

**1.0 Policy Statement**

BE IT RESOLVED by the Town Council of the Town of Yarmouth pursuant to Section 315 of the Municipal Government Act, Chapter 18 of the Statutes of Nova Scotia, 1998 as revised, that the following Policy be and the same is hereby enacted and the Clerk be and is hereby instructed to forward the same to the Minister of Transportation and Public Works.

**2.0 Closing Public Street**

That the Council does close, to public use, a portion of the street known as Clements Avenue as shown on the Plan of Survey prepared by Michael S. Doucette dated the 29<sup>th</sup> of April, 2019 as Plan No. 037AD2019.

**2.1** That a portion of the street thereof hereby closed to public use, pursuant to Section 2.0 of this Policy is as follows:

**Lot CA-1 Clements Avenue**

ALL that certain parcel situated on the southern side of Starrs Road in Town of Yarmouth, Yarmouth County, Nova Scotia shown as Lot CA-1 on Acker & Doucette Surveying Inc. Plan No. 037AD2019 titled "Plan of Survey of Lot CA-1, Lot 4 and the northeastern boundary of Lot A1, lands of Town of Yarmouth, Red Knight Holdings Limited and Lotus Garden Restaurant Limited", certified by Michael S. Doucette, N.S.L.S. on April 29, 2019.

Lot CA-1 being more particularly described as follows:

BEGINNING at a point on the southern boundary of Starrs Road at the northeastern corner of Lot 2DE, lands of Red Knight Holdings Limited;

THENCE South 61 degrees 55 minutes 26 seconds East, 25.00 feet along the southern boundary of Starrs Road to a survey marker;

THENCE South 28 degrees 04 minutes 34 seconds West, 171.11 feet to a survey marker;

THENCE North 06 degrees 09 minutes 28 seconds East, 66.97 feet along an eastern boundary of Lot 2DE, lands of Red Knight Holdings Limited to a survey marker;

THENCE North 28 degrees 04 minutes 34 seconds East, 108.98 feet along an eastern boundary of Lot 2DE, lands of Red Knight Holdings Limited to a survey marker and the point of beginning;

CONTAINING an area of 3,501 square feet.

BEARINGS are Nova Scotia Coordinate Referencing System Grid Bearings based on the Nova Scotia 3 degree Modified Transverse Mercator Projection, referred to Central Meridian 64 degrees 30 minutes West.

THE above described Lot CA-1 being a portion of an unopened public street being lands of Town of Yarmouth.

- 2.2** That the portion of Clements Avenue as described in Section 2.1 of this Policy be closed and that all rights of public uses in the lands theretofore use as a street for the purpose of a public street are forever extinguished and the Town may sell and convey the street closed or any portion thereof or may subsequently reopen the land as a street in the manner required by the Municipal Government Act.

**Clerk's Annotation for Official Policy Book**

Date of Adoption: July 11<sup>th</sup>, 2019

Date of Notice to Council Members of Intent to Consider: July 4<sup>th</sup>, 2019

Date of Passage: July 11<sup>th</sup>, 2019

I certify that this 'Closure of a Portion of Clements Avenue Policy' was adopted by Council as indicated above.

Town Clerk:

Date: July 18<sup>th</sup>, 2019