File No. DAOC 6/2002

EXPLANATION TO COUNCIL FOR BY-LAW NO. 134/2004

The opening and closing of the public lane south of Ness Avenue between Mandeville and Belvidere Streets was approved by the Executive Policy Committee and adopted by Council at its meeting held September 29, 2004.

Ursula B. Goeres
City Solicitor/Manager of Legal Services

BY-LAW NO. 134/2004

A By-law of THE CITY OF WINNIPEG to open and close the public lane south of Ness Avenue between Mandeville and Belvidere Streets.

WHEREAS it is desirable and expedient to open and close the public lane south of Ness Avenue between Mandeville and Belvidere Streets in the manner provided by this by-law;

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

1. The public lane south of Ness Avenue between Mandeville and Belvidere Streets 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 23 of the Parish of Saint James, prepared by Gerald Samuel Hawryluk of the City of Winnipeg, Manitoba Land Surveyor, and sworn to by him on the 10th day of May, 2004, hereto attached.

2. The public lane south of Ness Avenue between Mandeville and Belvidere Streets 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 23 of the Parish of Saint James, prepared by Gerald Samuel Hawryluk of the City of Winnipeg, Manitoba Land Surveyor, and sworn to by him on the 10th day of May, 2004, hereto attached.

3. It is determined that no person or class of persons shall be considered as being injuriously affected by the closing of the public lane south of Ness Avenue between Mandeville and Belvidere Streets.

4. The proper officers of the City are hereby authorized and directed to do all things necessary to open and close the public lane south of Ness Avenue between Mandeville and Belvidere Streets as mentioned in Section 1 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 City-at-large.

DONE AND ENACTED by Council assembled, this day of September, 2004.

MAYOR

CITY CLERK

Certified as to form:

for City Solicitor/Manager of
Legal Services
[File No. R.6/2004(21) LES]