

**TOWN OF NEEPAWA
BY-LAW NO. 3154**

**BEING A BY-LAW OF THE TOWN OF NEEPAWA TO CLOSE A MUNICIPAL ROAD AND AUTHORIZE
THE SALE OF LAND AND OPEN A MUNICIPAL ROAD**

WHEREAS The Municipal Act provides, in part, as follows:

- 289 A municipality may open land for public use as a municipal road by
- (a) passing a by-law opening the road; and
 - (b) registering the by-law and a plan at the appropriate land titles office.
- 290(1) "Subject to subsection (2), a municipality may close a municipal road by
- (a) passing a by-law closing the road;
 - (b) obtaining written approval of the by-law from the minister; and
 - (c) registering the approved by-law and a plan at the appropriate land titles office."

291(2) "A municipality may authorize the sale of land on which was situated a municipal road that has been or is to be closed under section 290 only with the written approval of the minister."

AND WHEREAS it is deemed necessary and desirable to open a municipal road over, upon and across the lands hereinafter described:

Part of S.E. ¼ 33-14-15 WPM, being part lots 25 and 26, Block 117, SS Plan 256.

AND WHEREAS the following described municipal road is no longer required for public purposes and it is necessary and desirable and in the public interest that the road be closed;

Part of S.E. ¼ 33-14-15 WPM, being part of public lane, SS Plan 256.

NOW THEREFORE the Council of the Town of Neepawa enacts as follows:

1. THAT all that portion of the municipal road shown on a plan (Deposit No. 1153-2015) prepared by Tim Longstaff, Manitoba Land Surveyor, on the 3rd day of June, 2015, and sworn to by him on the 13th day of August, 2015 is hereby closed.
2. THAT all that portion of the municipal road so closed shall be transferred to Manitoba Housing and Renewal Corporation (Yellowhead Manor) excepting all mines and minerals, title to which shall remain in the Crown; and the Chief Administrative Officer is authorized and directed to do all acts and execute all documents required for the transfer.
3. THAT a municipal road be and is hereby opened and established over, upon, and across the lands described as follows:

All that portion of part Lots 25 and 26, Block 117, SS Plan 256 shown on a plan (Deposit No. 1153-2015) prepared by Tim Longstaff, Manitoba Land Surveyor, on the 3rd day of June, 2015, and sworn to by him on the 13th day of August, 2015.

And the said lands are hereby dedicated to the public for that purpose.
4. THAT the said plan of survey is hereby adopted and approved, and the Chief Administrative Officer is authorized and directed to endorse the aforementioned plan of survey for identification, placing thereon his/her signature, under the corporate seal of the municipality, together with a reference to this by-law.
5. THAT the opening of part lots 25 and 26, Block 117, Plan 256 and the closure of part public lane Plan 256 be hereby formally registered at NLTO to give effect to By-law No. 2131, being the exchange identified and agreed to on February 6, 1973.
6. THAT By-Law No. 2164 is hereby repealed.

DONE AND PASSED by the Council of the Town of Neepawa duly assembled in the Province of Manitoba this _____ day of _____, A.D., 2015.

TOWN OF NEEPAWA

Mayor

Chief Administrative Officer

Read a first time this 20th day of October, 2015
Read a second time this _____ day of _____, 2015
Read a third time this _____ day of _____, 2015