



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 48-78

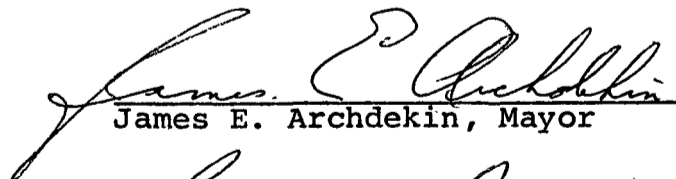
A By-law to authorize the execution of an Easement.

WHEREAS it is deemed necessary to enter into and execute an easement.

NOW THEREFORE the Council of The Corporation of the City of Brampton hereby ENACTS as follows:

1. That The Corporation of the City of Brampton enter into and execute an easement with Lehndorff (Central) Holdings Limited, attached hereto as Schedule "A".
2. That the Mayor and the Clerk are hereby authorized to affix their signatures to the said easement.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 20th day of February, 1978.

  
James E. Archdekin, Mayor

  
Kenneth R. Richardson, Clerk

LAND TITLES ACT

TRANSFER OF EASEMENT

THE CORPORATION OF THE CITY OF BRAMPTON,

(hereinafter called the Transferor),

the registered owner of the freehold land registered in the Land Registry Office for the Land Titles Division of Peel (No. 43) as Parcel Plan 2, in the Register for Section M-216,

IN CONSIDERATION of the sum of TWO ----- (\$2.00) ----- DOLLARS paid to the Transferor,

TRANSFERS TO:

THE REGIONAL MUNICIPALITY OF PEEL,

(hereinafter called the Transferee),

the rights and easements hereinafter described, (to be used and enjoyed as appurtenant to the lands of the Transferee described in Schedule "B" hereto) namely:

The free, uninterrupted and unobstructed right, interest and easement in perpetuity on, under and through the lands of the Transferor described in Schedule "A" hereto for the following purposes, namely: to construct, install, operate, maintain, inspect, alter, remove, replace, reconstruct, enlarge and repair all and any sanitary sewers and any and all appurtenances to said sewers and for every such purposes and for all purposes necessary or incidental to the exercise of the rights hereby created, the Transferee shall have access to the said lands at all times by their servants, agents, contractors, licensees and assignees and their vehicles, supplies and equipment.

The Transferor hereby agrees that the Transferee shall have the right to sever, fell, cut, trim and remove at any time all trees, shrubs, bushes and branches, stumps and roots, and to prevent or control the growth of the same within the limits of the servient land, which may at any time interfere with or endanger the operation of the sanitary sewers.

The servient tenement (easement) is more particularly described in Schedule "A" hereto.

The easement described in Schedule "A" hereto is appurtenant to the lands described in Schedule "B" hereto.

The Transferor hereby promises the Transferee that no other easement will be granted over the land in Schedule "A" prior to the registration of this Transfer of Easement.

The Transferee hereby agrees to restore the said land to its original condition insofar as possible after any construction or maintenance work is completed.

The Transferor for itself, its successors and assigns, covenants with the Transferee, its successors and assigns, to keep the said land free and clear of any buildings, structures or construction; not to deposit on or remove any fill from the said land, and not to do or suffer to be done any other thing which might injure or damage the said sanitary sewers.

IN WITNESS WHEREOF the said parties hereto have affixed their corporate seals attested by the hands of their duly authorized officers.

DATED at Brampton, this 20th day of February, 1978.

THE CORPORATION OF THE CITY OF BRAMPTON

Per: James E. Archibald  
Mayor

Per: Kenneth R. Richardson  
Clerk

THE REGIONAL MUNICIPALITY OF PEEL,

Per: \_\_\_\_\_  
Chairman

Per: \_\_\_\_\_  
Clerk

SCHEDULE "A"

referred to in the annexed Transfer of Easement made the day of February, A.D., 1978.

B E T W E E N :

THE CORPORATION OF THE CITY OF BRAMPTON,  
AS TRANSFEROR,

- and -

THE REGIONAL MUNICIPALITY OF PEEL,  
AS TRANSFEREE,

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Brampton, in the Regional Municipality of Peel, formerly in the Town of Mississauga, in the County of Peel, and being composed of Part of Block N, according to Plan Number M-216, registered in the Land Registry Office for the Land Titles Division of Peel (No. 43) and designated as PART 2, on a Plan of Survey, of record filed in the said Office as 43R-5548 being part of Parcel Plan 2, Section M-216.

SCHEDULE "B"

referred to in the annexed Transfer of Easement made the day of February, A.D., 1978.

B E T W E E N:

THE CORPORATION OF THE CITY OF BRAMPTON,

AS TRANSFEROR,

- and -

THE REGIONAL MUNICIPALITY OF PEEL,

AS TRANSFEREE.

The dominant tenement of the Transferee consists of a system of pipes and sewers of The Regional Municipality of Peel, situate in the Regional Municipality of Peel, together with buildings and plants of the said Region situate on the lands owned by The Regional Municipality of Peel and Advance Boulevard, in the City of Brampton, in the Regional Municipality of Peel.

IN THE MATTER OF SUBSECTION 3 OF SECTION 5 OF  
THE LAND SPECULATION TAX ACT, 1974

**AFFIDAVIT**

I, \_\_\_\_\_ of \_\_\_\_\_  
(print name)

\_\_\_\_\_  
(print address)

**MAKE OATH AND SAY THAT:**

1. I verily believe that the disposition of designated land evidenced in the attached instrument or writing is exempt from the tax imposed by subsection 1 of section 2 of the above Act by virtue of the disposition being:

describe nature  
of disposition

disposition of designated land to a Municipality

as provided for by section 4, clause (j), ~~subclauses~~, of the above Act.

delete this  
paragraph if  
inapplicable

- ~~2. I am the transferor making the disposition referred to in paragraph 1 hereof. Since the acquisition of my interest in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.~~

delete this  
paragraph if  
inapplicable

3. I am authorized in writing by the transferor making the disposition referred to in paragraph 1 hereof to make this affidavit. Since the acquisition of the interest of the transferor in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

Sworn before me at the

of

in the

of

this

day of

19

} \_\_\_\_\_

A Commissioner, etc.

The Land Transfer Tax Act, 1974
AFFIDAVIT OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE made

by: THE CORPORATION OF THE CITY OF BRAMPTON

to: THE REGIONAL MUNICIPALITY OF PEEL

on the day of February, 19 78

I,

of the

in the

make oath and say that:

This affidavit may be made by the purchaser or vendor or by anyone acting for them under power of attorney or by an agent accredited in writing by the purchaser, or vendor or by the solicitor of either of them or by some other person approved by the Minister of Revenue.

1. I am of the Transferor named in the within (or annexed) conveyance.

2. I have a personal knowledge of the facts stated in this affidavit.

3. (1) The total consideration for this transaction has been allocated as follows:

Table with 2 columns: Description and Amount. Rows include Land, building, fixtures and goodwill (\$ 2.00); Chattels — items of tangible personal property (see note) \$ nil; TOTAL CONSIDERATION \$ 2.00.

(2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:

Table with 2 columns: Description and Amount. Rows include Monies paid in cash (\$ 2.00); Property transferred in exchange (Detail Below) \$ nil; Securities transferred to the value of (Detail Below) \$ nil; Balances of existing encumbrances with interest owing at date of transfer \$ nil; Monies secured by mortgage under this transaction \$ nil; Liens, legacies, annuities and maintenance charges to which transfer is subject \$ nil; Other (Detail Below) \$ nil; TOTAL CONSIDERATION (should agree with 3(1) (a) above) \$ 2.00.

4. If consideration is nominal, is the transfer for natural love and affection? n/a

5. If so, what is the relationship between Grantor and Grantee? n/a

6. Other remarks and explanations, if necessary The within conveyance is made to the Transferee herein for purposes of sanitary sewers.

SWORN before me at the City

of Brampton, in the Regional

Municipality of Peel,

this day of February, 1978.

(signature)

A Commissioner, etc.

NOTE TO PARAGRAPH 3(1) (b): Chattels: Retail sales tax is payable on the valuation of items shown in 3(1) (b) unless otherwise exempted under the provisions of The Retail Sales Tax Act, R.S.O. 1970, c.415, as amended.

For the purpose of this affidavit insert above only the value of chattels, the total value of which in the opinion of the deponent exceeds \$100.00. This does not exonerate a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction with a value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.

DATED: February 6th, 1978.

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THE CORPORATION OF THE CITY OF BRAMPTON

- and -

THE REGIONAL MUNICIPALITY OF PEEL.

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TRANSFER OF EASEMENT

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LAWRENCE, LAWRENCE, STEVENSON & WEBBER,  
Barristers and Solicitors,  
43 Queen Street West,  
Brampton, Ontario.  
L6Y 1L9



PASSED February 20 19 78



# BY-LAW

No. 48-78

A By-law to authorize the  
execution of an Easement.