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Comment - original not registered
yet. 13 Sept 79.

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THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW


Number 81-79

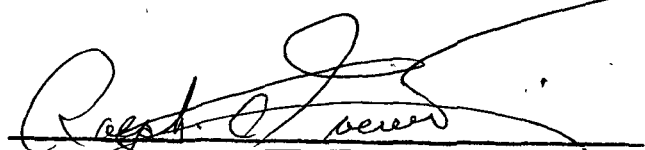
To authorize the execution of a Transfer of Easements from Arrow Investments Limited to The Regional Municipal of Peel and to The Corporation of the City of Brampton.

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

1. The Mayor and the Clerk are hereby authorized to execute Transfer of Easements from Arrow Investments Limited to The Regional Municipality of Peel and to The Corporation of the City of Brampton, as in the form attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 23rd day of April, 1979.


James E. ARCHDEKIN, Mayor


Ralph A. EVERETT, Acting Clerk

PASSED April 23, 19 79



BY-LAW

No. 81-79

To authorize the execution of a
Transfer of Easements from Arrow
Investments Limited to The Regional
Municipality of Peel and to The
Corporation of the City of Brampton

THE LAND TITLES ACT

TRANSFER OF EASEMENT

ARROW INVESTMENTS LIMITED, a corporation incorporated under the laws of the Province of Ontario

(hereinafter called the Transferor),

the registered owner of the freehold land registered in the Land Registry Office for the Land Titles Division of Peel at Brampton as

Parcel Plan - 1

in the Register for Section M-252

IN CONSIDERATION OF the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration paid to it

TRANSFERS TO;

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

(hereinafter called the Transferees),

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

The free, uninterrupted and unobstructed right and easement in perpetuity to enter on and construct, repair, replace, operate and maintain its storm and sanitary sewers, its drainage works including open ditches, any necessary culverts, catch basins, pipes, conduits, equipment, and all appurtenances or accessories thereto as the Transferees may from time to time or at any time hereafter deem requisite, upon, under, along and across the lands described in Schedule "A" hereto;

TOGETHER WITH the right of free, uninterrupted and unobstructed access for the Transferees, their servants, agents, workmen, vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the rights hereby transferred over such portion of the above mentioned Parcel as may from time to time be unencumbered by any building or other structure, fences, excepted, to and from the lands described in Schedule "A" hereto;

Any work undertaken pursuant to this agreement shall be done with the least possible damage to the lands of the Transferor, its successors and assigns, and the Transferees do further covenant and agree that after any work which may from time to time be necessary has been completed, to restore the lands to the same condition as nearly as possible as they were in at the time of commencing such undertaking.

The Transferor doth covenant and agree that it will not erect any building or structure on the easement lands nor in any way interfere with the easement hereby granted to the Transferees and the Transferor doth further covenant and agree that no alteration shall be made in the grading of the easement lands by the Transferor, its agents, servants or workmen, without the express consent of the Transferees.

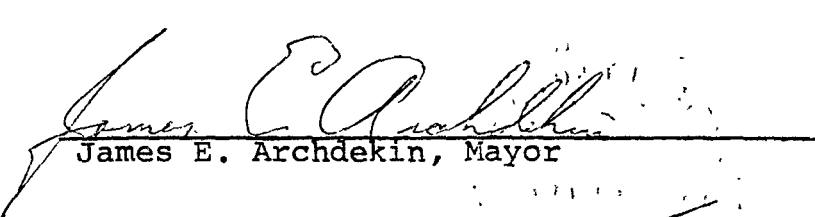
THIS INDENTURE and everything herein contained shall extend to and include the parties hereto and their respective successors and assigns.

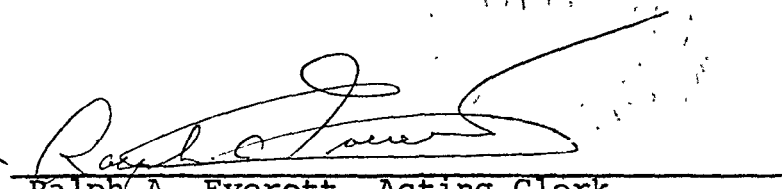
DATED the 8th day of March, 1979.

ARROW INVESTMENTS LIMITED

Per: 
President

THE CORPORATION OF THE CITY OF BRAMPTON


James E. Archdekin, Mayor


Ralph A. Everett, Acting Clerk

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being the City of Brampton, in the Regional Municipality of Peel

and being Part of Lots 260 and 261 according to Plan M-252 and designated as Parts 1 and 2 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R- 6532

and being Part of Lots 134, 135, 143, 144, 150, 151, 167, 168, 171, 172, 180, 181, 190, 64, 63, 68, 67, 74, 20, 22 and 23, according to Plan M-252 and designated as Parts 1 to 21 both inclusive on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R- 6531

and being part of Lot 131 according to Plan M-252 and designated as Part 1 on Plan of Survey of record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R- 6529

SCHEDULE "B"

The dominant tenement of the Transferees consist of the system of pipes of the Corporation of the City of Brampton and of the Regional Municipality of Peel situate in the Regional Municipality of Peel, together with buildings and plant of the said City and the said Region situate on the lands owned by the Corporation of the City of Brampton and by the Regional Municipality of Peel and Broomfield Court, Oldham Crescent, Lennox Court, Wadsworth Circle, Carnforth Drive, Cairnmore Court and Boreham Circle in the City of Brampton, in the Regional Municipality of Peel.

THE LAND TITLES ACT

CONSENT OF MORTGAGEE

IN THE MATTER of a Transfer of Easement of Part of Lots 260 and 261 according to Plan M-252 and designated as Parts 1 and 2 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-65-32, and of Part of Lots ~~134~~ 134, 135, 143, 144, 150, 151, 167, 168, 171, 172, 180, 181, 190, 64, 63, 67, 74, 20, 22 and 23, according to Plan M-252 and designated as Parts 1 to 21 both inclusive on Plan of Survey of Record deposited in the Land Registry Office for the Land titles Division of Peel (No. 43R-65-31), and part of Lot 131 according to Plan M-252 and designated as Part 1 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles division of Peel (No. 43) as No. 43R-65-29 from ARROW INVESTMENTS LIMITED to THE CORPORATION OF THE CITY OF BRAMPTON and THE REGIONAL MUNICIPALITY OF PEEL.

AROSA PROPERTIES LIMITED, a Corporation incorporated under the laws of the Province of Ontario, the mortgagee described in the mortgage registered on the 16th day of August, 1973 as Instrument No. 276535 V.S. in the Registry Office for the Registry Division of Peel at Brampton, Ontario, DO HEREBY CONSENT to the Transfer of Easement as above set out and do hereby postpone and subordinates such mortgage to such right and easement in, under and upon the said lands in favour of the Transferee herein.

DATED at *Toronto* this *5th* day of *December*, 1978.

AROSA PROPERTIES LIMITED

Per: *[Signature]* Pres

[Signature]

THE LAND TITLES ACT

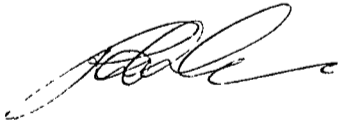
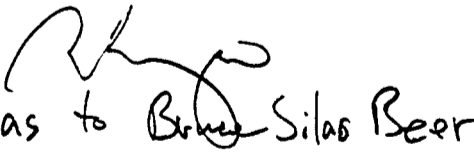
CONSENT OF MORTGAGEE


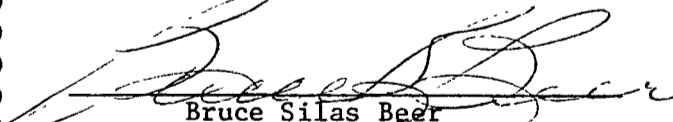
IN THE MATTER of a Transfer of Easement of Part of Lots 260 and 261 according to Plan M-252 and designated as Parts 1 and 2 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6532, and of Part of Lots 134, 135, 143, 144, 150, 151, 167, 168, 171, 180, 190, 64, 63, 68, 67, 74, 20, 22 and 23, according to Plan M-252 and designated as Parts 1 to 21 both inclusive on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-653/ and part of Lot 131 according to Plan M-252 and designated as Part 1 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6529 from ARROW INVESTMENTS LIMITED to THE CORPORATION OF THE CITY OF BRAMPTON and THE REGIONAL MUNICIPALITY OF PEEL.

WE, ELSIE MAE BEER (also known as ELSIE MAY BEER), wife of BRUCE SILAS BEER of the City of Toronto, in the Municipality of Metropolitan Toronto, and the said BRUCE SILAS BEER, as tenants in common, the registered owners of a Mortgage registered on the 30th day of August, 1972 as No. 227177 V.S. in the Land Registry Office for the Registry Division of Peel at Brampton, DO HEREBY CONSENT to the Transfer of Easement as above set out and DO HEREBY POSTPONE and subordinate such mortgage to such right and easement in, under and upon the said lands in favour of the Transferee herein.

DATED at Toronto this 8th day of December, 1978.

WITNESS:



as to Bruce Silas Beer

)

Elsie Mae Beer

Bruce Silas Beer
)

AFFIDAVIT OF SUBSCRIBING WITNESS

I, **ANGUS DONALD KING MACKENZIE**
of the **CITY OF BRAMPTON**
in the **REGIONAL MUNICIPALITY OF PEEL**

make oath and say:

I am a subscribing witness to the attached instrument and I was present and saw it executed
at ~~Toronto~~ **Brampton** by **Bruce Silas Beer**

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 **26th** day of **February** 19**79**



Arny Jean Leedes

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC

~~Notary Public~~
~~District of Peel for Upshall, MacKenzie and Barclay,~~
~~Attorneys & Solicitors.~~

* 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 MARITAL STATUS

I/~~XX~~ **BRUCE SILAS BEER**
of the **VILLAGE WELLINGTON**
~~City of Toronto~~
in the **COUNTY PRINCE EDWARD**
~~Municipality of Metropolitan Toronto~~

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

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

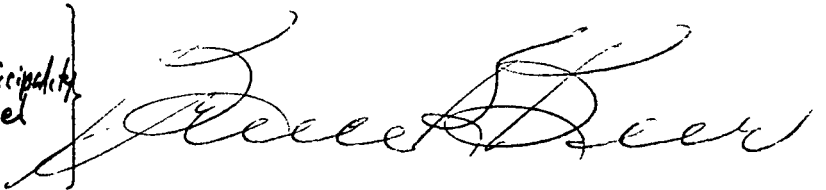
I ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXX~~ SWORN before me at the
City of Brampton in the **Regional Municipality of Peel**
this **23rd** day of **February** 19**79**



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"

AFFIDAVIT OF SUBSCRIBING WITNESS

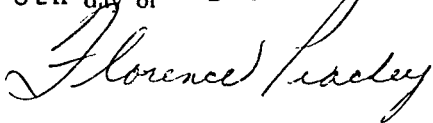
I, ROBERT D. OSBORNE
of the CITY OF TORONTO
in the MUNICIPALITY OF METROPOLITAN TORONTO

make oath and say:

I am a subscribing witness to the attached instrument and I was present and saw it executed
at Toronto by Elsie Mae Beer

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
TORONTO, in the Municipality of
Metropolitan Toronto
this 8th day of December 19 78



FLORENCE PEACHEY, a Commissioner for
Taking Affidavits, Province of Ontario, for Paul
Bickett, C.C., Barrister & Solicitor.
sworn May 24th, 1981.
Commission No. 78678.

A COMMISSIONER FOR TAKING AFFIDAVITS



* 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 SPUSAL STATUS

I/~~WE~~ ELSIE MAE BEER
of the City of Toronto
in the Municipality of Metropolitan Toronto

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

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

~~Under the provisions of section 14(1) of The Family Law Reform Act, 1978~~

~~a) I was married to~~

~~b) We were married to one another~~

~~c) I was previously married to~~

(SEVERALLY) SWORN before me at the City of
TORONTO, in the Municipality
of Metropolitan Toronto
this 8th day of December 1978



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 (spousal status and, if applicable, name of spouse) within the meaning of Section 1(f) of The Family Law Reform Act, 1978, and when he/she executed the power of attorney, he/she had attained the age of majority".

** Where spouse does not join in or consent, see Section 42(3) of The Family Law Reform Act, 1978 (or complete separate affidavit).

THE LAND TITLES ACT



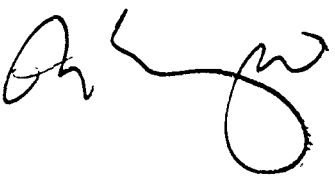
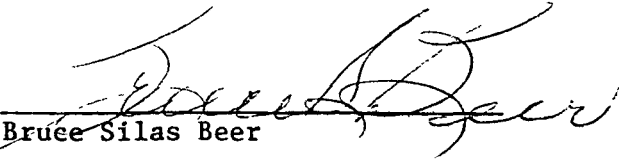
CONSENT OF MORTGAGEE

IN THE MATTER of a Transfer of Easement of Part of Lots 260 and 261 according to Plan M-252 and designated at Parts 1 and 2 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6532, and of Part of Lots 134, 135, 143, 144, 150, 151, 167, 168, 171, 180, 190, 64, 63, 68, 67, 74, 20, 22 and 23, according to Plan M-252 and designated as Parts 1 to 21 both inclusive on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6531 and part of Lot 131 according to Plan M-252 and designated as Part 1 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6529 from ARROW INVESTMENTS LIMITED to THE CORPORATION OF THE CITY OF BRAMPTON and THE REGIONAL MUNICIPALITY OF PEEL.

WE, ELSIE MAE BEER (also known as ELSIE MAY BEER), wife of BRUCE SILAS BEER (formerly of the Town of Brampton, in the County of Peel, Agricultural Representative) now of the Township of Chinguacousy, in the County of Peel, Member of Parliament, and the said BRUCE SILAS BEER, as tenants in common, the Mortgagees described in the mortgage registered on the 15th day of August, 1973 as Instrument No. 276202 V.S. in the Registry Office for the Registry Division of Peel at Brampton, Ontario, DO HEREBY CONSENT to the Transfer of Easement as above set out and do hereby postpone and subordinate such mortgage to such right and easement in, under and upon the said lands in favour of the Transferee herein.

DATED at Toronto this 8th day of December, 1978.

WITNESS:

)	
)	
)	
)	
)	Elsie Mae Beer
)	
)	
)	
)	Bruce Silas Beer
)	

AFFIDAVIT OF SUBSCRIBING WITNESS

I, ROBERT D. OSBORNE
of the CITY OF TORONTO
in the MUNICIPALITY OF METROPOLITAN TORONTO

make oath and say:

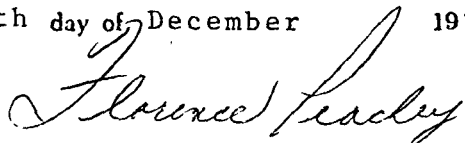
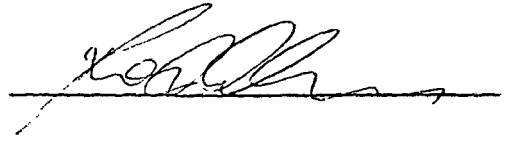
I am a subscribing witness to the attached instrument and I was present and saw it executed
at TORONTO by ELSIE MAE BEER

*See footnote

*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
TORONTO in the MUNICIPALITY
METROPOLITAN TORONTO
this 8th day of December 1978



A COMMISSIONER FOR TAKING AFFIDAVITS ETC

FLORENCE PEACHEY, a Commissioner for taking Affidavits, Province of Ontario, for Paul B. Pickett, Q.C., Barrister & Solicitor. Expires May 24th, 1981. Commission No. 73373.

* 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 MARITAL STATUS

I/~~WE~~ ELSIE MAE BEER,
of the Township of Chinguacousy
in the Regional Municipality of Peel (formerly County of Peel)

attorney
subject

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

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

Strike out
or place
cross

~~I am~~ ~~married, divorced~~ ~~widower~~

~~was my wife, husband~~

~~We were married to each other.~~

~~We hold the land as Joint Tenants / Trustees / Partnership Property~~

Resident of
Canada, etc

(~~XXXXXXXXXX~~) SWORN before me at the
TORONTO in the MUNICIPALITY
METROPOLITAN TORONTO
this 8th day of December 19 78



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".

AFFIDAVIT OF SUBSCRIBING WITNESS

I, **ANGUS DONALD KING MACKENZIE**
of the **CITY OF BRAMPTON**
in the **REGIONAL MUNICIPALITY OF PEEL**

make oath and say:

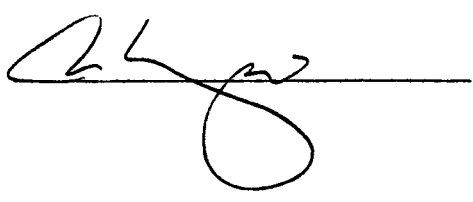
I am a subscribing witness to the attached instrument and I was present and saw it executed
at **Brampton** by **BRUCE SILAS BEER**

*See footnote

*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 **26th** day of **February** 19**79**



Ivy Jean Coles

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC

IVY JEAN COLES, a Commissioner, etc., Judicial District of Peel for Upshall, MacKenzie and Kelday, Barristers & Solicitors.

*Where a party is unable to sign an 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 MARITAL STATUS

~~I/XXX~~ **BRUCE SILAS BEER**
of the **Village Wellington** Township of Chinguacousy
in the **County Prince Edward** Regional Municipality of Peel (formerly County of Peel)

make oath and say When I executed the attached instrument,

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

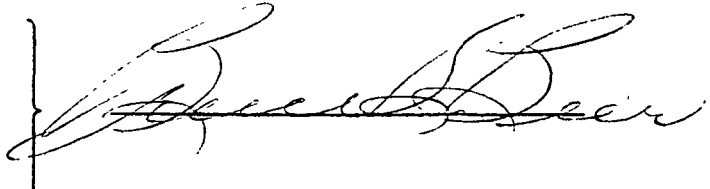
~~I was~~ married, divorced, widower

~~was my wife, husband~~

~~We were~~ married to each other

~~We held the land as~~ Joint Tenants, Trustees, Partnership Property

~~XXXXXXXXXX~~ SWORN before me at the **City of Brampton** in the **Regional Municipality of Peel**
this **23rd** day of **February** 19**79**



[Signature]
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"

THE LAND TITLES ACT

CONSENT OF CHARGE

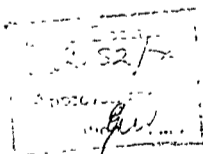
IN THE MATTER of a Transfer of Easement of Parts of Lots 260 and 261 according to Plan M-252 and designated as Parts 1 and 2 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6532 and of parts of Lots 134, 135, 143, 144, 150, 151, 167, 168, 171, 180, 190, 64, 63, 68, 67, 74, 20, 22 and 23, according to Plan M-252 and designated as Parts 1 to 21 both inclusive on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6531 and part of Lot 131 according to Plan M-252 and designated as Part 1 on Plan of Survey of Record deposited in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-6529 from ARROW INVESTMENTS LIMITED to THE CORPORATION OF THE CITY OF BRAMPTON and THE REGIONAL MUNICIPALITY OF PEEL.

THE BANK OF NOVA SCOTIA, the Chargee described in the Charge registered on the 1st day of September, 1978, as Instrument No. 187732 in the Land Registry Office for the Land Titles Division of Peel, DO HEREBY CONSENT to the Transfer of Easement as above set out and do hereby postpone and subordinate such Charge to such right and easement in, under and upon the said lands in favour of the Transferee herein. Dated at ~~Toronto~~ Toronto, Ontario this 14th day of December 1978.

THE BANK OF NOVA SCOTIA

Per: [Signature]
GENERAL MANAGER

Per: [Signature]
OFF. SECRETARY



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

IN THE MATTER OF THE CONVEYANCE made

Identify the parties to the conveyance

by: ARROW INVESTMENTS LIMITED

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

on the 8th day of March, 1979.

I, EDWIN G. HYDE,
of the City of Toronto,
in the Municipality of Metropolitan Toronto,

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 President 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:

(a) Land, building, fixtures and goodwill	\$ 2.00
(b) Chattels — items of tangible personal property (see note)	\$ nil
TOTAL CONSIDERATION	\$ 2.00

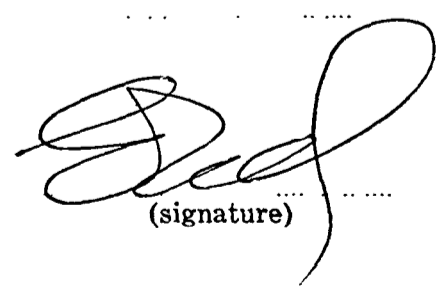
(2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:

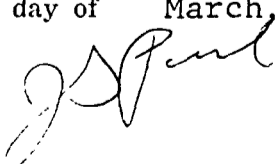
- | | |
|---|---------|
| (a) Monies paid in cash | \$ 2.00 |
| (b) Property transferred in exchange (Detail Below) | \$ nil |
| (c) Securities transferred to the value of (Detail Below) | \$ nil |
| (d) Balances of existing encumbrances with interest owing at date of transfer | \$ nil |
| (e) Monies secured by mortgage under this transaction | \$ nil |
| (f) Liens, legacies, annuities and maintenance charges to which transfer is subject | \$ nil |
| (g) Other (Detail Below) | \$ nil |
| TOTAL CONSIDERATION (should agree with 3(1) (a) above) | \$ 2.00 |

All blank must be filled in.

- 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 lands for municipal purposes

SWORN before me at the City
of Toronto, in the Municipality of
Metropolitan Toronto
this 8th day of March, 1979.


(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: March 8th, 1979

ARROW INVESTMENTS LIMITED

-and-

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

TRANSFER OF EASEMENT

Pt.Lots 260 & 261, Plan M-

HYDE, POLLIT, ARNOLD AND KIRSHIN,
Barrister and Solicitors,
40 Dundas Street East,
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