

To:	Warden Selwyn Hicks and Members of Grey County Council
Committee Date:	April 11, 2019
Subject / Report No:	TR-CW-14-19
Title:	Road Widening Acquisition Plan 16R-6961 Grey Road 25
Prepared by:	Lacey Thompson, Law Clerk/Realty Specialist
Reviewed by:	Pat Hoy, Director of Transportation Services
Lower Tier(s) Affected:	Township of Chatsworth
Status:	Recommendation adopted by Committee as presented as per Resolution <i>CW85-19</i> ; Endorsed by County Council on April 25, 2019 as per Resolution <i>CC34-19</i> .

Recommendation

1. That Report TR-CW-14-19 regarding the acquisition of road widening be received and that the property identified as Part of Lot 30 Concession 3 being Part 2 Plan 16R-6961; Geographic Township of Sullivan, Township of Chatsworth, County of Grey be acquired by The Corporation of the County of Grey.

Executive Summary

Property is required from a landowner along Grey Road 25 for road widening purposes to achieve a 100 foot road allowance which supports the County's long term goal in accordance with the Transportation Master Plan.

Background and Discussion

Transportation Services wishes to obtain land for road widening purposes on Grey Road 25 to achieve a 30.5 metre (100 foot) right-of-way width in this area, which supports the County's long term goal in accordance with the Transportation Master Plan.

Transportation tried to acquire the property several years ago and had the widening surveyed and Reference Plan was deposited at the Land Registry office in 1998. The widening was not acquired at that time.

The property is identified as Part of Lot 30 Concession 3, Township of Chatsworth, (in the former geographic Township of Sullivan), in the County of Grey depicted as Part 2 on reference Plan 16R-6961.

Grey County's Acquisition of Land Procedure No. G-GEN-003-002 authorizes an offer of \$1,000.00 for 0.017 hectares (0.04 acres) of land. Negotiations were initiated with the landowner and an agreement was drafted and forwarded to the landowner for signature.

Legal and Legislated Requirements

The property transfer will be registered on title to the lands in the local Land Registry Office (Grey No. 16).

The agreement follows the County's standard land acquisition agreement.

Financial and Resource Implications

The total compensation to the landowner is \$1,000.00 for 0.017 hectares of land in accordance with Grey County's Land Acquisition Procedure.

The legal costs to finalize the transfer are estimated to be under \$1,000.00.

The anticipated total cost of the acquisition is expected to be approximately \$2,000.00.

The Funding will come from the Transportation Services land acquisition budget.

Relevant Consultation

Internal

Clerks Department

External

Property Owners of Part 2, Reference Plan 16R-6961

Appendices and Attachments

Location Map

Reference Plan 16R-6961

Grey Road 25 Road Widening Acquisition Agreement

Location Map



Grey Road 25 Road Widening Acquisition Agreement

This Agreement made in duplicate this _____ day of _____, 20____ between:

The Corporation of the County of Grey

(herein called the "County")

- and-

Paul Anthony Culver

(herein called the "Owner")

WHEREAS the Owner owns a parcel of land situated in the Township of Chatsworth in the County of Grey; adjacent to County Road 25.

AND WHEREAS the County wants to purchase and the Owner is agreeable to sell part of the land for road widening purposes.

The Owner and the County agree that in consideration of the rounded sum of **\$1,000.00**, (which compensation is in accordance with Schedule 'A' of Grey County's Acquisition of Land Procedure No. G-GEN-003-002 which states that compensation for land less than 0.08 hectares in size is \$1,000.00) receipt and sufficiency of which is hereby acknowledged, the parties, intending to be legally bound, agree as follows:

The Owner agrees to sell to the County, a parcel of land with a total area of 0.017 hectares and being legally described as Part of Lot 30, Concession 3 Township of Chatsworth (in the former geographic Township of Sullivan), in the County of Grey depicted as Part(s) 2 on Reference Plan No. 16R-6961 (the "Purchased Parcel").

Additional Details: N/A

The Owner agrees to provide the County with a valid Transfer/Deed of Land conveying unencumbered title to, and releasing all claims in respect of, the Purchased Parcel and the additional lands. The Transfer/Deed of Land shall be prepared at the expense of the County by its lawyers.

The Owner shall obtain release of any existing mortgage or other encumbrance on the purchased parcel and additional lands. The Owner represents that spousal consent is not necessary to this transaction under the provisions of the Family Law Act (Ontario), unless the Owner's spouse has executed the consent below. The Owner represents that the Owner is not a non-resident of Canada within the meaning of the *Income Tax Act*.

The obligation of the County to complete the transaction contemplated by this agreement shall be conditional upon County Council passing a motion approving the acquisition of the Purchased Parcel.

The transaction shall be completed on or before a date specified by the County by notice sent to the Owner not less than 30 days prior to the specified completion date.

If this transaction is subject to Harmonized Sales Tax such tax shall be included in the purchase price.

The heirs, executors, administrators, successors in title and assigns of the Owner are bound by the terms of this agreement.

In witness, the parties have signed, sealed and delivered this agreement.

The Corporation of the County of Grey

(seal)

Selwyn Hicks, Warden

Heather Morrison, Clerk

Owner

Witness (seal)

Owner

Witness (seal)

The undersigned Spouse of the Owner consents to the disposition agreed to herein pursuant to the provisions of the Family Law Act (Ontario), and hereby agree with the County that he or she will execute all necessary documents to complete the sale.

Spouse of Owner (if not property owner)

Witness (seal)