



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 22 - 76

To authorize the execution of an Easement between The Corporation of the City of Brampton and The Consumers' Gas Company.

The Council of The Corporation of the City of Brampton
ENACTS as follows:

That the Mayor and the Clerk are hereby authorized to execute an Easement between The Corporation of the City of Brampton and The Consumers' Gas Company, attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 26th day of January, 1976.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

THE CONSUMERS' GAS COMPANY

THIS INDENTURE made in triplicate, this 10th day of
February, 1976.

B E T W E E N:

THE CORPORATION OF THE CITY OF BRAMPTON,

Hereinafter called the GRANTOR,

OF THE FIRST PART,

- and -

THE CONSUMERS' GAS COMPANY, a Company
incorporated under the laws of the
Province of Ontario, having its head
office at the City of Toronto, in the
Province of Ontario,

Hereinafter called the GRANTEE,

OF THE SECOND PART.

WHEREAS the Grantor is the registered owner of the herein-
after described lands;

WITNESSETH that in consideration of other valuable consid-
eration and TWO DOLLARS (\$2.00) of lawful money of Canada now paid to it,
the Grantor hereby grants, transfers and confirms to the Grantee, its
successors and assigns, to be used and enjoyed as appurtenant to the lands
described in Schedule "A" hereto annexed, a free and unencumbered easement in
perpetuity to construct, operate, maintain, repair and renew a pipeline or any
part thereof, including all necessary markers, fixtures and equipment, and all
appurtenances thereto for the transmission of natural and/or manufactured gas
from the lands described in Schedule "A" hereto annexed in, under and/or through
the lands described as follows:

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 Township of Chinguacousy in the County of Peel)
and consisting of part of Block "Y" according to a
plan registered in the Registry Office for the Registry
Division of Peel (No. 43) as Plan Number 857 and being
more particularly described as Part 2 according to a
plan of survey received and deposited with the said
Registry Office as Plan Number 43R-3084.

TOGETHER WITH a right-of-way to the Grantee, its servants and agents, for ingress and egress at any and all times to the easement hereby granted on foot and/or with vehicles, supplies, machinery and equipment necessary or incidental to the exercise and enjoyment of the said easement to and from the highway over, along and upon the said easement and the Grantor's lands abutting thereto;

AND WITH the right to the Grantee to remove any boulder or rock which may be encountered in constructing its pipeline, and to sever, fell, remove, prevent or control the growth of any roots, trees, stumps, brush or other vegetation now or from time to time hereafter growing on or under the said lands within five feet (5') of its pipeline.

THE GRANTEE COVENANTS AND AGREES with the Grantor that it will at its expense, as soon as reasonably possible after the construction of the pipeline and at all times thereafter, remove all surplus soil and debris, and do all grading, repairs and replacements necessary to restore the Grantor's lands to the same state and condition in which they were prior to the making of any excavation or to the doing of any work in respect of the construction, operation, maintenance, repair or renewal of the said pipeline so far as is practicable, such works as aforesaid to be carried out to the satisfaction of the Grantor's engineers.

THE GRANTOR COVENANTS AND AGREES with the Grantee that it will not place or erect, or cause to be placed or erected on the Grantor's lands any building or structure which will obstruct or prevent the exercise and enjoyment by the Grantee of the easement and right-of-way hereby granted.

THIS INDENTURE, including all rights, privileges and benefits herein contained, shall extend to, be binding upon and enure to the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of their officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED

in the presence of:

THE CORPORATION OF THE CITY OF BRAMPTON

James E. Richardson
Mayor
Kenneth L. Richardson
Clerk

THE CONSUMERS' GAS COMPANY

P. J. ...
VICE-PRESIDENT
A. Williams
SECRETARY

APPROVED
R.
LAND DEPT.

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Mississauga, in the Regional Municipality of Peel, formerly in the Town of Mississauga, in the County of Peel, and being composed of Part of Lot 31, in the Second Concession South of Dundas Street, and which parcel of land may be more particularly described as follows:

COMMENCING at the most westerly angle of Lot 1 as shown on a Plan registered in the Registry Office for the Registry Division of Peel (No. 43) as Number 421;

THENCE South forty-five degrees West along the production south-westerly of the most north-westerly limit of the said registered plan Number 421, a distance of three one-hundredths feet;

THENCE on a curve to the left of radius three hundred and thirty-four feet, thirty and two one-hundredths feet, having a chord of thirty feet on a bearing of South forty-two degrees twenty-five minutes thirty seconds West to an iron pipe planted;

THENCE South forty-five degrees East a distance of fifty and twenty-four one-hundredths feet to an iron pipe planted;

THENCE North-easterly on a curve to the right of radius two hundred and eighty-four feet a distance of thirty and two one-hundredths feet, having a chord of thirty feet on a bearing of North forty-one degrees fifty-eight minutes twenty seconds East;

THENCE North forty-five degrees East parallel with the aforesaid north-westerly limit of Plan Number 421, a distance of five one-hundredths feet to an iron pipe planted in the south-westerly limit of the said registered Plan Number 421;

THENCE North forty-five degrees one minute thirty seconds West along the said south-westerly limit fifty feet more or less to the point of commencement.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 22 - 76

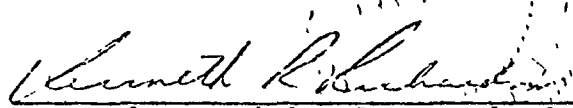
To authorize the execution of an Easement between The Corporation of the City of Brampton and The Consumers' Gas Company.

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AFFIDAVIT

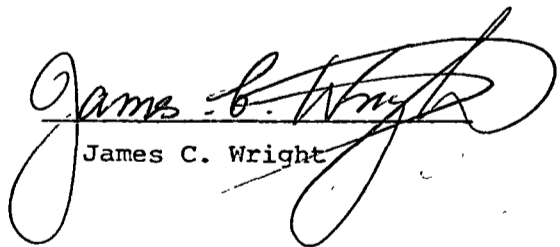
IN THE MATTER OF THE CONVEYANCE OF an easement through part of Block "Y"
Plan 857, Township of Chinguacousy (now City of Brampton), designated as
Part 2, on Plan 43R3084

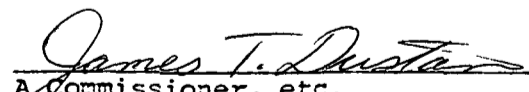
TO THE CONSUMERS' GAS COMPANY.

I, James C. Wright of the Borough of North York
in the Municipality of Metropolitan Toronto, Property Agent
for The Consumers' Gas Company, make oath and say that:

The within conveyance is an easement in, over, under
or upon land that is made for the purpose of enabling The Consumers'
Gas Company to construct and operate on the land described in the
conveyance a pipe line for the transmission of natural and/or
manufactured gas, and is therefore a conveyance to which The Land
Transfer Tax Act, 1974 does not apply.

SWORN before me at Borough of)
North York)
in the Municipality)
of Metropolitan Toronto)
this 15th day of)
~~February~~)
MARCH)
February, 1976.)


James C. Wright


A Commissioner, etc.
JAMES T DUSTAN, Commissioner, etc.,
Province of Ontario Expiry 27 Nov. 1977

DATED 10 FEBRUARY, 1976

THE CORPORATION OF THE CITY OF
BRAMPTON

CITY OF
BRAMPTON

- and -

THE CONSUMERS' GAS COMPANY
19 Toronto Street
Toronto, Ont. M5C 2E8

GRANT OF EASEMENT

Part of Block "Y" on Registered
Plan No. 857, City of Brampton

385168 VS

No. Registry Division of Peel (No. 43)
I CERTIFY that this instrument is registered as of

1:13 P.M. MA. 23 1976 in the

Land Registry Office at Brampton, Ontario
Alexa Foster
LAND REGISTRA

The Consumers' Gas Company
Land Department
19 Toronto St.,
Toronto, Ontario
M5C 2E8