



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 241-84

To authorize the execution of an agreement between Paracon Brampton Inc., the Corporation of the City of Brampton, the Regional Municipality of Peel, Weschester Estates Ltd., Albion Road Estates Limited and the Bank of Nova Scotia

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

1. The Mayor and the Clerk are hereby authorized to execute an agreement dated October 10th, 1984 between Paracon Brampton Inc., the Regional Municipality of Peel, Weschester Estates Ltd., - Albion Road Estates Limited, The Bank of Nova Scotia and The Corporation of the City of Brampton, and all other documents approved by the City Solicitor required to implement the provisions of this agreement.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 10th day of October , 1984.

KENNETH G. WHILLANS

MAYOR

RALPH A. EVERETT

CLERK

MEMORANDUM OF AGREEMENT made in duplicate this  
10<sup>th</sup> day of October, 1984.

B E T W E E N :

PARACON BRAMPTON INC.,

hereinafter called the "Owner" .

OF THE FIRST PART,

A N D

THE CORPORATION OF THE CITY OF BRAMPTON

hereinafter called the "City"

OF THE SECOND PART,

A N D

THE REGIONAL MUNICIPALITY OF PEEL

hereinafter called the "Region"

OF THE THIRD PART,

A N D

WESTCHESTER ESTATES LTD., ALBION ROAD  
ESTATES LIMITED, and THE BANK OF NOVA  
SCOTIA,

hereinafter called the "Mortgagees"

OF THE FOURTH PART,

WHEREAS the Owner warrants that it is the Owner of the lands described in Schedule A (hereinafter referred to as the "PHASE II lands"), and further warrants that the mortgagees are the only mortgagees of the Phase II lands;

AND WHEREAS the Owner desires to subdivide the Phase II lands together with other adjacent lands (herein called the "Phase I lands") in accordance with a proposed plan of subdivision draft approved by the Region under File No. 21T-78086B;

AND WHEREAS the Phase I lands are now included in Registered Plan 43M- which is being developed in accordance with the provisions of a subdivision agreement dated the 9th day of July, 1984 between the Owner, the City, the Region, and the Mortgagees, and registered as Instrument No. (hereinafter referred to as the "Subdivision Agreement")

AND WHEREAS the Phase II lands are to be subdivided in accordance with the proposed plan of subdivision shown as Schedule B attached hereto (hereinafter referred to as the "plan");

AND WHEREAS the City agrees that it will recommend to the proper authority the release of the plan for registration subject to the terms and conditions of this agreement and the conditions of draft approval under file 21T-78086B.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the covenants hereinafter contained and in consideration of the City approving and recommending to the appropriate authorities the approval of the plan for registration, the parties hereto agree with each other as follows:

1.1 The Owner and the Mortgagees agree that all of provisions of the Subdivision Agreement, including without limiting the generality of the foregoing, the provisions for the payment of capital cost contributions, levies and administration fees shall apply to the development of the

Phase II lands and they agree to be bound by the provisions of the Subdivision Agreement in the development of the Phase II lands.

1.2 The Owner agrees that the Phase II lands shall be developed only in accordance with the plan.



1.3 The Owner shall, prior to final approval of the plan, pay to the City the sum of Twenty-five Thousand, Seven Hundred Dollars (\$25,700.00) which represents a payment of money in lieu of conveyance of land for park purposes.

1.4 The Owner shall design, construct, and install at its own expense and in a good and workmanlike manner all the works required by the Subdivision Agreement and the Owner shall complete, perform, or make payment for all such works and matters required by the Subdivision Agreement within the time limits set out therein.

2. The covenants, agreements, conditions and  
Successors undertakings herein contained on the part of the Owner  
& Assigns shall run with the lands and shall be binding upon it and upon its successors and assigns and shall be appurtenant to the adjoining highway in the ownership of the City of Brampton and/or the Region of Peel.

IN WITNESS WHEREOF THE PARTIES HERETO have hereunto affixed their corporate seals attested by the hands of their proper officers duly authorized in that behalf.

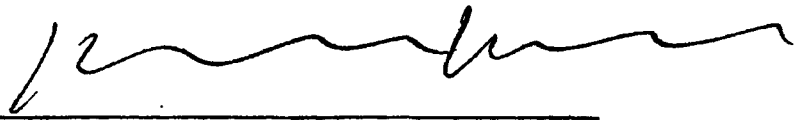
PARACON BRAMPTON INC.

  
\_\_\_\_\_  
PRESIDENT  
  
\_\_\_\_\_  
VICE PRESIDENT

VICE PRESIDENT

THE CORPORATION OF THE CITY OF BRAMPTON

AUTHORIZATION BY-LAW	
NUMBER	<u>241-84</u>
PASSED BY CITY	
COUNCIL ON THE	<u>10<sup>th</sup></u>
DAY OF	<u>OCTOBER</u> 19 <u>84</u>

  
KENNETH G. WHILLANS

MAYOR

  
RALPH A. EVERETT

CITY CLERK

THE REGIONAL MUNICIPALITY OF PEEL

R. FRANK BEAN

REGIONAL CHAIRMAN

LARRY E. BUTTON

REGIONAL CLERK

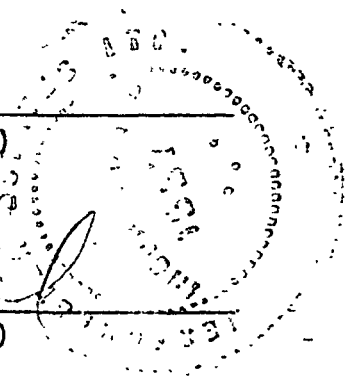
WESTCHESTER ESTATES LTD.

Per: 

(Authorized Signing Officer)

Per: 

(Authorized Signing Officer)



ALBION ROAD ESTATES LIMITED

*E. Bodman*

VICE PRESIDENT

*W. H. Hickey*

SECRETARY



*[Signature]*

IN WITNESS WHEREOF I, WILLIAM EDGAR BAILEY, being the attorney in fact duly appointed for The Bank of Nova Scotia by Power of Attorney registered in the Land Titles Office in and for Peel (No.43) on the 29th day of August, 1978 as Number 187007, have hereunto set my hand this 11th day of September, 1984.

THE BANK OF NOVA SCOTIA

WITNESS:

AS ATTORNEY:

W. Edgar Bailey

W. Edgar Bailey

AFFIDAVIT AS TO POWER OF ATTORNEY


I, WILLIAM EDGAR BAILEY  
of the City of Mississauga  
In the County of Peel  
make oath and say:

1. I am the Attorney in fact duly appointed by The Bank of Nova Scotia by Power of Attorney registered in and for the Land Titles Division of Peel (No. 43) on the 29th day of August, 1978 as Number 187007 and as such have knowledge of the matters herein deposed to.

2. That the said Power of Attorney is in full force and effect and has not been revoked.

SWORN before me at the City of )  
Toronto, in the Municipality of )  
Metropolitan Toronto, this 11th )  
day of September , 1984. )

WILLIAM EDGAR BAILEY

  
A COMMISSIONER, ETC.

CECIL LESLIE WARNER, a  
Commissioner etc., Province of Ontario,  
for The Bank of Nova Scotia.  
Expires June 22nd, 1985.

AFFIDAVIT OF SUBSCRIBING WITNESS

I, SHIRLEY ROSETTA BURGESS  
of the Borough of Scarborough  
in the Municipality of Metropolitan Toronto  
make oath and say:

1. I am a subscribing witness to the attached instrument and I was present and saw it executed by William Edgar Bailey as Attorney for The Bank of Nova Scotia.

2. I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for The Bank of Nova Scotia.

3. I know the said person and he is, and at the time of the execution of the instrument he was, Director, Administration of the Metropolitan Toronto Region of The Bank of Nova Scotia.

4. I am an employee of The Bank of Nova Scotia and as such have personal knowledge of the matters deposed to herein.

SWORN before me at the City of )  
Toronto, in the Municipality of )  
Metropolitan Toronto this 11th )  
day of September , 1984. )

S. R. BURGESS

  
A COMMISSIONER, ETC.

CECIL LESLIE WARNER, a  
Commissioner, etc., Province of Ontario,  
for The Bank of Nova Scotia.  
Expires June 22nd, 1985.



