

**By-law 2016-25**

**A By-law of the City of Greater Sudbury to Authorize the Purchase  
of an Easement and Part of 555 Barry Downe Road, Sudbury Described  
as Part of PIN 02132-0416 (LT) from Barry Downe 555 Inc.**

**Whereas** the City of Greater Sudbury wishes to purchase certain lands municipally known as part of 555 Barry Downe Road, Sudbury and legally described as part of PIN 02132-0416 (LT), Parts 12, 13, 14, 15, 16 and 17, Plan 53R-20565, part of Lot 12, Concession 4, Township of McKim, City of Greater Sudbury for municipal purposes as part of future road widening on Barry Downe Road, Sudbury;

**And Whereas** the City of Greater Sudbury, as part of the road widening project on Barry Downe Road, Sudbury, also needs to purchase an easement over Parts 18 and 19, Plan 53R-20565 for the benefit of Greater Sudbury Hydro Inc. to replace the existing easement;


**And Whereas** the property owner and the City have entered into an agreement of purchase and sale for such purposes, conditional upon approval of the Council of the City of Greater Sudbury;


**Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:**

1. Council of the City of Greater Sudbury approves the acquisition from Barry Downe 555 Inc. of part of the property municipally known as part of 555 Barry Downe Road, Sudbury for the Barry Downe road widening project as follows:
  - (a) purchase for road widening of part of PIN 02132-0416 (LT), Parts 12, 13, 14, 15, 16 and 17, Plan 53R-20565, part of Lot 12, Concession 4, Township of McKim, City of Greater Sudbury for a purchase price of \$97,613 and any applicable HST together with payments of \$400,000 for injurious affection for loss of parking spaces, \$11,200 for disturbance damage for loss of trees and the vendor's reasonable legal fees; and
  - (b) purchase of an easement for the benefit of Greater Sudbury Hydro Inc. over part of PIN 02132-0416 (LT), Parts 18 and 19, Plan 53R-20565, part of Lot 12, Concession 4, Township of McKim, City of Greater Sudbury for the sum of \$19,887 and any applicable HST together with the vendor's reasonable legal fees.

2. The acquisitions will be funded from the Road Projects – Property Acquisitions account.
3. The Director of Asset Services is hereby authorized to execute all required documents to complete this transaction and the City Solicitor is authorized to electronically approve the registration of the Transfer of the said property and the Transfer of Easement.
4. This By-law comes into full force and effect upon passage.

**Read and Passed in Open Council** this 9th day of February, 2016.

  
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Mayor

  
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Clerk