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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 98-92

A BY-LAW TO REPEAL BY-LAW NUMBER 29-86 (5 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. 29-86 on the 28th day of April, 1986, being a by-law to designate property at 5 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 5 King Street West, Cobourg and upon the Ontario Heritage Foundation, notice of intention to repeal By-law No. 29-86 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;

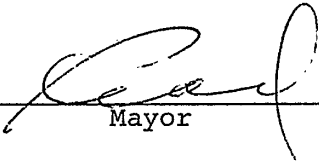
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT By-law No. 29-86 designating the real property known as 5 King Street West, Cobourg and more particularly described in Schedule "A" hereto is hereby repealed.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

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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 98-92

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 and Province of Ontario, being composed of part of Lots Two and Three Block "A" in the Town of Cobourg, according to a plan of subdivision of part of Lot Seventeen (17) in Broken Front Concession "B" of the Township of Hamilton more particularly described as follows:

COMMENCING at a cut-cross marking the north-easterly angle of Lot Seventeen (17), Concession "B", Township of Hamilton, and now being part of the Town of Cobourg;

THENCE South Seventy-two degrees Twelve minutes West a distance of Sixty-Three and Seventy-five one-hundredths feet (63.75') to a point;

THENCE South Seventeen degrees Forty-six minutes East parallel to the easterly limit of said Township Lot Seventeen (17) a distance of Eight and sixty-two one-hundredths feet (8.62') more or less to the North-easterly angle of a building sometimes known as No. 5 King Street West to the point of commencement being also the point of commencement of Deed registered as Number 17048;

THENCE South Seventy-nine degrees eleven minutes West (S.79°11'W) along the northern limit of the building located on the said lands a distance of twenty-one feet and eleven inches (21'11");

THENCE Southerly along the mid point of the west wall of the said building and parallel with the east limit of First Street forty-one feet (41') to the southerly limit of the said stone building;

THENCE Easterly along the said stone building, nine feet and three and one-quarter inches (9'3 $\frac{1}{4}$ ");

THENCE Southerly in a line parallel with the eastern limit of First Street and along the easterly face of an existing brick building and the extension southerly thereof One Hundred and Forty-two feet nine inches (142'9") to a point, said point being the northerly limit of the lands conveyed to Martin Jex and Company by Deed dated December 2nd, 1916 and registered as No. 8661;

THENCE North Seventy-three degrees, Fifty minutes East (N73°50'E) along the northerly limit of the lands conveyed in said deed registered as No. 8661 a distance of Thirty feet six inches (30'6");

THENCE North Fourteen degrees Forty-three minutes West (N14°43'W) along the west limit of the Cobourg Public Utilities Commission lands and continuation northerly thereof a distance of One Hundred and twenty feet and seven inches (120'7") to a jog in the wall of the building located on the adjoining lands;

THENCE South Seventy-nine degrees eleven minutes West (S79°11'W) along the southerly face of the said wall a distance of five feet (5') to another jog in the said wall;

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 98-92

SCHEDULE "A"

THENCE Northerly in a straight line along the easterly face of the existing wall of the building located on the within described lands a distance of Sixty-four feet (64') to the point of commencement.

SUBJECT to a right of way to the Grantee her heirs, administrators and assigns for the purpose of ingress and egress both by feet and vehicle over the hereinafter described lands.

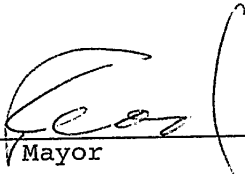
COMMENCING at a stake planted in the easterly limit of First Street, said stake being distant southerly One Hundred and Ninety-four feet six and one-half inches (194' 6½") more or less from the intersection of the eastern limit of First Street with the southerly limit of King Street, said stake being in the north-west angle of the property described in Deed Number 8661;

THENCE North Nine degrees Forty-eight minutes West along and in the easterly limit of First Street a distance of Twelve feet (12') to a stake planted;

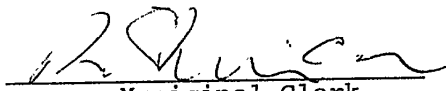
THENCE North Seventy-three degrees Fifty minutes East and parallel to said northerly limit of property described in Deed No. 8661 a distance of Forty-one feet six inches (41'6") to the lands herein before conveyed;

THENCE South Nine degrees Forty-eight minutes East (S9°48'E) in and along the West limit of the lands hereinbefore conveyed and parallel with the East limit of First Street, Twelve feet (12') to the North limit of the lands described in Deed Number 8661;

THENCE South Seventy-three degrees Fifty minutes West (S73°50'W) in and along the said northerly limit of the property described in Deed No. 8661 a distance of Forty-one feet six inches (41'6"0 more or less to the place of beginning.



Mayor



Municipal Clerk

STATEMENT OF REASONS FOR REPEALING BY-LAW NO. 29-86

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. 29-86.

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.