CORPORATION OF THE MUNICIPALITY OF MORRIS - TURNBERRY

By-law No. 58-2015

Being a by-law to authorize an agreement for the Demolition of the Residence
“located at the North Part of Lot 53, Concession 1, 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 North Part of Lot 53, Concession 1, 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 North Part of Lot 53, Concession 1, 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 1st day of September, 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. 58-2015, of the Municipality of Morris-Turnberry.
Agreement with John Douglas Fischer and Marian Louise Fischer

North Part of Lot 53, Concession 1, Turnberry
Municipality of Morris-Turnberry

This agreement made the 1st day of September, 2015

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

and

John Douglas Fischer and Marian Louise Fischer
Hereinafter called “Owner”

Whereas, the “Owner” is the registered owner of the lands known as the North Part of Lot 53, Concession 1, Turnberry.

And Whereas, the parties hereto are desirous to enter into an agreement setting out the demolition of the current Residence, located at the North Part of Lot 53, Concession 1, 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 North Part of Lot 53, Concession 1, Turnberry, and reside in the current residence for a time period within one (1) year of the date of the building permit, being September 2nd, 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 September 2nd, 2016.

2/ That the Chief Building Official, employed by the Municipality, will inspect the premises September 2nd, 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 September 2nd, 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

Mayor: Paul Gowing
Dated: September 1st, 2015

Clerk - Nancy Michie
Dated: September 1st, 2015

John Douglas Fischer
Dated: August 13, 2015

Marian Louise Fischer
Dated: August 13, 2015