

Bill No. 59
2013

By-law No. S.- _____

A by-law to permit Ryan John Brady to maintain and use an encroachment upon the road allowance for William Street, City of London.

WHEREAS Ryan John Brady (the "Owner") represents that he is the registered owner of certain lands and premises in the City of London, in the County of Middlesex, which abut on the east side of William Street, known for municipal purposes as 716 William Street, in the said City of London, and which are more particularly described in a certain agreement attached hereto as Schedule "A" (the "said lands");

AND WHEREAS it has been ascertained that there is constructed a 1 storey frame and vinyl house, the wood veranda and concrete steps of which encroach upon the road allowance for William Street, making a total in all of 57 (plus or minus) square feet;

AND WHEREAS that part of the said wood veranda and concrete steps partially constructed upon the road allowance for William Street is hereinafter referred to as the "encroachment";

AND WHEREAS the Owner has petitioned the Council of The Corporation of the City of London that he be allowed to maintain and use the said encroachment;

AND WHEREAS the Owner has by the said Agreement, undertaken to indemnify the City in all respects relating to the said encroachment;

The Municipal Council of The Corporation of the City of London enacts as follows:

1. The Owner, his executors, administrators, successors and assigns, are hereby allowed to use and maintain the said encroachment, for so long as the said wood veranda and concrete steps shall remain in their present location.
2. Upon demolition or removal of the said wood veranda and concrete steps, all parts of the encroachment upon the road allowance for William Street shall be removed by the Owner at the expense of the Owner.
3. In the event of failure by the Owner to remove the encroachment as required by Clause 2 hereof, the same may be removed by the forces of the City and the cost of said removal shall be a first lien upon the Owner's lands abutting on the east side of William Street and may be recovered in a like manner as taxes.
4. The Owner shall pay to the City Treasurer annually, so long as the said encroachment is used and maintained upon the road allowance for William Street the sum of EIGHT DOLLARS AND FIFTY-FIVE CENTS (\$8.55) as an annual charge or fee for such privilege and such fee or charge shall form a charge upon the lands of the Owner of the said lands, his executors, administrators, successors and assigns, and upon default of payment after reasonable notice may be recovered as a lien upon the said lands in a like manner as taxes.

5. Nothing herein contained shall limit the covenants and agreements between the parties herein, as set out in the said Schedule "A".

6. This by-law comes into force on the day it is passed.

PASSED in open Council on January 15, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading - January 15, 2013
Second reading - January 15, 2013
Third reading - January 15, 2013