CORPORATION OF THE MUNICIPALITY OF MORRIS - TURNBERRY

By-law No. 34-2015

Being a by-law to authorize an agreement
for the Demolition of the Residence
“located at the South Part of Lot 10, as RP 22R2129 Part 1
Concession A, Turnberry”
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 South Part of Lot 10, as RP 22R2129 Part 1 Concession A, Turnberry, concerning the demolition of the current 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 South Part of Lot 10, as RP 22R2129 Part 1 Concession A, Turnberry, 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 19th day of May, 2015

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. 34-2015, of the Municipality of Morris-Turnberry.

Clerk - Nancy Michie
Agreement with Paul Allan Kerr and Lessa C. Kerr

South Part of Lot 10, as RP 22R2129 Part 1, Concession A, Turnberry
Municipality of Morris-Turnberry

This agreement made the 19th day of May, 2015

Between:

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

and

Paul Allan Kerr and Leesa C. Kerr
Hereinafter called “Owner”

Whereas, the “Owner” is the registered owner of the lands known as the South Part of Lot 10 Concession A, Turnberry.

And Whereas, the parties hereto are desirous to enter into an agreement setting out the demolition of the current Residence, located at the South Part of Lot 10 Concession A, Turnberry, 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, to construct a new residence, located at the South Part of Lot 10 Concession A, Turnberry, and reside in the current residence for a time period within one (1) year of the date of the building permit, being May 19th, 2015. Therefore, the current residence must be removed to the satisfaction of the Chief Building Official, employed by the party of the first part, by May 19th, 2016.

2/ That the Chief Building Official, employed by the Municipality, will inspect the premises May 19th, 2016, 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 19th, 2016, the Party of the First Part has the right to enter the property of the Second Part and cause the current residence to be removed 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

Dated: May 19th, 2015

Mayor- Paul Gowing

Clerk – Nancy Michie

Dated: May 19th, 2015

Paul Allan Kerr

Dated: MAY 13-15

Leesa C. Kerr

Dated: MAY 13/15