

GRANT OF EASEMENT

THIS INDENTURE made the 13th dgy of August A.D. 1971

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT.

BETWEEN: ROSENDO MENDEZ, of the Town of Pelham,  
in the Regional Municipality of  
Niagara, and  
ESPERANZA MENDEZ, his wife of the same  
place, as joint tenants,

hereinafter called the "PARTIES" OF THE FIRST PART

- and - THE CORPORATION OF THE TOWN OF PELHAM,  
in the Regional Municipality of  
Niagara,

hereinafter called the "PARTY" OF THE SECOND PART

- and - THE ROYAL BANK OF CANADA,

hereinafter called the "PARTY" OF THE THIRD PART

WHEREAS ROSENDO MENDEZ and ESPERANZA MENDEZ are the owners of the lands described in Schedule "A" hereto annexed, subject to registered Mortgage No. 106676 held by the Third Party.

NOW THIS INDENTURE WITNESSETH that in consideration of the sum of -----  
---ONE DOLLAR (\$1.00)--- of lawful money of Canada, now paid by the Second Party to the First Parties, the receipt whereof is hereby acknowledged, the First Parties hereby grant to the Second Party, its successors and assigns, the right at any time, to enter upon the lands hereinafter described, in Schedule "A" hereto attached, for the purpose of laying down and constructing sewers, sewer pipes and drains in, under and upon the said lands, and keeping and maintaining them at all times in good condition and repair, and for every such purpose the grantee shall have access to the said lands at all times, by its servants, employees and workmen.

THE Second Party covenants and agrees with the other Parties hereto and with each of them that it shall be responsible for any damage caused by its agents or employees to the property of the First Parties and shall as far as possible replace at its own expense any soil or turf removed in connection with any of the work above referred to.

NO covenant on the part of the Mortgagee shall be implied by reason of this Indenture or by reason of anything herein contained.

THIS INDENTURE and everything herein contained shall extend to and include the Parties hereto and their and each of their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED )  
in the Presence of )

Frank Bell )  
)  
)  
)  
)

THE CORPORATION OF THE TOWN OF PELHAM

Frank Bell )  
)  
)  
)  
)  
MAYOR  
Clerk-Treasurer

ROSENDO MENDEZ and ESPERANZA MENDEZ

Rosendo Mendez )  
Esperanza Mendez )  
)  
)  
)

THE ROYAL BANK OF CANADA  
This 28th day of September, 1971

Assistant General Manager  
Assistant Secretary

APPROVED  
FOR SIGNATURE

SCHEDULE "A"

EASEMENT FROM ROSENDO MENDEZ

PART OF LOT 9, PLAN 36, TOWNSHIP OF THOROLD #1301 PELHAM  
NOW IN THE TOWN OF PELHAM

THE RIGHT TO enter upon, construct and maintain a sanitary sewer  
in, under, over, along and upon:


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 County of Welland and  
being composed of the Easterly 10 feet of Lot 9, according to  
Registered Plan 36 for the former Township of Thorold.

CLARKE AND LANE,  
Ontario Land Surveyors,

WELLAND, Ontario,

July 6th, 1971.

File: 71-89.

  
D. A. LANE, O.L.S.

CANADA  
PROVINCE OF ONTARIO  
REGIONAL MUNICIPALITY  
NIAGARA

of

I, *Handwritten Signature*

of the **Town** of **Pelham**  
in the **Regional Municipality of Niagara**

To Wit:

make oath and say:

1. THAT I was personally present and did see the within Instrument and a duplicate duly signed, sealed and executed by

**ROSENDO MENDEZ and ESPERANZA MENDEZ**

**two of the parties** thereto.

2. THAT the said Instrument and duplicate were executed by the said parties  
at the **Town** of **Pelham**  
in the **Regional Municipality** of **Niagara**

3. THAT I know the said parties

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the **Town**

of **Pelham**

in the **Regional Municipality of Niagara**

this **12<sup>th</sup>**

day of

*February*

19 **72**

*Handwritten Signature*  
J.P.

*Handwritten Signature*

A Commissioner for taking Affidavits, &c.

CANADA  
PROVINCE OF ONTARIO

of

I,

of the \_\_\_\_\_ of \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_

To Wit:

make oath and say:

1. THAT I was personally present and did see the within Instrument and a duplicate duly signed, sealed and executed by

the part \_\_\_\_\_ thereto.

2. THAT the said Instrument and duplicate were executed by the said part  
at the \_\_\_\_\_ of \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the \_\_\_\_\_

of \_\_\_\_\_

in the \_\_\_\_\_

this \_\_\_\_\_

day of \_\_\_\_\_

19 \_\_\_\_\_

A Commissioner for taking Affidavits, &c.