

THIS AGREEMENT made in triplicate this 16TH day of September, 1985 A.D.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"

- and -

WILLIAM KEITH & MYRNA MARLENE FURTNEY

Hereinafter called the "Owners"

WHEREAS the Owners purport to be the Owners of the subject lands described in Schedule "A" attached to this Agreement;

AND WHEREAS the Owner is desirous of connecting the lands with the Town's water and sanitary sewer systems;

AND WHEREAS the Town has agreed to allow the Owners to connect their lands to the Pelham Water System and Sewer System, subject to certain terms and conditions;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants herein contained the Town and the Owners covenant and agree as follows:

(1) The Town will permit the Owners to connect to the existing watermain lateral located on the south side of Quaker Road. The Owners shall pay to the Corporation of the Town of Pelham the sum of Five Hundred & Sixty-Five Dollars (\$565.00) as their share of the expense of the watermain and lateral.

(2) The Owners, at their own expense, will construct a 3/4" diameter PVC 150 PSI pipe or Type K copper water service from the lot line of their property to service the dwelling unit on their property.

(3) The Town will permit the Owners to connect to the existing sanitary sewer lateral located on the south side of Quaker Road. In addition, the Owners shall pay to the Corporation of the Town of Pelham the sum of Two Thousand, Two Hundred and Seventy-Two Dollars (\$2,272.00) as their share of the expense of the main sanitary sewer trunk line and lateral.

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(4) The Owners, at their own expense, will construct a sanitary sewer service from the lot line of their property to service the dwelling unit on their property. Such sanitary sewer service shall meet or exceed the standards as set out in the Ontario Plumbing Code.

(5) The Owners further agree to pay for the cost of a water meter and all the water and sewer useage charges as levied from time to time by the municipality.

(6) This Agreement is to be binding on the Owners, their heirs, executors, administrators, successors, assigns forever and shall be registered against the title of the Owners as deccribed in Schedule "A".

IN WITNESS WHEREOF the Corporation of the Town of Pelham has hereunto affixed its Corporate Seal duly attested to by the hands of its proper officers in that behalf and in witness whereof the Owners have hereunto set their hands and seal.

SIGNED, SEALED AND DELIVERED

- In the Presence Of -

(THE CORPORATION OF THE TOWN OF PELHAM

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(MAYOR

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(WILLIAM KEITH FURTNEY

(MYRNA MARLENE FURTNEY

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Moria L. Orgar

Moria L. Orgar

E. J. Bergensten

Mary Hartnett

William Keith Furtney

Myrna Furtney

SCHEDULE

"A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the Township of Pelham, in the County of Welland and being composed of Part of Lot 2, Concession 10, more particularly described as follows:

COMMENCING at the northwest angle of said Lot 2;

THENCE easterly along the northerly limit of Lot 2, 66 feet to the north-easterly corner of the given road known as Haist Road;

THENCE South $00^{\circ} 00' 30''$ west parallel to the Westerly limit of Lot 2, 1,174.50 feet to a point which is the intersection of the easterly limit of Haist Road and the southerly limit of Quaker Road;

THENCE North $89^{\circ} 18' 30''$ East along the southerly limit of Quaker Road, 650 feet to a point which is the place of beginning of the lands herein described;

THENCE continuing North $89^{\circ} 18' 30''$ East, 100 feet to a point;

THENCE South $00^{\circ} 00' 30''$ West, 150 feet to a point;

THENCE South $89^{\circ} 18' 30''$ West, 100 feet to a point;

THENCE North $00^{\circ} 00' 30''$ East, 150 feet more or less to the place of beginning.

And being the lands as previously described in Instrument Number 75684B.