

C I T Y O F B R A M P T O N

BY-LAW NUMBER 12-75

A By-law to authorize the
execution of Easements

WHEREAS it is deemed necessary to enter into and execute
easements;

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

- (1) That the City of Brampton enter into and execute
an easement in the form attached hereto as
Schedule "A", with the following:
 - (a) Santi Draga, Frank Draga and Dominic
Cuzzupe carrying on business under the
firm name and style of Bramalea Fruit
Market.
 - (b) E. Murray Crawford and Clarence F. Cook
carrying on business under the firm name
and style of Crawford and Cook Implement
Dealers.
 - (c) Fiona Mary Williams

and
 - (d) The Regional Municipality of Peel
- (2) That the Mayor and the Clerk are hereby authorized
to affix their signatures to the said easements

READ A FIRST, SECOND and THIRD TIME and PASSED In Open
Council this *13th* day of *January*, 1975.



JAMES E. ARCHDEKIN, Mayor



KENNETH R. RICHARDSON, Clerk

THIS INDENTURE made this 26th day of June, A.D. 1974.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT, R.S.O. 1970,
Chapter 435 and amendments thereto.

B E T W E E N:

FIONA MARY WILLIAMS, wife of Robert
Charles Williams, of the City of Brampton,
in the Regional Municipality of Peel,

hereinafter called the "GRANTOR" of the

FIRST PART;

- and -

THE CORPORATION OF THE REGIONAL MUNICIPALITY
OF PEEL and THE CORPORATION OF THE CITY OF
BRAMPTON,

hereinafter called the "GRANTEE" of the

SECOND PART;

- and -

BRAMALEA CONSOLIDATED DEVELOPMENTS LIMITED,
a company incorporated under the laws of
the Province of Ontario,

hereinafter called the "LESSEE" of the

THIRD PART.

WHEREAS the Grantor wishes to convey to the Grantee an
easement over certain lands and the Lessee has agreed to this
being done.

AND WHEREAS the servient tenement of the Grantor is described
herein and the dominant tenement of the Grantee consists of the
system of pipes of the Corporation of the Regional Municipality
of Peel, situate in the Regional Municipality of Peel, together
with buildings and plants of the Region, situate on lands owned
by the Regional Municipality of Peel, together with the system
pipes of the Corporation of the City of Brampton, situate in the
City of Brampton, together with buildings and plants of the City,
situate on land owned by the City of Brampton.

WITNESSETH that in consideration of other good and valuable
consideration and the sum of Two (\$2.00) Dollars of lawful money
of Canada now paid by each of the parties hereto to the other
(the receipt whereof is hereby admitted) the Grantor hereby grants,
conveys and transfers unto the Grantee, its successors and assigns
forever, the right, interest and easement on, over, under and

through the land of the Grantor 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 utilities whatsoever and without restricting the generality herein, to include sewers, drains, watermains, gas mains, aerial and buried hydro electric and telephone installations, television cables, and appurtenances to utilities, and for every such purpose and for all purposes necessary or incidental to the exercise of the rights hereby created, the Grantee shall have access to the said lands at all times by its servants, agents, contractors, licencees and assignees and its or their vehicles, supplies and equipment.

The Grantor hereby agrees that the Grantee 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 same within the limits of the servient land, which may at any time interfere with or endanger the operation of the sewers and watermains.

The land involved is more particularly described in Schedule "A" to this indenture.

The Grantor hereby promises the Regional Municipality of Peel and the City of Brampton that no other easement will be granted over the land in Schedule "A" prior to registration of this document.

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

The Grantor, for herself, her heirs, executors, administrators and assigns, covenants with the Grantee, its successors and assigns to keep the said land free and clear of any buildings, structures or obstructions; not to deposit on or remove any fill from said land, and not to do or suffer to be done any other thing which might injure or damage the said sewers and watermains.

The Grantor covenants with the Grantee that she has the right to convey the said easement to the Grantee notwithstanding any act of the said Grantor.

The Grantor covenants with the Grantee that she will execute such further assurances of the said lands in respect of this Grant as may be requisite.

The Grantor releases to the Grantee all her claims upon the estate herewith conveyed.

The Lessee of the Third Part hereby consents to the granting of the property rights hereby granted and hereby postpones its Lease in favour thereof.

IN WITNESS WHEREOF the party of the first part has hereunto set her hand and seal, and the parties of the second and third parts have hereunto caused to be affixed their corporate seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED)
in the presence of)
[Signature])

[Signature]
Fiona Mary Williams

THE REGIONAL MUNICIPALITY OF PEEL
WATER & WASTE DIVISION
APPROVED.....

AUTHORIZATION BY-LAW
NUMBER 117-74
PASSED BY THE REGIONAL
COUNCIL ON THE 8th
DAY OF August 1974.

THE CORPORATION OF THE REGIONAL
MUNICIPALITY OF PEEL

[Signature]
Chairman
[Signature]
Clerk

THE CORPORATION OF THE CITY
OF BRAMPTON

[Signature]
Mayor
[Signature]
Clerk

BRAMALEA CONSOLIDATED
DEVELOPMENTS LIMITED

Per: *[Signature]*
H. D. SMITH
CHIEF ENGINEER
Per: *[Signature]*

SCHEDULE "A"

The whole of Part 1 according to a Plan deposited in the Registry Office for the Registry Division of Peel (No. 43) on the 3rd day of December, 1973 as 43-R-1615.

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

Affidavit

I, FIOAN MARY WILLIAMS of the City
(print name)
of Brampton, in the Regional Municipality of Peel
(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:

A disposition of designated land to a municipality.

describe nature
of disposition

as provided for by section 4, clause J, subclause _____ of the above Act.

delete this
paragraph if
inapplicable

2. I am the transferor making the disposition referred to in paragraph 1 hereof.

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.~~

Sworn before me at the
City of Brampton
in the Regional Municipality
of Peel

this 19th

day of September 19 74

Fioan Williams

Michael
A Commissioner, etc.

AFFIDAVIT OF SUBSCRIBING WITNESS

I, JOHN BRUNTON WEBBER
of the CITY OF BRAMPTON
in the REGIONAL MUNICIPALITY OF PEEL, SOLICITOR

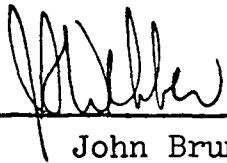
make oath and say:

I am a subscribing witness to the attached instrument and I was present and saw it executed
at Brampton by Fiona Mary Williams

*See footnote

I verily believe that each person whose signature I witnessed is the party of the same name referred to in the instrument.

SWORN before me at the City of Brampton
in the Regional
Municipality of Peel
this 23rd day of August, 1974.


John Brunton Webber


A COMMISSIONER FOR TAKING AFFIDAVITS ETC

*Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after the instrument had been read to him and he appeared fully to understand it" Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

AFFIDAVIT AS TO AGE AND MARRIAGE STATUS

I/~~WE~~ FIONA MARY WILLIAMS
of the City of Brampton
in the Regional Municipality of Peel

*If attorney see footnote

make oath and say: When I executed the attached instrument,

I/~~WE~~ was at least eighteen years old.

Strike out inapplicable clauses.

~~I am not married.~~

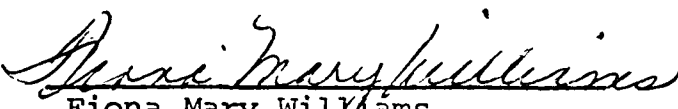
~~My spouse is deceased.~~

~~I am not a resident of Ontario.~~

~~I have not been a resident of Ontario for at least twelve months immediately preceding the date of the execution of the instrument.~~

Resident of Canada, etc

(~~SEPARATELY~~) SWORN before me at the City
of Brampton in the Regional
Municipality of Peel
this 22 day of August, 1974.


Fiona Mary Williams

A COMMISSIONER FOR TAKING AFFIDAVITS ETC

*Where affidavit made by attorney substitute "When I executed the attached instrument as attorney for (name), he/she was (marital status, and if married, name of spouse), and when he/she executed the power of attorney, he/she had attained the age of majority"

DATED: June 26th, 1974

B E T W E E N:

FIONA MARY WILLIAMS, wife of
Robert Charles Williams, of the
City of Brampton, in the Regional
Municipality of Peel

- and -

THE CORPORATION OF THE REGIONAL
MUNICIPALITY OF PEEL and THE
CORPORATION OF THE CITY OF BRAMPTON

- and -

BRAMALEA CONSOLIDATED DEVELOPMENTS
LIMITED

A G R E E M E N T

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