

BY-LAW NUMBER 46-2014
OF
THE REGIONAL MUNICIPALITY OF DURHAM

being a by-law to expropriate all estate, right, title and interest in:

Part of Lot 5 Concession 5, designated as Part 5 on Plan 40R28082, City of Oshawa in The Regional Municipality of Durham,

Part of Lot 5 Concession 5, designated as Part 1 on Plan 40R28082, City of Oshawa in The Regional Municipality of Durham,

Part of Lot 4 Concession 5, designated as Parts 1, 2 & 3 on Plan 40R28081, City of Oshawa in The Regional Municipality of Durham,

WHEREAS under the Expropriations Act, R.S.O. 1990, c. E.26 an expropriation authority is required to seek approval from its approving body to expropriate property.

WHEREAS The Regional Municipality of Durham is the expropriation authority under the Act and the approving body is Regional Council.

AND WHEREAS the authority for such approval to expropriate is obtained by Regional Council passing the required by-law.

NOW THEREFORE BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham through its Council thereof as follows:

1. THAT all estate, right, title and interest in the lands described as:

An estate in fee simple in the lands described as follows:

Lands in the City of Oshawa, in The Regional Municipality of Durham, being composed of those lands in the Land Registry Office for the Land Titles Division of Durham Region more particularly described as follows:

FEE SIMPLE INTEREST in:

Part of Lot 5 Concession 5, designated as Part 5 on Plan 40R28082, City of Oshawa in The Regional Municipality of Durham,

Part of Lot 5 Concession 5, designated as Part 1 on Plan 40R28082, City of Oshawa in The Regional Municipality of Durham,

Part of Lot 4 Concession 5, designated as Parts 1, 2 & 3 on Plan 40R28081, City of Oshawa in The Regional Municipality of Durham,

is hereby taken and expropriated for the purposes of the reconstruction and for all ancillary requirements and related construction activities for the proposed reconstruction of the intersection at Regional Road 33 (Harmony Road) and Regional Road 3 (Winchester Road), in the City of Oshawa, in the Regional Municipality of Durham

2. THAT Regional Council, as expropriating authority under the Expropriations Act, authorize all necessary steps to comply with the Expropriations Act, including, but not limited to, the preparation and registration of Expropriation Plans and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession.
3. THAT Regional Council grants authority to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give affect to Clause 2 including the Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession, including the Certificate of Approval to be affixed to the Expropriation Plan.

BY-LAW read and passed on the 17th day of September, 2014.

R. Anderson, Regional Chair and CEO

D. Bowen, Regional Clerk