

GRANT OF EASEMENT

THIS INDENTURE made the 12th day of August A.D. 1971.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT.

BETWEEN: WESLIE ZWIERSCHKE, of the Town of Pelham,
in the Regional Municipality of
Niagara, and
JOYCE ZWIERSCHKE, 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

WHEREAS WESLIE ZWIERSCHKE and JOYCE ZWIERSCHKE are the owners of the lands described in Schedule "A" hereto annexed,

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 Party and shall as far as possible replace at its own cost 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

Gordon Cheney

) THE CORPORATION OF THE TOWN OF PELHAM
)
)
)
)
)

[Signature]

[Signature]

WESLIE ZWIERSCHKE and JOYCE ZWIERSCHKE

[Signature]

[Signature]

SCHEDULE "A"

EASEMENT FROM WESLIE ZWIERSCHKE

PART OF LOT 2, PLAN 36, TOWNSHIP OF THOROLD
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 5 feet of Lot 2 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, Gordon Cheney
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

WESLIE ZWIERSCHKE and JOYCE ZWIERSCHKE

TWO 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 11th
day of FEBRUARY 19 72

Gordon Cheney

[Signature]

A Commissioner for taking Affidavits, &c.

CANADA
PROVINCE OF ONTARIO

of

I,
of the of
in the of

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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.