Corporation of the Municipality of Morris-Turnberry

By-law No. 36-2013

Being a by-law to authorize an agreement for the Demolition of the Residence “located at the Part of the North Part of Lot 8 Concession 2, RP 22R5518 Part 1 Morris Ward” in the Municipality of Morris-Turnberry, County of Huron.

WHEREAS, under Section 33 (6) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the Council of a Corporation shall, on application therefore, issue a demolition permit where a building permit has been issued to erect a new building on the site of the residential property sought to be demolished and Section 33 (7) authorizes councils to impose conditions of the demolition permit;

AND WHEREAS, the Corporation of the Municipality of Morris-Turnberry is desirous to enter into an agreement with the owner of the Part of the North Part of Lot 8, Concession 2, RP 22R5518 Part 1 Morris Ward, concerning the demolition of the old residence;

NOW THEREFORE BE IT ENACTED, as a by-law of the Corporation of the Municipality of Morris-Turnberry, as follows:

1/ That the Corporation of the Municipality of Morris-Turnberry shall enter into the attached agreement with the owner of the North Part of Lot 8 Concession 2, RP 22R5518 Part 1 Morris Ward, in the Municipality of Morris-Turnberry, County of Huron, Province of Ontario;

2/ That the Mayor and the Clerk are hereby authorized to execute any documentation required to affect the said agreement and to affix thereto, the Corporate Seal of the Corporation.

Read a First, Second, Third and Final Time this 21st day of May, 2013

Mayor - Paul Gowing

Clerk - Nancy Michie

I, Nancy Michie, Clerk of the Municipality of Morris-Turnberry, do hereby certify this to be a true copy of By-law No. 36-2013, of the Municipality of Morris-Turnberry.

Clerk - Nancy Michie
James Kenneth George Chester
Angela Christine Chester

Part of the North Part of Lot 8 Concession 2 RP 22R5518 Part 1
Morris Ward
Municipality of Morris-Turnberry

This agreement made the 21st day of May, 2013

Between:
The Corporation of the Municipality of Morris-Turnberry
Hereinafter called the “Municipality”

and

James Kenneth George Chester and Angela Christine Chester
Hereinafter called “Owner”

Whereas, the “Owner” is the registered owner of the lands known as the Part of the North Part of Lot 8 Concession 2, RP 22R5518 Part 1, located in the Morris Ward.

And Whereas, the parties hereto are desirous to enter into an agreement setting out the demolition of the current Residence, located in the Morris Ward, Part of the North Part of Lot 8 Concession 2, owned by the Party of the Second Part.

Now Therefore, this agreement witnessed that in consideration of the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1/ That the Owner will demolish the current residence, located at the Part of the North Part of Lot 8 Concession 2, Morris Ward, within one (1) year of the date of the building permit. Therefore, the current residence must be demolished to the satisfaction of the Chief Building Official, employed by the party of the first part, by May 21st, 2014.

2/ That the Chief Building Official, employed by the Municipality, will inspect the premises May 21st, 2014, to confirm that the current residence has been demolished and debris removed, to his/her satisfaction.

3/ If the current residence is not demolished by the Party of the Second part, by May 21st, 2014, the Party of the First Part has the right to enter the property of the Second Part and cause the residence to be demolished and the area restored, to the satisfaction of the Chief Building Official, employed by the Party of the First Part, with all costs being borne by the Party of the Second Part. If the costs are not paid within 30 days after demolition, all costs will be added to the property tax billing and be collected in the same manner as all other taxes are collected.

In Witnessed Whereof, the Municipality of Morris-Turnberry has affixed thereto their Corporate Seal and the Signatures of the respective Officers and the Owner has signed with his normal signature as the Property Owner.

The Corporation of the Municipality of Morris-Turnberry

Mayor – Paul Gowing
Dated: May 21st, 2013

Clerk – Nancy Michie
Dated: May 21st, 2013

James Kenneth George Chester (Property Owner)
Dated: May 10, 2013

Angela Christine Chester (Property Owner)
Dated: May 10, 2013