



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 30-2005

To authorize the sale of easements
to Enbridge Gas Distribution Inc. and
Regional Municipality of Peel
over Part of Lot 11, Concession 9, Northern Division

WHEREAS it is deemed expedient in the interest of The Corporation of the City of Brampton that easements over part of Lot 11, Concession 9, Northern Division, City of Brampton, (the "Easement Area") be sold to Enbridge Gas Distribution Inc. and Regional Municipality of Peel, for gas main and water main installations, respectively;

AND WHEREAS the Easement Area is located partially within the future road allowance of Castlemore Road and partially within a future City park, and the encumbrance of the Easement Area will not interfere with municipal use of the road allowance and park, the City has agreed to convey easements over the Easement Area;


AND WHEREAS the procedures required by section 268 of the *Municipal Act, 2001* have been carried out;

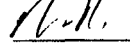
AND WHEREAS the Council The Corporation of the City of Brampton has heard in person or by counsel, solicitor or agent, all persons claiming that their land will be prejudicially affected by this by-law and who applied to be heard;

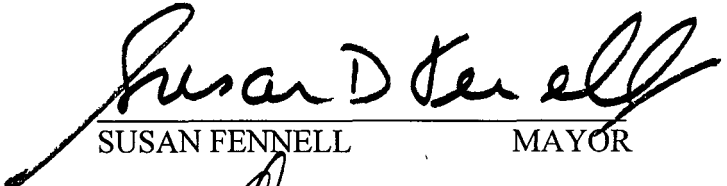
NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

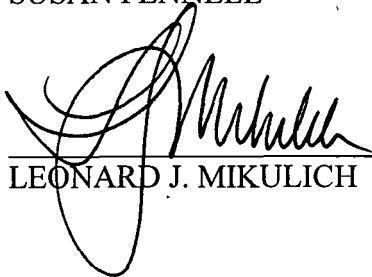
1. The Easement Area described in Schedule A is hereby declared to be surplus.
2. The sale to Enbridge Gas Distribution Inc. of, firstly, a permanent easement at current market value over that part of Lot 11, Concession 9, Northern Division, City of Brampton, designated as Parts 1, 2 and 3, on Plan 43R-29656, and, secondly, a temporary easement at nominal value over that part of Lot 11, Concession 9, Northern Division, City of Brampton, designated as Part 1 on Plan 43R-29142, on terms and conditions satisfactory to the City Solicitor is hereby authorized and the Mayor and Clerk are hereby authorized to execute all documents and instruments as may be necessary to effect the conveyance of the easements.
3. The sale to the Regional Municipality of Peel of, firstly, a permanent easement at current market value over that part of Lot 11, Concession 9, Northern Division, City of Brampton, being that part of Part 1 on Plan 43R-29043 lying outside of Part 1 on Plan 43R-29142, and, secondly, a temporary easement at nominal value over that part of Lot 11, Concession 9, Northern Division, City of Brampton, being that part of Part 1 on Plan 43R-29043 lying within Part 1 on Plan 43R-29142, on terms and conditions satisfactory to the City Solicitor is hereby authorized and the Mayor and Clerk are hereby authorized to execute all documents and instruments as may be necessary to effect the conveyance of the easements.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council
this 31st day of January, 2005.

Approved
as to form
Law Dept.

01 14 2005

Approved
as to content
MAS Dept.

01 14 2005


SUSAN FENNELL MAYOR


LEONARD J. MIKULICH CLERK

SCHEDULE A TO BY-LAW 30-2005**DESCRIPTION OF EASEMENT AREA**

1. Part of Lot 11, Concession 9, Northern Division, City of Brampton, designated as Parts 1, 2 and 3, on Plan 43R-29656, required for permanent easement in favour of Enbridge Gas Distribution Inc.
2. Part of Lot 11, Concession 9, Northern Division, City of Brampton, designated as Part 1 on Plan 43R-29142, required for temporary easement in favour of Enbridge Gas Distribution Inc.
3. Part of Lot 11, Concession 9, Northern Division, City of Brampton, being that part of Part 1 on Plan 43R-29043 lying outside of Part 1 on Plan 43R-29142, required for permanent easement in favour of Regional Municipality of Peel
4. Part of Lot 11, Concession 9, Northern Division, City of Brampton, being that part of Part 1 on Plan 43R-29043 lying within Part 1 on Plan 43R-29142, required for temporary easement in favour of Regional Municipality of Peel

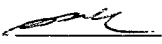
CERTIFICATE

Subsection 268(6) of the *Municipal Act, 2001*, S.O. 2001, c. 25

I, **LEONARD J. MIKULICH**, of the Town of Shelburne, in the County of Dufferin, hereby certify that, to the best of my knowledge and belief:

1. I am employed as City Clerk for The Corporation of the City of Brampton and as such, I have knowledge of the facts herein contained.
2. On January 31, 2005, the Council of the City of Brampton passed By-law **30-2005**, a by-law declaring surplus that part of Lot 11, Concession 9, Northern Division described in Schedule A hereto attached and authorizing the sale of easements over the surplus lands to the Enbridge Gas Distribution Inc. and the Regional Municipality of Peel.
3. Procedural by-law 7-2003, as required under subsection 268(1) was in force in the municipality at the time the by-law required by subsection 268(3) was passed.
4. To the best of my knowledge the requirements of section 268 of the *Municipal Act, 2001* and the City's By-law 7-2003, governing the sale and disposition of land, have been carried out.
5. The property is of a prescribed class that does not require an appraisal.

DATED this **31st** day of **January**, 2005.

Approved as to form Law Dept.  01 14 2005
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Approved as to content MAS Dept. A.P. 01 14 2005
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Leonard J. Mikulich
City Clerk