



PIPE CROSSING AGREEMENT

THE UNDERSIGNED The Corporation of the Town of Pelham
Box 400, 43 South Pelham St., Fonthill, Ontario

(HEREINAFTER CALLED THE "APPLICANT") PURSUANT TO SECTION 272 OF THE RAILWAY ACT,

R.S.C., 1952, CHAPTER 234, HEREBY APPLIES TO CANADIAN NATIONAL RAILWAY COMPANY,

(HEREINAFTER CALLED THE "RAILWAY") FOR PERMISSION TO CONSTRUCT AND MAINTAIN THE

WORKS SHOWN ON THE PLAN ATTACHED HERETO AT THE LOCATION AND IN THE MANNER

SHOWN ON THE SAID PLAN, E-68117-G6 dated 11 June, 1971 - Mi. 12.03 Fonthill Spur
H.B. 5.22 Thorold S/D.

THE APPLICANT COVENANTS 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 BOARD OF TRANSPORT COMMISSIONERS FOR CANADA 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 SAID PIPE CROSSING 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 SAID PIPE CROSSING.
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 1 September, 1971 THE SUM OF \$15. per annum for first year and \$10. per annum thereafter.
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 Fonthill, Ont. AS AT THE 13th DAY OF SEPTEMBER, 1971

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

The Corporation of the Town of Pelham

Leo Bruggeman
Acting Mayor
W. C. Kirk

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 Real Estate

DATED AT Toronto, Ont. THIS 1st DAY OF September 19 71

2 TRACKS

CANADIAN NATIONAL RAILWAYS

C.N.R. R.O.W.

LOT 168

LOT 167

STATION

STREET 10" AT 0.26%

EXISTING 6" WATERMAIN

EXISTING 4" GAS MAIN

HP

M.H. 47A

133'-8" AT 0.50% C-1500

34'-16" O.DIA. STEEL LINER PIPE

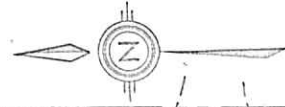
0.375" WALL THICKNESS

8" DIA. ASBESTOS CEMENT SAN. SEWER PIPE

1500 P.S.I. CONC. GROUT.

16" O.DIA. STEEL LINER PIPE, 0.375" WALL THICKNESS.

SECTION THROUGH 13" O.DIA. WELDED STEEL LINER PIPE BORED & JACKED INTO PLACE



PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY OF NIAGARA
TOWN OF PELHAM
CANADIAN NATIONAL RAILWAYS
16" O.DIA. WELDED STEEL PIPE
8" DIA. A.C. SANITARY SEWER PIPE
Proctor & Redfern Limited
CONSULTING ENGINEERS
TORONTO ST. CATHARINES
M.P. 12-03 FANTHILL SUBDIVISION C.N.R.
APPROVED
CANADIAN NATIONAL RAILWAY AREA ENGINEER
DRAWN BY E.H. - JUNE 71 DWG. No. E-6017-GG

SCALES: HORIZ. 1" = 40'
VERT. 1" = 10'

2 TRACKS

EXISTING GRADE

M.H. 47

133'-8" AT 0.50% C-1500

34'-16" O.DIA. STEEL LINER PIPE

17' 17'

7.5'

M.H. 47A

650

340

630

INV. 641.00

W. INV. 640.00

E. INV. 634.00

MI-12.03 FANTHILL SPUR
H.B. MI-5.22 THOROLD 9/0

Area Engineer