



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 338-79

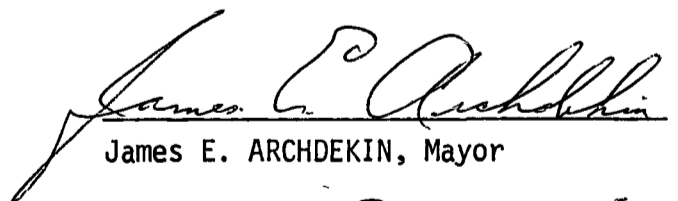
To authorize the execution of an agreement with Canadian National Railway - (Pipe crossing agreement - Clark Boulevard and West Drive, Contract No. 79-116).

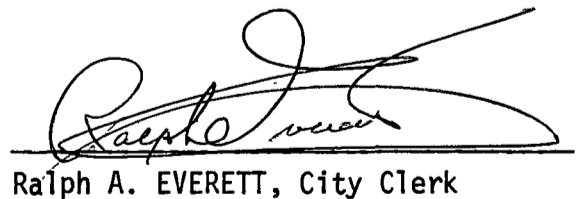
WHEREAS it is deemed expedient to enter into and execute an agreement with Canadian National Railway;

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

- (1) THAT the City of Brampton enter into and execute an agreement with Canadian National Railway, attached hereto as Schedule "A".
- (2) THAT the Mayor and the Clerk are hereby authorized to affix their signatures to the said agreement with Canadian National Railway, attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 26th day of November, 1979.


James E. ARCHDEKIN, Mayor


Ralph A. EVERETT, City Clerk

CNR-3836
4-72
48-26-852
PRINTED IN CANADA

PIPE CROSSING AGREEMENT

The Corporation of the City of Brampton
24 Queen Street East
Brampton, Ontario
L6V 1A4

THE UNDERSIGNED

(HEREINAFTER CALLED THE "APPLICANT") PURSUANT TO SECTION 209 OF THE RAILWAY ACT, R.S.C., 1970, CHAPTER R2, HEREBY APPLIES TO CANADIAN NATIONAL RAILWAY COMPANY, (HEREINAFTER CALLED THE "RAILWAY") FOR PERMISSION TO CONSTRUCT AND MAINTAIN THE PIPE CROSSING (HEREINAFTER CALLED THE "WORKS") SHOWN ON THE PLAN ATTACHED HERETO AT THE LOCATION AND IN THE MANNER SHOWN ON THE SAID PLAN. No. 14-12 Sheet 5, Mile 0.18 Dominion Glass, H.B. Mile 12.41 Halton Subdivision.

THE APPLICANT CONVENANTS AND AGREES WITH THE RAILWAY THAT

1. THE WORKS SHALL BE CONSTRUCTED AND AT ALL TIMES MAINTAINED IN ACCORDANCE WITH THE GENERAL ORDERS, REGULATIONS, PLANS OR SPECIFICATIONS ADOPTED OR APPROVED BY THE CANADIAN TRANSPORT COMMISSION RESPECTING PIPE CROSSINGS UNDER RAILWAYS IN FORCE FROM TIME TO TIME, INCLUDING, BUT WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, GENERAL ORDER NO. E-10 DATED THE 1ST DAY OF FEBRUARY, A.D. 1965, AND AMENDMENTS THERETO, IN THE SAME MANNER AND TO THE SAME DEGREE AS IF THE SAID ORDERS HAD BEEN SPECIAL ORDERS MADE IN RELATION THERETO AND THE APPLICANT HEREBY AGREES TO OBSERVE AND PERFORM ALL THE TERMS AND CONDITIONS OF THE SAID ORDERS, REGULATIONS, PLANS OR SPECIFICATIONS.

2. SHOULD IT BECOME NECESSARY OR EXPEDIENT FOR THE PURPOSES OF REPAIR OR IMPROVEMENT ON THE SAID RAILWAY THAT THE WORKS BE TEMPORARILY REMOVED OR RELOCATED THE APPLICANT SHALL UPON REQUEST OF THE RAILWAY AND AT THE SOLE COST AND EXPENSE OF THE APPLICANT FORTHWITH REMOVE OR RELOCATE THE WORKS.

~~3. AS AN ACKNOWLEDGMENT OF THE PROPERTY RIGHTS OF THE RAILWAY IN THE LANDS OF THE RAILWAY OCCUPIED BY THE WORKS THE APPLICANT WILL PAY TO THE RAILWAY ANNUALLY IN ADVANCE EFFECTIVE FROM THE SUM OF~~

Est. 1979

4. THE APPLICANT WILL INDEMNIFY AND SAVE HARMLESS THE RAILWAY AGAINST ALL TAXES, RATES AND ASSESSMENTS AT ANY TIME LEVIED OR ASSESSED AGAINST THE WORKS OR AGAINST THE LANDS OF THE RAILWAY BY REASON OF THE PRESENCE OF THE WORKS.

5. NEITHER THIS LICENSE NOR ANY RIGHT, INTEREST OR PRIVILEGE HEREUNDER IS SUBJECT TO ANY ASSIGNMENT OR SUB-LEASE WITHOUT HAVING FIRST OBTAINED THE CONSENT IN WRITING OF THE RAILWAY.

6. THIS LICENSE MAY BE TERMINATED AT ANY TIME AFTER THE DATE HEREOF BY EITHER PARTY GIVING TO THE OTHER PARTY NOT LESS THAN THIRTY (30) DAYS' NOTICE IN WRITING OF INTENTION TO TERMINATE.

DATED AT Brampton AS AT THE 27th DAY OF November 19 79

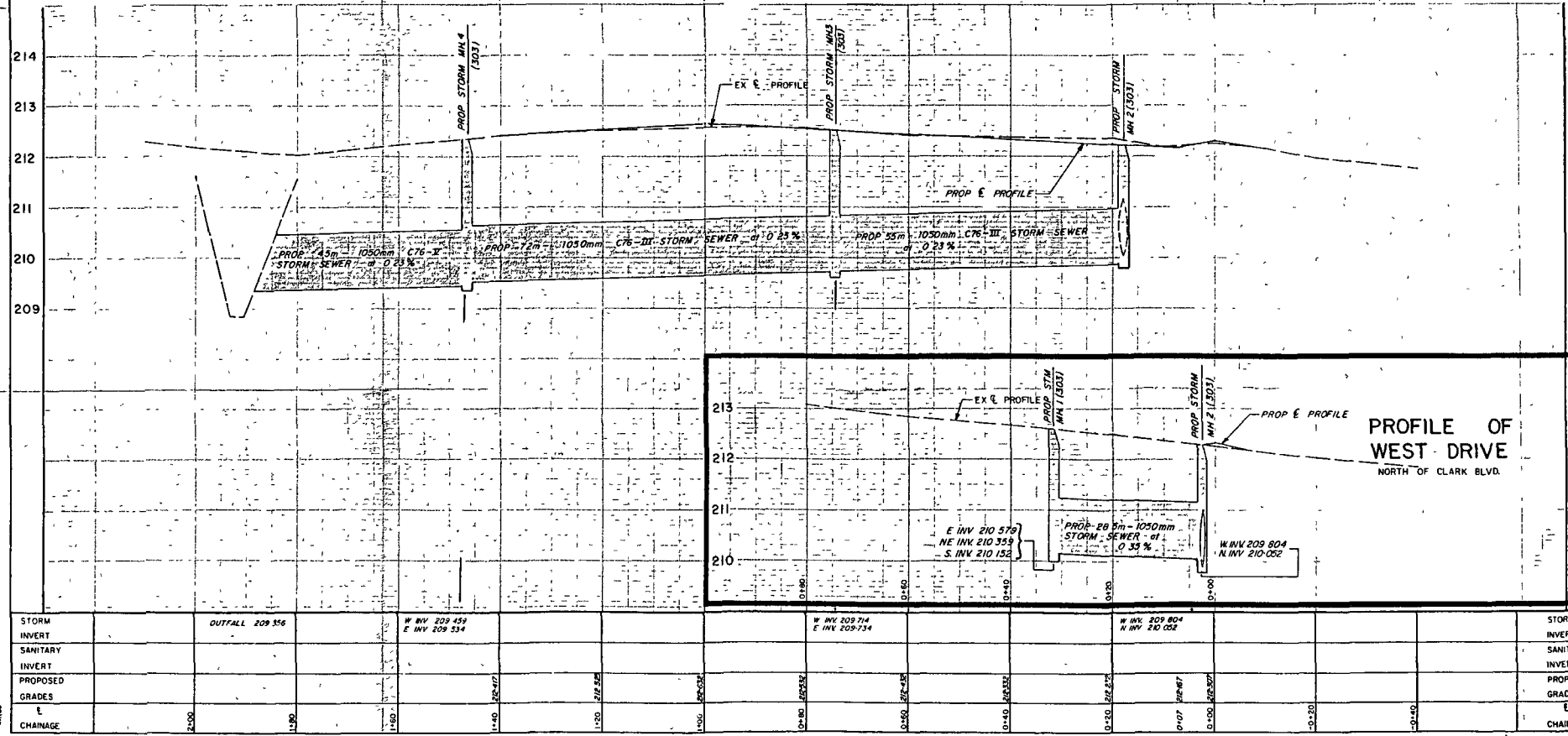
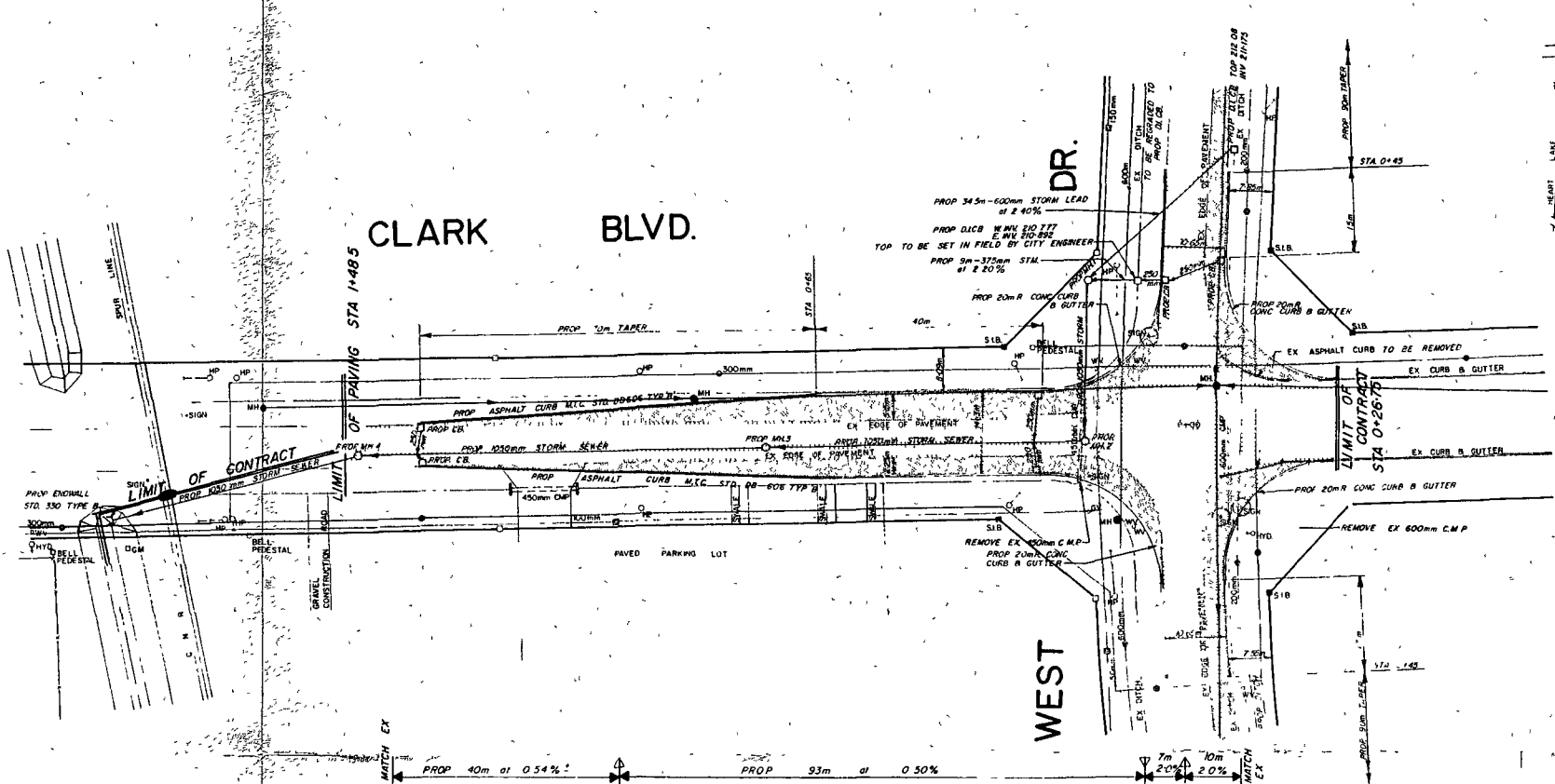
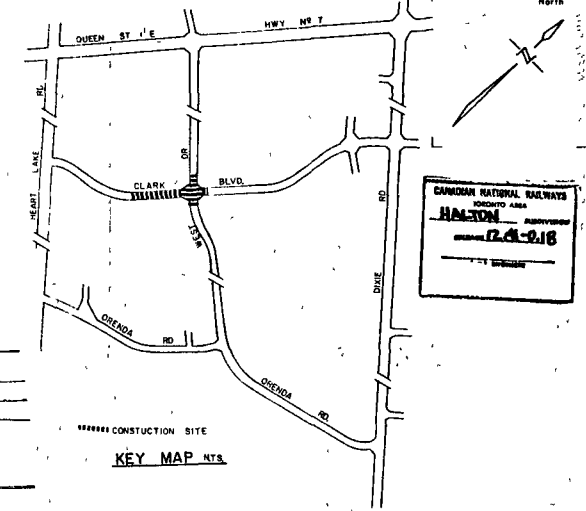
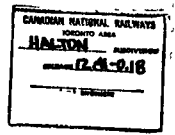
SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

The Corporation of the City of Brampton
James E. Archibald
Carol J. ...

THE RAILWAY HEREBY CONSENTS TO THE CONSTRUCTION AND MAINTENANCE OF THE WORKS REFERRED TO HEREIN AND UPON THE TERMS AS ABOVE SET FORTH.

CANADIAN NATIONAL RAILWAY COMPANY
PER *E. C. Kirk*
E. C. Kirk
Manager of Real Estate

DATED AT Toronto THIS 25th DAY OF October 19 79



NOTES:
 - EX SANITARY MH, WATER VALVES, GAS VALVES ETC TO BE ADJUSTED TO SUIT NEW GRADES
 - ITEM TO BE RELOCATED
 - PROP STORM SEWER TO BE INSTALLED UNDER C.N. SPUR LINE MUST CONFORM TO PIPE CROSSING UNDER RAILWAYS REGULATIONS GENERAL ORDER NO E-10 THE BOARD OF TRANSPORT COMMISSIONERS FOR CANADA

| No | By | Date | Revision | Checked |
|----|--------|------|--|---------|
| 3 | H.W.H. | 79 8 | PROP 100mm STM. MH 1 & MH 2 RELOCATED | R.W. |
| 2 | H.W.H. | 79 7 | PROP 900mm STORM FROM MH 1 TO MH 2 REVISED TO 1000mm | |
| 1 | H.W.H. | 79 7 | PROPOSED RECONSTRUCTION | R.W. |

CITY OF BRAMPTON
 ENGINEERING DEPARTMENT
 Commissioner of Public Works J.F. Curran, P. Eng.

| | |
|---------|----------|
| Project | DWG. No. |
| | |

CLARK BLVD. & WEST DR. INTERSECTION
PROPOSED RECONSTRUCTION

Surveyed By D. Morris | Date 79 3 | Contract No. 79-116
 Drawn By H. Wayne, Hwecht | Checked By R.W. GET | Drawing No.
 Designed By G. MOY, P. Eng | Checked By |
 Scale: 1:50 - 1:1500 | Date 79 7 | **I4-12** | 5

| | | | | | |
|-----------------|-----------------|--------------------------------|--------------------------------|--------------------------------|-----------------|
| STORM INVERT | OUTFALL 209 556 | W INV 209 459 E INV 209 534 | W INV 209 714 E INV 209 734 | W INV 209 804 N INV 210 052 | STORM INVERT |
| SANITARY INVERT | | | | | SANITARY INVERT |
| PROPOSED GRADES | 2400 | 1400 | 1400 | 1400 | PROPOSED GRADES |
| CHAINAGE | 2400 | 1400 | 1400 | 1400 | CHAINAGE |

CNR-3836
4-72
48-26-852
PRINTED IN CANADA

PIPE CROSSING AGREEMENT

The Corporation of the City of Brampton
24 Queen Street East
Brampton, Ontario
L6V 1A4

THE UNDERSIGNED

(HEREINAFTER CALLED THE "APPLICANT") PURSUANT TO SECTION 209 OF THE RAILWAY ACT,
R.S.C., 1970, CHAPTER R2, HEREBY APPLIES TO CANADIAN NATIONAL RAILWAY COMPANY,
(HEREINAFTER CALLED THE "RAILWAY") FOR PERMISSION TO CONSTRUCT AND MAINTAIN THE
PIPE CROSSING (HEREINAFTER CALLED THE "WORKS") SHOWN ON THE PLAN ATTACHED HERETO

AT THE LOCATION AND IN THE MANNER SHOWN ON THE SAID PLAN No. 14-12 Sheet 5,
Mile 0.18 Dominion Glass, H.B. Mile 12.41 Halton Subdivision.

THE APPLICANT CONVENANTS AND AGREES WITH THE RAILWAY THAT:

1. THE WORKS SHALL BE CONSTRUCTED AND AT ALL TIMES MAINTAINED IN ACCORDANCE WITH THE GENERAL ORDERS, REGULATIONS, PLANS OR SPECIFICATIONS ADOPTED OR APPROVED BY THE CANADIAN TRANSPORT COMMISSION RESPECTING PIPE CROSSINGS UNDER RAILWAYS IN FORCE FROM TIME TO TIME, INCLUDING, BUT WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, GENERAL ORDER NO. E-10 DATED THE 1ST DAY OF FEBRUARY, A.D. 1965, AND AMENDMENTS THERETO, IN THE SAME MANNER AND TO THE SAME DEGREE AS IF THE SAID ORDERS HAD BEEN SPECIAL ORDERS MADE IN RELATION THERETO AND THE APPLICANT HEREBY AGREES TO OBSERVE AND PERFORM ALL THE TERMS AND CONDITIONS OF THE SAID ORDERS, REGULATIONS, PLANS OR SPECIFICATIONS.

2. SHOULD IT BECOME NECESSARY OR EXPEDIENT FOR THE PURPOSES OF REPAIR OR IMPROVEMENT ON THE SAID RAILWAY THAT THE WORKS BE TEMPORARILY REMOVED OR RELOCATED THE APPLICANT SHALL UPON REQUEST OF THE RAILWAY AND AT THE SOLE COST AND EXPENSE OF THE APPLICANT FORTHWITH REMOVE OR RELOCATE THE WORKS.

~~3. AS AN ACKNOWLEDGMENT OF THE PROPERTY RIGHTS OF THE RAILWAY IN THE LANDS OF THE RAILWAY OCCUPIED BY THE WORKS THE APPLICANT WILL PAY TO THE RAILWAY ANNUALLY IN ADVANCE EFFECTIVE FROM _____ THE SUM OF _____~~

Est. J.S.

4. THE APPLICANT WILL INDEMNIFY AND SAVE HARMLESS THE RAILWAY AGAINST ALL TAXES, RATES AND ASSESSMENTS AT ANY TIME LEVIED OR ASSESSED AGAINST THE WORKS OR AGAINST THE LANDS OF THE RAILWAY BY REASON OF THE PRESENCE OF THE WORKS.

5. NEITHER THIS LICENSE NOR ANY RIGHT, INTEREST OR PRIVILEGE HEREUNDER IS SUBJECT TO ANY ASSIGNMENT OR SUB-LEASE WITHOUT HAVING FIRST OBTAINED THE CONSENT IN WRITING OF THE RAILWAY.

6. THIS LICENSE MAY BE TERMINATED AT ANY TIME AFTER THE DATE HEREOF BY EITHER PARTY GIVING TO THE OTHER PARTY NOT LESS THAN THIRTY (30) DAYS' NOTICE IN WRITING OF INTENTION TO TERMINATE.

DATED AT Brampton AS AT THE 27th DAY OF November 19 79

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF.

APPROVED
AS TO FORM
LAW DEPT.
BRAMPTON
[Signature]
DATE: 11/27/79

The Corporation of the City of Brampton
[Signature]
[Signature]

THE RAILWAY HEREBY CONSENTS TO THE CONSTRUCTION AND MAINTENANCE OF THE WORKS REFERRED TO HEREIN AND UPON THE TERMS AS ABOVE SET FORTH.

CANADIAN NATIONAL RAILWAY COMPANY
PER *[Signature]*
E. C. Kirk
Manager of Real Estate

DATED AT Toronto THIS 25th DAY OF October 19 79

PASSED November 26, 1979



BY-LAW

No. 338-79

To authorize the execution of an agreement with Canadian National Railway - (Pipe crossing agreement - Clark Boulevard and West Drive, Contract No. 79-116).