



The Municipal Corporation of the Town of Fort Erie

By-law 107-2023

Being a By-law to Authorize the Acceptance of Riparian Land From 5001997 Ontario Inc. (Fred Costabile) For Conservation and Public Use Lands East of Waverly Beach Park (0 Dominion Road)

Whereas 5001997 Ontario Inc. is the owner of certain riparian land along the shoreline of Lake Erie, east of Waverly Beach Park, being legally described as Part Block of 11 Acres on the South Side of Lakeshore Road, Plan 990-992, Bertie; Part Lands under the Water of Lake Erie in front of the Township of Bertie; Part 1, 59R-6400, except Part 1, 59R-7887, Parts 1 & 2, 59R-10508, Part 1, 59R-11973 and Parts 1 & 2, 59R-17529; Fort Erie, being part of PIN 64212-0177 (LT) ("the Lands"); and

Whereas 5001997 Ontario Inc. is desirous of donating and transferring ownership of the Lands to The Corporation of the Town of Fort Erie for conservation and public use; and

Whereas access along the Lake Erie Shoreline remains an important issue in the Town of Fort Erie and accordingly, the Town has deemed it to be in the best interest of the community to accept the donation of the said Lands from 5001997 Ontario Inc. for conservation and public use and to enter into an Agreement of Purchase and Sale with 5001997 Ontario Inc.;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the acceptance of a donation and the transfer of the lands legally described as Part Block of 11 Acres on the South Side of Lakeshore Road, Plan 990-992, Bertie; Part Lands under the Water of Lake Erie in front of the Township of Bertie; Part 1, 59R-6400, except Part 1, 59R-7887, Parts 1 & 2, 59R-10508, Part 1, 59R-11973 and Parts 1 & 2, 59R-17529; Fort Erie, being part of PIN 64212-0177 (LT), for the consideration of Two (\$2.00) Dollars, for conservation and public use, from 5001997 Ontario Inc. is authorized and approved.
- 2. That** the entry into an Agreement of Purchase and Sale with 5001997 Ontario Inc. for the donation and transfer of the Lands, in a form satisfactory to the Chief Administrative Officer and to the Town's legal counsel, is authorized and approved.
- 3. That** the Chief Administrative Officer, or designate, is authorized and directed to execute the Agreement of Purchase and Sale and all documentation necessary to complete the transaction, and to affix the corporate seal thereto.
- 4. That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 26th day of June, 2023.

Mayor

Deputy Clerk