File No. DAOC 4/2000

EXPLANATION TO COUNCIL FOR BY-LAW NO. 7959/2002

The closing of part and opening of an alternate part of the public lane south of Portage Avenue, west of Spence Street was approved by the Standing Policy Committee on Property and Development and adopted by Council at its meeting held February 28, 2001.

Ursula B. Goeres
City Solicitor/Manager of Legal Services

BY-LAW NO. 7959/2002

A By-law of THE CITY OF WINNIPEG to close part and to open an alternate part of the public lane south of Portage Avenue, west of Spence Street.

WHEREAS it is desirable and expedient to close part of the public lane south of Portage Avenue, west of Spence Street in the manner provided in this by-law;

AND WHEREAS it is desirable and expedient to open an alternate part of the public lane south of Portage Avenue, west of Spence Street in the manner provided by this by-law;

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows, namely:

1. A part of the public lane south of Portage Avenue, west of Spence Street shall be closed by taking and using the land described as follows:

IN THE CITY OF WINNIPEG, IN THE PROVINCE OF MANITOBA BEING PARCEL

LETTERED "A" WHICH PARCEL IS SHOWN BORDERED ON A PLAN OF SURVEY OF PART OF RIVER LOT 84 OF THE PARISH OF SAINT JAMES, PREPARED BY KENNETH WILLIAM BALEY OF THE CITY OF WINNIPEG, MANITOBA LAND SURVEYOR AND SWORN TO BY HIM ON THE 13TH DAY OF JULY, 2001, HERETO ATTACHED.

2. Pursuant to Section 498 of The City of Winnipeg Act, it is determined that no person or class of persons shall be regarded as being injuriously affected by the closing of part the public lane south of Portage Avenue, west of Spence Street as aforesaid.

3. An alternate part of the public lane south of Portage Avenue, west of Spence Street shall be opened by taking and using the land described as follows:

IN THE CITY OF WINNIPEG, IN THE PROVINCE OF MANITOBA BEING THE LAND TAKEN FOR PUBLIC LANE AS SAME IS SHOWN BORDERED ON A PLAN OF SURVEY OF PART OF RIVER LOT 84 OF THE PARISH OF SAINT JAMES, PREPARED BY KENNETH WILLIAM BALEY OF THE CITY OF WINNIPEG, MANITOBA LAND SURVEYOR AND SWORN TO BY HIM ON THE 13TH DAY OF JULY, 2001, HERETO ATTACHED.

4. The proper officers of the City are hereby authorized and directed to do all things necessary to close part of the public lane south of Portage Avenue, west of Spence Street as mentioned in Section 1 and to do all things necessary to open an alternate part the public lane south of Portage Avenue, west of Spence Street as mentioned in Section 3, and otherwise to give effect to this by-law and whatsoever those officers may have done heretofore in this behalf is hereby ratified and confirmed.

5. The cost of and incidental to this by-law shall be borne by the developer of lands lying adjacent to the existing public lane south of Portage Avenue, west of Spence Street.

DONE AND ENACTED by Council assembled, this day of , A.D., 2002.

MAYOR

CITY CLERK

Certified as to form:

for CITY SOLICITOR
[File No. R.6/2001(4)WJT]