



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 86-78

A by-law to authorize the  
execution of an Easement

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WHEREAS it is deemed necessary to enter into and execute an easement;

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

1. That The Corporation of the City of Brampton enter into and execute an easement with The Regional Municipality of Peel, attached hereto as Schedule "A"
2. That the Mayor and the Clerk are hereby authorized to affix their signatures to the said easement.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 24th day of April, 1978.

  
James E. Archdekin, Mayor

  
Kenneth R. Richardson, Clerk

K.R.R. 3  
Copy

LAND TITLES ACT

TRANSFER OF EASEMENT

THE CORPORATION OF THE CITY OF BRAMPTON

(hereinafter called the Transferor),

the registered owner of the freehold land registered in the Land Registry Office for the Land Titles Division of Peel (No. 43) as Parcel

in the Register for Section

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) paid to the Transferor,

TRANSFERS TO:

THE REGIONAL MUNICIPALITY OF PEEL

(hereinafter called the Transferee),

the rights and easements hereinafter described, (to be used and enjoyed as appurtenant to the lands of the Transferee 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 drainage works including open ditches, any necessary culverts, catch basins, pipes, conduits, equipment, and all appurtenances or accessories thereto as the Transferee 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 Transferee, its 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 Transferee doth 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 Transferee 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 Transferee.

The Chargees hereby consent to the granting of the property rights hereby transferred and hereby postpone their charges in favour thereof.

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

IN WITNESS WHEREOF the parties hereto have affixed their corporate seals attested by the hands of their duly authorized officers.

DATED at Brampton this 10th day of April, 1978

THE CORPORATION OF THE CITY OF BRAMPTON

*James E. Archdekin*

JAMES E. ARCHDEKIN

MAYOR

*Kenneth R. Richardson*

KENNETH R. RICHARDSON

CLERK

LEGAL DESCRIPTION OF THE LANDS

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 Town of Brampton in the County of Peel), consisting of Part of Block A, Plan M-152, and more particularly described as Parts 1, 2 and 3 on a Plan of Reference registered in the Land Registry Office for the Land Titles Division of Peel (No. 43) as No. 43R-5719.

SCHEDULE 'B'

The dominant tenement of the Transferee consists of the system of pipes of The Regional Municipality of Peel situate in the said Region, together with buildings and plants of the said Region situate on the lands owned by The Regional Municipality of Peel and Main Street North in the City of Brampton in the Regional Municipality of Peel.

AFFIDAVIT OF SUBSCRIBING WITNESS

I,
of the
in the
I am a subscribing witness to the attached instrument and I was present and saw it executed
at
by
make oath and say:

\*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
in the
this day of 19

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)".

Amended, Jan 1975

THE LAND TRANSFER TAX ACT, 1974

AFFIDAVIT OF VALUE OF THE CONSIDERATION

Identify the parties to the conveyance

IN THE MATTER OF THE CONVEYANCE made
by: THE CORPORATION OF THE CITY OF BRAMPTON
to: THE REGIONAL MUNICIPALITY OF PEEL
on the 10th day of April 1978
I, JOHN G. METRAS
of the Town of Thornbury
in the County of Grey

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 City Solicitor for 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 blanks 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: transfer of property for easement purposes, no monies passing.

SWORN before me at the City of Brampton
in the Regional Municipality of Peel
this day of April 19 78
(signature)
JOHN G. METRAS

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.



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

AFFIDAVIT

KENNETH R. RICHARDSON of the Town of Caledon  
(print name)  
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:

describe nature  
of disposition

Disposition of designated land by a Municipality

as provided for by section 4, clause b, subclause \_\_\_\_\_, of  
the above Act.

delete this  
paragraph if  
inapplicable

2. ~~I am the transferor making the disposition referred to in paragraph 1 hereof.~~  
Since the acquisition of my interest in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

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.  
Since the acquisition of the interest of the transferor in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

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

this

day of April 1978

KENNETH R. RICHARDSON

DATED: April 10, 1978

BETWEEN:

THE CORPORATION OF THE  
CITY OF BRAMPTON

and

THE REGIONAL MUNICIPALITY  
OF PEEL

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TRANSFER OF EASEMENT

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JOHN G. METRAS,  
CITY SOLICITOR,  
CITY OF BRAMPTON,  
24 QUEEN STREET EAST,  
BRAMPTON, ONTARIO.  
L6V 1A4



PLAN OF SURVEY OF  
PART OF BLOCK A, PLAN M-152  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL  
(FORMERLY TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)

SCALE 1" = 40'  
VLADIMIR KRCMAR O.L.S., 1977

PLAN 43R-5719.

RECEIVED AND DEPOSITED

DATE

LAND REGISTRAR FOR THE LAND TITLES  
DIVISION OF PEEL

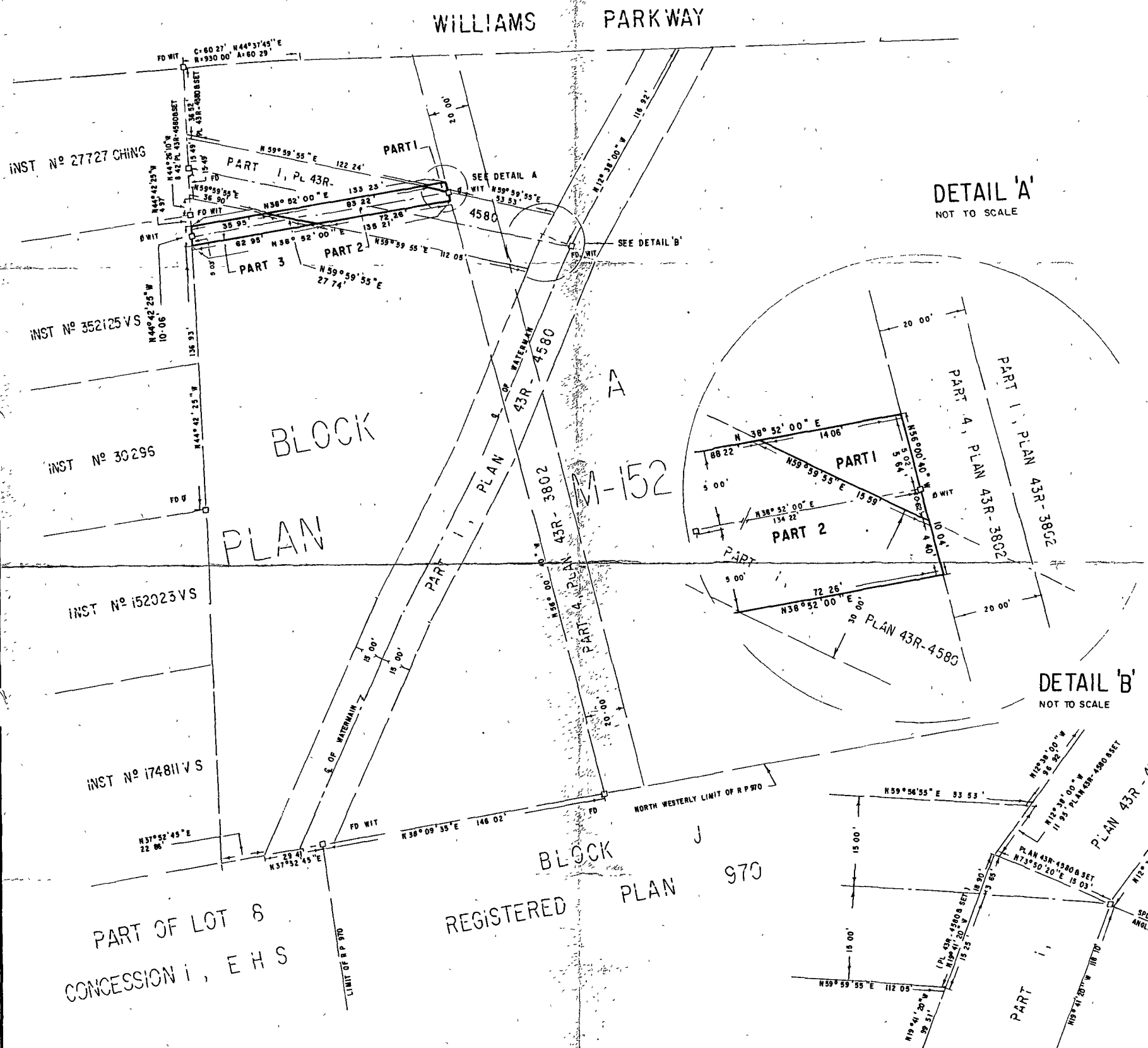
APPROVED

EXAMINER OF SURVEYS

I REQUIRE THIS PLAN TO BE DEPOSITED  
UNDER THE LAND TITLES ACT

DATE

VLADIMIR KRCMAR O.L.S.



DETAIL 'A'  
NOT TO SCALE

DETAIL 'B'  
NOT TO SCALE

**NOTE**

ALL HANGING LINES SHOWN ON THIS PLAN HAVE BEEN VERIFIED  
ALL MONUMENTS SHOWN HEREON ARE PLANTED UNLESS OTHERWISE NOTED

- DENOTES STANDARD IRON BAR (1" SQUARE BY 48" LONG)
- DENOTES STANDARD IRON BAR ROUND (1" DIAMETER BY 48" LONG)
- DENOTES IRON BAR (5/8" SQUARE BY 24" LONG)
- DENOTES IRON BAR ROUND (5/8" DIAMETER BY 24" LONG)
- FD DENOTES FOUND
- WIT DENOTES WITNESS

THE ASTRONOMIC BEARING OF N44°42'25"W OF THE EASTERLY LIMIT  
OF BLOCK A ACCORDING TO PLAN M-152, GOVERNS ALL BEARINGS HEREON

**SURVEYOR'S CERTIFICATE**

- I HEREBY CERTIFY
- 1 THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER,
  - 2 THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN,
  - 3 THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY,
  - 4 THAT THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1977
- DATE: \_\_\_\_\_

VLADIMIR KRCMAR  
ONTARIO LAND SURVEYOR

**SCHAEFFER & REINTHALER LIMITED**  
ONTARIO LAND SURVEYORS  
465 WILSON AVE DOWNSVIEW, ONT M3H 1T9 TEL (416) 635-5423  
DRAWN B.A. CHECKED V.K. SCALE 1" = 40' JOB NO 77-490

PASSED April 24 19 78

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# BY-LAW

No. 86-78

A by-law to authorize  
the execution of an  
easement