

MUNICIPALITY OF EMERSON-FRANKLIN
BY-LAW NO.21-04

Being a by-law of the Municipality of Emerson-Franklin for closing certain lands taken for a public road and conveying same to the owners of the adjacent lands and premises;

WHEREAS Section 290(1) of *The Municipal Act*, C.C.S.M. Cap. M225, provides as follows:

Closing a municipal road

290(1) Subject to subsection (2), a municipality may close a municipal road by

- (a) passing a by-law closing the road;
- (b) repealed; and
- (c) registering the approved by-law and a plan at the appropriate land titles office.

AND WHEREAS Section 290(2) of *The Municipal Act*, C.C.S.M. Cap. M225, provides as follows:

Notice of proposed closing

290(2) A municipality proposing to close a municipal road must give public notice and hold a public hearing in respect of the proposed closure and must serve notice of the proposal and hearing on the minister.

AND WHEREAS Council of the Municipality of Emerson-Franklin deems it desirable, expedient, and in the public interest to a close portion of public road located within its boundaries, as more particularly described below, and convey such lands to the owner of the lands and premises immediately adjacent thereto;

NOW THEREFORE be it and it is hereby passed and enacted as a by-law of the Municipality of Emerson-Franklin, in council duly assembled, as follows:

1. That the lands described as follows:

All that portion of Franklin Avenue across part of the W ½ of 20-2-3 EPM contained within the limits of Parcel A on a Plan prepared by Johan Dyck, of the City of Steinbach, Manitoba Land Surveyor and sworn to by him on the 21st day of April A.D. 2021, Plan No. (Dep. 0422/2021) WLTO

be and the same is hereby closed as a public road.

2. That the lands described in Paragraph 1 above, excepting mines and minerals, be conveyed to The Border Land School Division, for \$1.00 and other good and valuable consideration, to be consolidated with:

Lot 5, Block 6, Plan 18410 WLTO
in N ½ 20-2-3 EPM

3. That the lands described as follows:

All that portion of Sullivan Street across part of the W ½ of 20-2-3 EPM contained within the limits of Parcel B on a Plan prepared by Johan Dyck, of the City of Steinbach, Manitoba Land Surveyor and sworn to by him on the 21st day of April A.D. 2021, Plan No. (Dep. 0422/2021) WLTO

be and the same is hereby closed as a public road.

4. That the lands described in Paragraph 3 above, excepting mines and minerals, be conveyed to Randi Adele Cote and Delvyn Jay Cote, for \$1.00 and other good and valuable consideration, to be consolidated with:

Lot 12, Block 5, Plan 16928 WLTO
in SW ¼ 20-2-3 EPM

5. That the Reeve and Chief Administrative Officer be and they are hereby authorized and directed to do all acts and execute all documents and attach the seal of the Municipality to all documents required to implement this by-law.

PASSED AND ENACTED by the Municipality of Emerson-Franklin, in council duly assembled, this day of , 2021.

MUNICIPALITY OF EMERSON-FRANKLIN

per: _____
Mayor

per: _____
Chief Administrative Officer

Read a first time this 13th day of July, 2021.

Read a second time this day of , 2021.

Read a third time this day of , 2021.