

ANNOUNCEMENT BY MAYOR

RE: CONSIDERATION OF A PROPOSED DECLARATION TO CLOSE PART OF THE UNOPENED ROAD ALLOWANCE BETWEEN CONCESSIONS 15 AND 16, COMMUNITY OF DOVER.

A portion of the property being considered to be closed legally described as: Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Parts 1, 2, and 3 of 24R10259, being part of PIN 00764-0284 (LT).

On February 1, 2018 a Notice of Intention to close a portion of the above noted road allowance was published in the Wallaceburg Courier Press newspaper and on the municipal website.

I will now invite any person wishing to be heard in this regard to approach the podium and give reasons why their lands will be adversely affected or their objections to this declaration to close this portion of the road allowance.

Municipality of Chatham-Kent

Finance, Budget & Information Technology Services

Financial Services

To: Mayor and Members of Council

From: Steve Brown, CPA, CMA
Director, Financial Services

Date: January 30, 2018

Subject: Offer to Purchase – Part of PIN 00764-0284, Part of Road Allowance between Concessions 15 and 16, Community of Dover

Recommendations

It is recommended that:

1. A By-Law be passed to close part of the road allowance between Concession 15 and 16, Lot 16 and Part Lot 17 of Property Identification Number 00764-0284, legally described as: Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Parts 1, 2, and 3 of 24R10259, being part of PIN 00764-0284 (LT).
2. The above property be declared as surplus to municipal needs.
3. Administration be directed to negotiate the offer to purchase from Craig Griffore for \$2,500 for Part of Property Identification Number 00764-0284, legally described as: Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Part 1 and 2, Plan 24R10259, being part of Property Identification Number 00764 0284 as shown on Plan 24R10259, plus additional costs for reference plan and advertising, on an “As Is, Where Is” basis.
4. Administration be directed to negotiate the offer to purchase from E & J Griffore Farms Ltd. for \$180 for part of Property Identification Number 00764-0284, legally described as: Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Part 3, Plan 24R10259, being part of Property Identification Number 00764-0284 as shown on Plan 24R10259, plus additional costs for reference plan and advertising, on an “As Is, Where Is” basis.

Background

A property owner approached the Municipality of Chatham-Kent to express interest in purchasing the unopened road allowance that separates his three parcels of land. Administration has determined that the road allowance to the east of the noted parcel to be disposed of will not be offered for sale due to an open municipal drain that exists within the allowance, and additionally there are two different property owners on either side of the open drain. Administration is in favour of this disposition as there is no intention to open this road and it will allow the property owner to consolidate his three separate parcels of land. Selling of this portion of the road allowance will have no negative impact on the drainage works in the area.

Comments

Administration has negotiated a combined purchase price of \$2,680 for this parcel plus additional costs incurred by the Municipality in preparing the property for sale, specifically being the reference plan and advertising costs. Administration supports the sale of this property for \$2,680. At the January 15, 2018 closed session meeting, Council directed administration to negotiate the sale.

A notice was published in the Wallaceburg Courier Press February 1, 2018 and on the Municipal website beginning the same day describing the potential closure. At this time no objections have been received; however, members of the public may ask to be heard at the February 12, 2018 Council meeting.

This property is being offered for sale on an As Is, Where Is basis.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable

- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

- Has the potential to support all areas of strategic focus & critical success factors

- Neutral issues (does not support negatively or positively)

Consultation

The Technical Advisory Committee confirmed this parcel to be surplus to municipal needs and has no concern with closing of the road.

All Public Utilities have been contacted to ensure the required easements are implemented in this process. Bell Canada has requested a transfer of easement over the property.

Legal Services will assist with road and lane closing process.

Financial Implications

The Property Disposition budget includes lot sales revenue. The sale proceeds offset the legal costs associated with the land transfer. Any surplus from the sale will contribute to the revenue line. The sale of surplus lands creates potential for assessment growth, generation of future tax revenue, and decreases municipal liability and maintenance costs.

Prepared by:

Amy McLellan, CPA, CGA
Manager, Revenue

Reviewed by:

Reviewed by:

Steve Brown, CPA, CMA
Director, Financial Services

Mike Turner, CPA, CMA
Chief Financial Officer, Treasurer

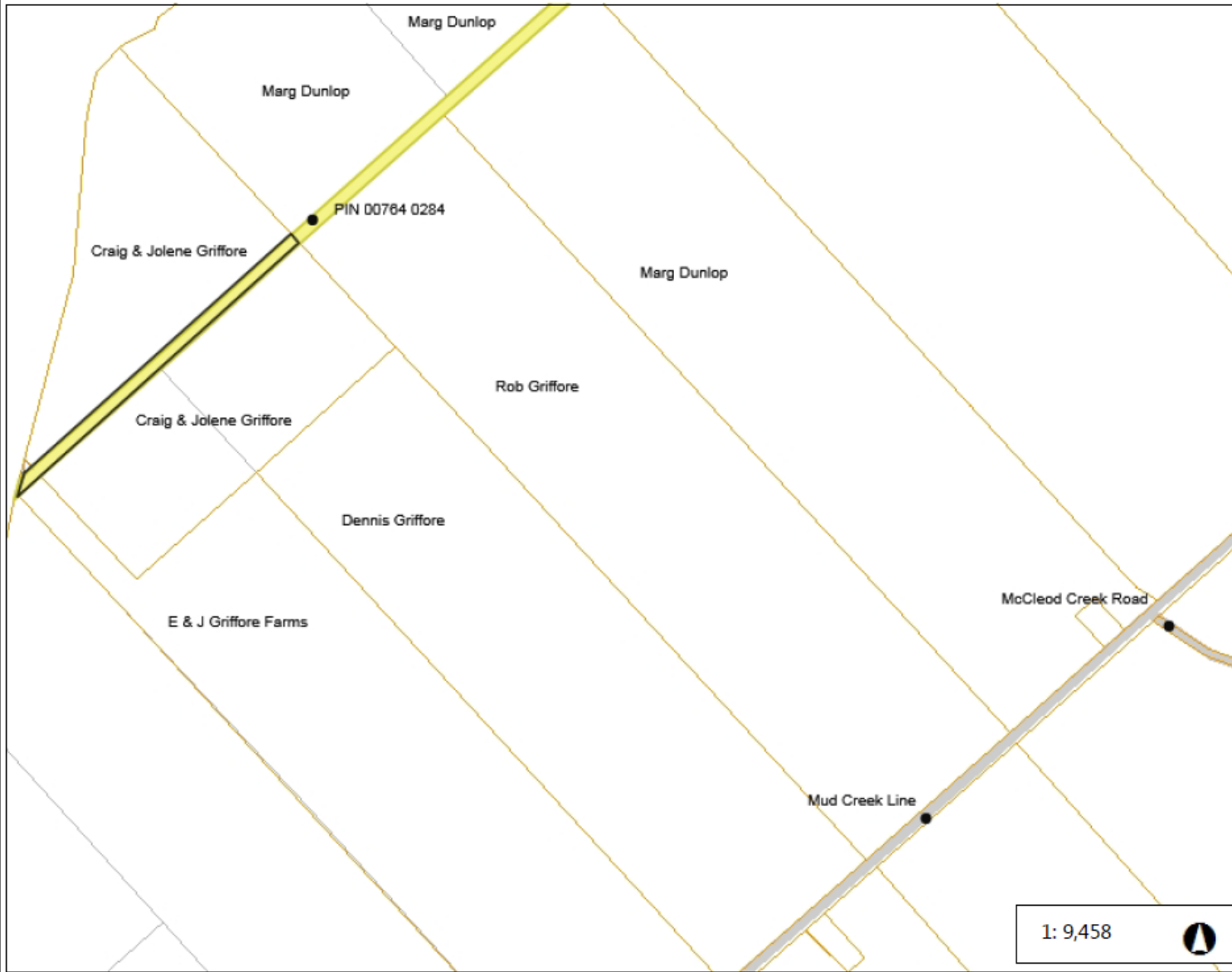
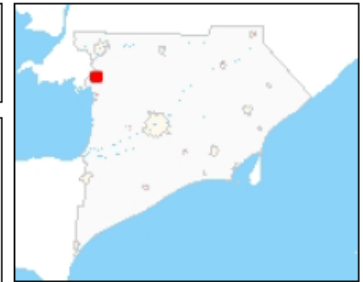
Attachments: GIS Map of Parcel
Reference Plan

Offer to Purchase – Part of PIN 00764-0284, Part of Road Allowance between
Concessions 15 and 16, Community of Dover






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Mud Creek.docx

C: Chief Building Official
Chief Legal Officer



Legend

-  Ownership Parcel
-  Settlement Areas
-  Road network
-  Railway
-  Assessment Parcel

1: 9,458



0.5 0 0.24 0.5 Kilometers

NAD_1983_UTM_Zone_17N
© Latitude Geographics Group Ltd.

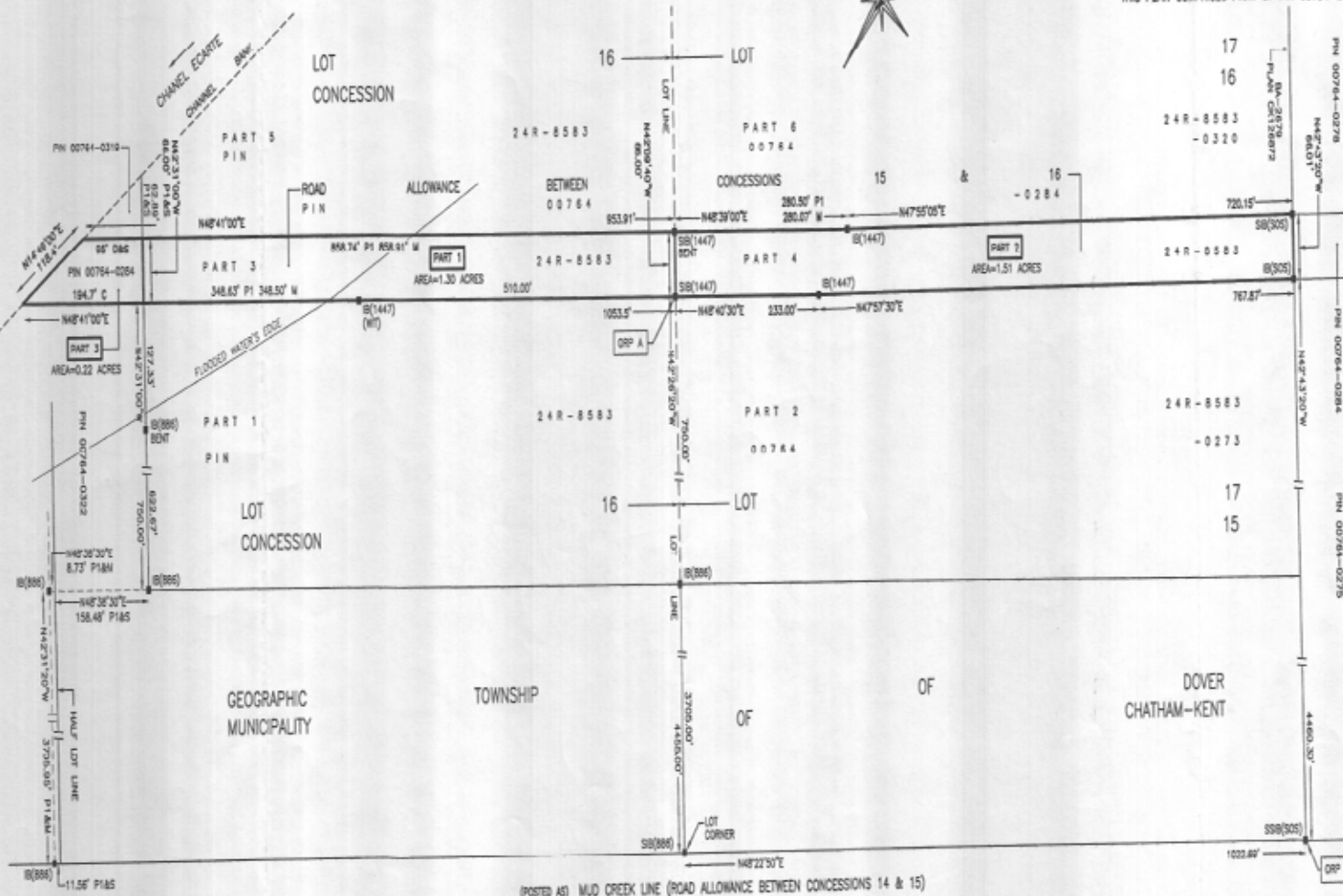
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

SCALE: 1"=100'
 0 50 100 150 200

DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METERS BY MULTIPLYING BY 0.3048.
 COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



SCHEDULE OF PARTS

PART	LOT/CONCESSION	P.I.N.
1	PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 15 & 16	PART OF 00764-0284
2		
3		

THIS PLAN COMPRISES PART OF PIN 00764-0284

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 24 R 10259
 RECEIVED AND DEPOSITED

APRIL 7, 2017
 (DATE)

APRIL 4, 2017
 (DATE)

S.D. BROOK
 ONTARIO LAND SURVEYOR

M. WICKENSBY
 REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF KENT (24)

PLAN OF SURVEY OF PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 15 & 16 GEOGRAPHIC TOWNSHIP OF DOVER MUNICIPALITY OF CHATHAM-KENT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYS ACT, THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 6th DAY OF MARCH, 2017.

APRIL 1, 2017
 (DATE)

S. HOOK
 S.D. BROOK
 ONTARIO LAND SURVEYOR

NOTES

BEARINGS ARE UTM (NAD 83) DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (2011) DATUM.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.9997002.

OBSERVED REFERENCE POINTS (ORP) A & B IN UTM, ZONE 17, NAD83 (2011). COORDINATES TO REAL ACCURACY PER SEC. 14 (2) OF S. REG. 214/12.

POINT ID	NORTHING	EASTING
ORP A	4708432.580	384083.708
ORP B	4717637.600	385232.845

COORDINATES CORRECT, IF NECESSARY, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

■	BEARINGS FOUND	○	BEARINGS NOT IN SET
□	BEARINGS SET	○	BEARINGS CALCULATED
▨	BEARINGS FROM BAR	○	BEARINGS VICES
▧	BEARINGS SHORT STANDARD FOR BAR	○	BEARINGS PLAN 240-8883
▩	BEARINGS PLASTIC BAR	○	BEARINGS CHRISTOPHER JOHN O'LEARY, S.L.S.
▪	BEARINGS WEARBAR	○	BEARINGS SHERIDAN OF BEE INC.
▫	BEARINGS WOODWORK	1147	BEARINGS S.G. WAGNER, S.L.S.
▬	BEARINGS SET	888	BEARINGS S.G. WAGNER, S.L.S.
▮	BEARINGS PROPERTY IDENTIFIER NUMBER	ORP	BEARINGS OBSERVED REFERENCE POINT

DATE: C.A.

CHECKED BY: S.D.H. / C.A.

PLAN NUMBER: 16243

HOOK & TODGHAM SURVEYING INCORPORATED

CENTRAL ONTARIO
 PHONE 1-813-24-8122 FAX 1-813-24-8128

(POSTED AS) MUD CREEK LINE (ROAD ALLOWANCE BETWEEN CONCESSIONS 14 & 15)

BY-LAW NUMBER -2018
OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to provide for the closing of Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Parts 1, 2, and 3 of 24R10259 being part of Property Identification Number 00764-0284 (LT).

FINALLY PASSED THE 12th day of February, 2018.

WHEREAS Council of the Municipality of Chatham-Kent wishes to close part of the road, legally described as Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Parts 1, 2, and 3 of 24R10259, being part of PIN 00764-0284 (LT) pursuant to the provisions of Section 34 of the Municipal Act, 2001, R.S.O. 2001, Chapter 25 and amendments thereto provides that the Council of a municipality may pass by-laws to close Public Highways.

AND WHEREAS notice of the proposed By-Law for the closing of the road allowance was published in the local Wallaceburg Courier Press newspaper, having a general circulation throughout Chatham-Kent communities of Wallaceburg, Dover and Dresden, of which the publication appeared in the February 1, 2018 issue of this paper.

AND WHEREAS notice of the proposed By-Law for the closing of the unopened road allowance has been advertised on the Chatham-Kent website since February 1, 2018.

AND WHEREAS the said notice did provide that any person who claims that his land might be prejudicially affected by the By-Law will be heard either in person or by his counsel on the day fixed and set out in the said Notice, namely February 12, 2018.

AND WHEREAS Council heard all parties that requested to speak about their concerns regarding this By-Law.

AND WHEREAS after considering the matter of the proposed By-Law, Council authorized passage.

BE IT THEREFORE ENACTED by the Municipal Council of the Municipality of Chatham-Kent as follows:

1. That portion of the road, legally described as Part of the Road Allowance between Concessions 15 and 16, Geographic Township of Dover, Municipality of Chatham-Kent depicted as Parts 1, 2, and 3 of 24R10259, being part of PIN 00764-0284 (LT) be closed.
2. That the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Municipality of Chatham-Kent and to seal with the seal thereof any and all documents necessary to implement the foregoing.

THIS By-law shall come into full force and effect upon the day on which it is registered in the Land Titles Division of the Land Registry Office of Kent (No. 24).

READ A FIRST, SECOND AND THIRD TIME this 12th day of February, 2018.

Mayor – Randy R. Hope

Clerk – Judy Smith