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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 108-92

A BY-LAW TO REPEAL BY-LAW NUMBER 40-86 (38 KING STREET WEST, COBOURG).

WHEREAS The Ontario Heritage Act, R.S.O. 1990, Chapter O.18, Section 41(2) provides that no property designated by a council of a municipality under Part IV shall be designated as part of a heritage conservation district;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has enacted By-law No. 27-90, as amended by By-law No. 118-91, designating three heritage conservation districts and the by-laws have received approval of the Ontario Municipal Board;

AND WHEREAS the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 Section 31 authorizes the Council of a municipality to enact by-laws to repeal a by-law designating real property including all buildings and structures thereon, to be of architectural and/or historical value or interest;

AND WHEREAS the Cobourg Municipal Council enacted By-law No. 40-86 on the 28th day of April, 1986, being a by-law to designate property at 38 King Street West, Cobourg as being of architectural and/or historical value or interest;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has caused to be served on the owner of the lands and premises known as 38 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 40-86 designating the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed repealing by-law has been received;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT By-law No. 40-86 designating the real property known as 38 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.
2. THAT a copy of this by-law together with the reasons for repealing the designation be registered against the property described in Schedule "A" hereto in the land registry office.
3. THAT a copy of this by-law be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and that notice of the passing of this by-law be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

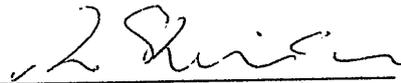
THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 108-92

READ a first, second and third time and finally passed in
Open Council this 20th day of July, 1992.



Mayor



Municipal Clerk

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 108-92

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Cobourg, in the County of Northumberland, being composed of Part of Lot 7, in Block "D", on the North side of King Street, Subdivision 10, according to E. C. Caddy's Plan of the Town of Cobourg designated as Parts 1 and 3 on a Plan of Survey of Record in the Office of the Director of Titles at Toronto as Plan CTA-900 registered in the Registry Office for the Registry Office for the Registry Division of Northumberland West, a copy of which is attached to a Certificate of Title registered in the Registry Office for the Registry Division of Northumberland West as Number 58104; (Part of former Township Lot 17, Concession 19).

SAVE AND EXCEPT those portions thereof designated as Parts 9 and 10 on a Plan of Survey of Record deposited in the Registry Office for the Registry Division of Northumberland West Plan 39R-242;

TOGETHER with a right of way for persons and vehicles over part of Lots 3, 4, 5, 6, 7, 8, 15, 16, 17, and part unnumbered Lot in Block "D" on the North side of King Street Subdivision 10 according to E. C. Caddy's Plan of the Town of Cobourg formerly part of Lot 17, Concession A, Township of Hamilton designated as Parts 2, 3, 5, 6, 8, 10, 11, 12 and 13 on a reference plan deposited in the Registry Office for the Registry Division of the County of Northumberland (No. 39) as Number 39R-242.

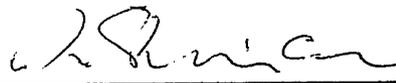
TOGETHER with the right of uninterrupted use of that part of the basement of a three-storey building designated as Part 4 on said Plan CTA-900.

SUBJECT to the right of uninterrupted use, in favour of the owners of the East half of said Building, of that part of the basement of the building erected upon the lands and designated as Part 3 on said Plan CTA-900.

SUBJECT to the right of The Corporation of the Town of Cobourg to maintain the concrete sidewalk encroaching on part of said Part 1 shown on said Plan CTA-900, so long as said encroachment does not interfere with the basement ventilation and right of light through the window well as shown on said Plan CTA-900.



Mayor



Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 40-86

The Cobourg Municipal Council has enacted By-Law No. 27-90, as amended by By-law No. 118-91, designating three heritage conservation districts and has submitted the By-law to the Ontario Municipal Board for approval, therefore, the Municipal Council proposes to repeal By-law No. 40-86.

The Ontario Heritage Act, R.S.O. 1990, Chapter 337, provides in part that no individual property designated by a council of a municipality under Part IV of the Act to be of architectural and/or historical value or interest, shall be designated as part of a heritage conservation district under Part V of the Act.