September, 2014.



MAYOR - WAYNE HURST



CLERK - PAULA PARKER