

The Corporation of the Municipality of Huron Shores
Regular Meeting

Agenda Number: 8.4.5

Resolution Number 21-27-10

Title: to proceed with preparation of a legal agreement with T. Morningstar & K. Clapp

Date: Wednesday, September 22, 2021

Moved by D. Kirby

Seconded by J. Pirrie

WHEREAS Resolution No. 21-22-18 authorized staff to confirm ownership of the unopened Richard Avenue road allowance and investigate the liability involved in permitting private maintenance on an unopened public road;

NOW THEREFORE BE IT RESOLVED THAT Council authorizes Clerk/Administrator to enter into a legal agreement with the owners of property identified as PIN 31438-0259, to be registered on title, subject to the terms outlined in Planning Report titled 'Driveway Access on unopened Road Allowance', Report No. PL-21-03, provided to Council at the September 8, 2021, Regular Council Meeting;

AND THAT should the owners be in agreement with the terms required by the Municipality, a by-law be brought forward containing recitals outlining the agreement and the Municipality's response, specifically reciting that the Municipality does not assume the road for maintenance purposes and that the road is to be used at the user's risk;

AND THAT, as per recommendation by Municipal Solicitor, a policy covering the use of unopened road allowances be prepared and adopted to ensure consistent decision making should similar issues arise with others in the Municipality in the future.

CARRIED

Mayor