

THIS AGREEMENT made in triplicate this 20th. day of May, 1986.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter referred to as the "Town"

OF THE FIRST PART

- and -

LESLIE HILLS INCORPORATED

Hereinafter referred to as the "Developer"

OF THE SECOND PART

WHEREAS the Town and the Developer entered into a Subdivision Agreement on the 20th. day of February, 1986, which agreement governs the development and completion of the subdivision known as the Leslie Hills Subdivision;

AND WHEREAS the Subdivision Agreement calls for the completion of the curbs, gutters and base coarse asphalt prior to the Town issuing building permits;

AND WHEREAS the aforementioned conditions have proven to be inappropriate because of special circumstances, and where the parties hereto now wish to amend the said subdivision agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00), the receipt of which is hereby acknowledged, and the mutual covenants and agreements herein contained, and subject to the terms and conditions hereinafter set out, the parties hereto hereby agree as follows: -

(1) The aforementioned Subdivision Agreement shall be amended to permit the Town to issue building permits following the completion by the Developer of all underground services such as watermain, storm sewers and sanitary sewers and the completion of the roadway to its full design width, complete with the full depth of granular base.

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- (2) The Developer shall not be required to complete all curbs, gutters and base coarse asphalt prior to the issuance of building permits.
- (3) The Developer shall proceed with the installation of the curbs, gutters and base coarse asphalt within two weeks of receipt of instructions from the Town Engineer or Works Superintendent advising the ground conditions are suitable for such construction to proceed. This work shall proceed no later than the 1st. day of August, 1986.
- (4) Should occupancy of any home be required prior to any home constructed pursuant to a building permit be required prior to the completion of the curbs, gutters and base coarse asphalt, the Developer will prior to the date of such occupancy remove any contaminated granular material from the entire course of the roadway and shall replace it with new granular material to the design depth required. Further, the Developer shall apply to the roadway a single coat of bituminous asphalt primer to the compacted granular base for its full design width.
- (5) At all times prior to the installation of the curbs, gutters and base coarse asphalt, the Developer will provide proper dust control on the street through the use of calcium chloride.
- (6) All other terms of the aforementioned Subdivision Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the Parties have hereunto affixed their Corporate Seals under the hands of their officers duly authorized in their behalf.

SIGNED, SEALED AND DELIVERED

- In the Presence Of -

(THE CORPORATION OF THE TOWN OF
(PELHAM

(E. S. Bergenstern
(MAYOR

(Murray Hackett
(CLERK

(
(LESLIE HILLS INCORPORATED

(Robert B. Leslie

(Ruth Clements

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