THE CORPORATION OF THE CITY OF STONEY CREEK

BY-LAW NO. 3914-93

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 172 SEVENTH ROAD EAST BEING OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O., 1990, c.O. 18, authorizes the Council of a Municipality to enact By-laws to designate a property, including buildings and structures thereon, to be of architectural and historic value or interest; and

WHEREAS the Council of The Corporation of the City of Stoney Creek has caused to be served on the owners of the lands and premises known as the 172 Seventh Road East, part of Lot 10, Concession 7, City of Stoney Creek, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid property and has caused such notice of intention to be published in the same newspaper having general circulation in the Municipality once for each of three consecutive weeks; and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality; and

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF STONEY CREEK ENACTS AS FOLLOWS:

1. There is designated as being of architectural and/or historical value or interest the real property known as 172 Seventh Road East, more particularly described in Schedule "A" attached hereto.

2. The City Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the proper land registry office.

3. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

ENACTED AND PASSED this 14th day of December, 1993.

CLERK

MAYOR

I, Lisa Barroso, Acting Clerk, pro tempore, for the Corporation of the City of Stoney Creek, hereby certify that the foregoing represents a true copy of By-law No. 3914-93 passed by the Council of the Corporation of the City of Stoney Creek on the 14th day of December, 1993.

Dated at the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth, this 23rd day of December, 1993.

SCHEDULE 'A'

BY-LAW NO. 3914-93

DESCRIPTION OF LANDS
THE WOOD/FERRELL HOUSE
172 SEVENTH ROAD EAST

Those lands being composed of part of Lot 10, Concession 7 in the former Township of Saltfleet and now the City of Stoney Creek;

And known municipally as 172 Seventh Road East.

5 8

The Registry Act

DECLARATION UNDER SECTION ~~22~~ 24 OF THE ACT

I, Raymond M. Plant, of the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth DO SOLEMNLY DECLARE AS FOLLOWS:

1. That I am the solicitor for the City of Stoney Creek, referred to in the attached By-law to establish and lay out the lands known as Part of Lot 10, Concession 7 on Reference Plan 62R-1126 and known municipally as 172 Seventh Road East in the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth.

2. The said By-law affects the following lands:

Part of Lot 10, Concession 7, formerly in the Township of Saltfleet, now in the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth on a Plan deposited with the Land Registrar for the Registry Division of Wentworth (No. 62) as Plan 62R-1126 and more particularly described in Schedule "C".

I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME at the City)
)
of Hamilton, in the Regional)
)
Municipality of Hamilton-)
)
Wentworth this 17thday of)
)
January, 1994.)

RAYMOND M. PLANT, Q.C.

A Commissioner, etc.

Barbara Skupien,
a Commissioner, etc., Province of Ontario,
while a student-at-law
Expires: August 6th

SCHEDULE "C"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being a part of Lot No. ten (10), Concession seven (7), formerly in the Township of Saltfleet, in the County of Wentworth, now in the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth being more particularly described as follows:

PREMISING that bearings are astronomic and referred to the Easterly limit of the Road Allowance between lots No. 10 and 11 as being North eighteen degrees, fifteen minutes and ten seconds East (N.18°15'10"E.) as shown on Plan 62R-1126 and relating all bearings herein thereto;

COMMENCING at an iron bar marking the Southwest corner of lands described in Instrument No. 364 A.B., also being a point in the Easterly limit of the Road Allowance between lots No. 10 and 11, also being a point in the Westerly limit of the said lot No. 10, distant seven hundred and forty-eight and five-tenths feet (748.50') measured South eighteen degrees, fifteen minutes and ten seconds West (S.18°15'10"W.) along the Westerly limit of Lot No. 10 from the Northwest corner thereof;

THENCE South seventy-one degrees, thirty-five minutes and thirty seconds East (S.71°35'30"E.) along the Southerly limit of lands described in Instrument No. 364 A.B. five hundred and eighty-two and thirty-three one-hundredths feet (582.33') to an iron bar marking the Southeast corner thereof, also being a point in the Westerly limit of lands described in Instrument No. 245734 H.L.;

THENCE South eighteen degrees, fifteen minutes and ten seconds West (S.18°15'10"W.) along the Westerly limit of lands described in Instrument No. 245734 H.L. four hundred and five-tenths feet (400.50') to an iron bar marking the Southwest corner thereof;

THENCE South seventy-one degrees, thirty-five minutes and thirty seconds East (S.71°35'30"E.) along the Southerly limit of lands

SCHEDULE "C" (Continued)

described in Instrument No. 245734 H.L. and Instrument No. 245733 H.L. seven hundred and fifty-seven and thirty-nine one-hundredths feet (757.39') to an iron bar in a present existing old post and wire fence marking the Southeast corner of lands described in Instrument No. 245733 H.L. also being a point in the Easterly limit of Lot No. 10;

THENCE South eighteen degrees, twenty-nine minutes West (S.18°29'W.) along the said post and wire fence defining the Easterly limit of Lot No. 10, six hundred and eighty and forty-eight one-hundredths feet (680.48') to an iron bar marking the Northeast corner of Part one (1) as designated on Plan 62R-1126;

THENCE North seventy-two degrees, nine minutes and twenty seconds West (N.72°09'20"W.) along the Northerly limit of the said Part 1 Plan 62R-1126, one thousand three hundred and thirty-seven and two one-hundredths feet (1,337.02') to an iron bar marking the Northwest corner thereof, also being a point in the said Easterly limit of the Road Allowance between Lots No. 10 and 11 and being a point in the Westerly limit of Lot No. 10;

THENCE North eighteen degrees, fifteen minutes and ten seconds East (N.18°15'10"E.) along the said Westerly limit of Lot No. 10, one thousand and ninety-four and fourteen one-hundredths feet (1,094.14') to the point of commencement.

SUBJECT TO an unregistered Easement in favour of Ontario Hydro dated April 18, 1961, more particularly described as follows:

BEGINNING at the Northwest corner of the said Lot No. 10;

THENCE South eighteen degrees, fifteen minutes and ten seconds West (S.18°15'10"W.) along the Westerly limit of Lot No. 10, seven hundred and forty-eight and five-tenths feet (748.50') to an iron bar marking the Southwest corner of lands described in Instrument No. 364 A.B.;

SCHEDULE "C" (Continued)

THENCE South seventy-one degrees, thirty-five minutes and thirty seconds East (S.71°35'30"E.) along the Southerly limit of the said Instrument No. 364 A.B., thirty-five feet (35.0') to the POINT OF COMMENCEMENT of the hereinafter described parcel of land;

THENCE Continuing South seventy-one degrees, thirty-five minutes and thirty seconds East (S.71°35'30"E.) along the Southerly limit of Instrument No. 364 A.B. twenty feet (20') to a point;

THENCE South eighteen degrees and twenty-three minutes West (S.18°23'W.), one thousand ninety-three and sixty-two one-hundredths feet (1,093.62') to a point in the Northerly limit of Part 1 as designated on Plan 62R-1126;

THENCE North seventy-two degrees, nine minutes and twenty seconds West (N.72°09'20"W.) along the Northerly limit of the said Part 1, twenty feet (20') to a point distant thirty-two and five-tenths feet (32.50') measured South seventy-two degrees, nine minutes and twenty seconds East (S.72°09'20"E.) from the Northwest corner of the said Part 1;

THENCE North eighteen degrees and twenty-three minutes East (N.18°23'E.) one thousand and ninety-three and eighty-two one-hundredths feet (1,093.82') to the point of commencement.