

GRANT OF EASEMENT

THIS INDENTURE made this 12th day of October, A.D.1972.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT

BETWEEN: MARTIN FARKAS, of the Town of Pelham,
in the Regional Municipality of
Niagara, and
THERESA FARKAS, 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 MARTIN FARKAS and THERESA FARKAS 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 any 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)

THE CORPORATION OF THE TOWN OF PELHAM

Mayor

Clerk-Treasurer

MARTIN FARKAS and THERESA FARKAS

Martin Farkas

Theresa Farkas

DESCRIPTION OF EASEMENT RE: FARKAS
PART OF LOT 3, REGISTERED PLAN 36, FORMERLY IN THE
TOWNSHIP OF THOROLD, IN THE COUNTY OF WELLAND, NOW IN THE
TOWN OF PELHAM IN THE REGIONAL MUNICIPALITY OF NIAGARA

ALL AND SINGULAR that certain parcel or tract of land and premises,
situate, lying and being in the Town of Pelham formerly in the
Township of Thorold in the County of Welland now in the Regional
Municipality of Niagara, and being composed of part of Lot 3 as
shown on a plan registered in the Registry Office for the Registry
Division of Niagara South, formerly the Registry Division of the
said County of Welland as No. 36 for the said Township of Thorold
shown outlined in red on the whiteprint of the plan dated October 2, 1972
signed by Thomas G. Cahill, O.L.S., and attached hereto, and which
said parcel or tract of land may be more particularly described as
follows:

PREMISING that the east limit of the said Lot 3 has an assumed
astronomical bearing of N 0° 38' W according to said Plan 36, and
relating all bearings herein thereto;

COMMENCING at the north-east corner of said Lot 3;

THENCE S 0° 38' E in the said east limit of said lot, 28.04 feet;

THENCE S 9° 38' 30" W, 52.81 feet to a point in the south
limit of said lot distant therein S 89° 22' W, 9.42 feet from the
south-east corner of said lot;

THENCE S 89° 22' W in the said south limit, 10.16 feet;

THENCE N 9° 38' 30" E, 81.30 feet to a point in the north
limit of said lot distant therein S 89° 22' W, 5.08 feet from the
said north-east corner thereof;

THENCE N 89° 22' E in the said north limit, 5.08 feet to the
Point of Commencement.

CLARKE AND LANE,

Ontario Land Surveyors,

WELLAND, Ontario,

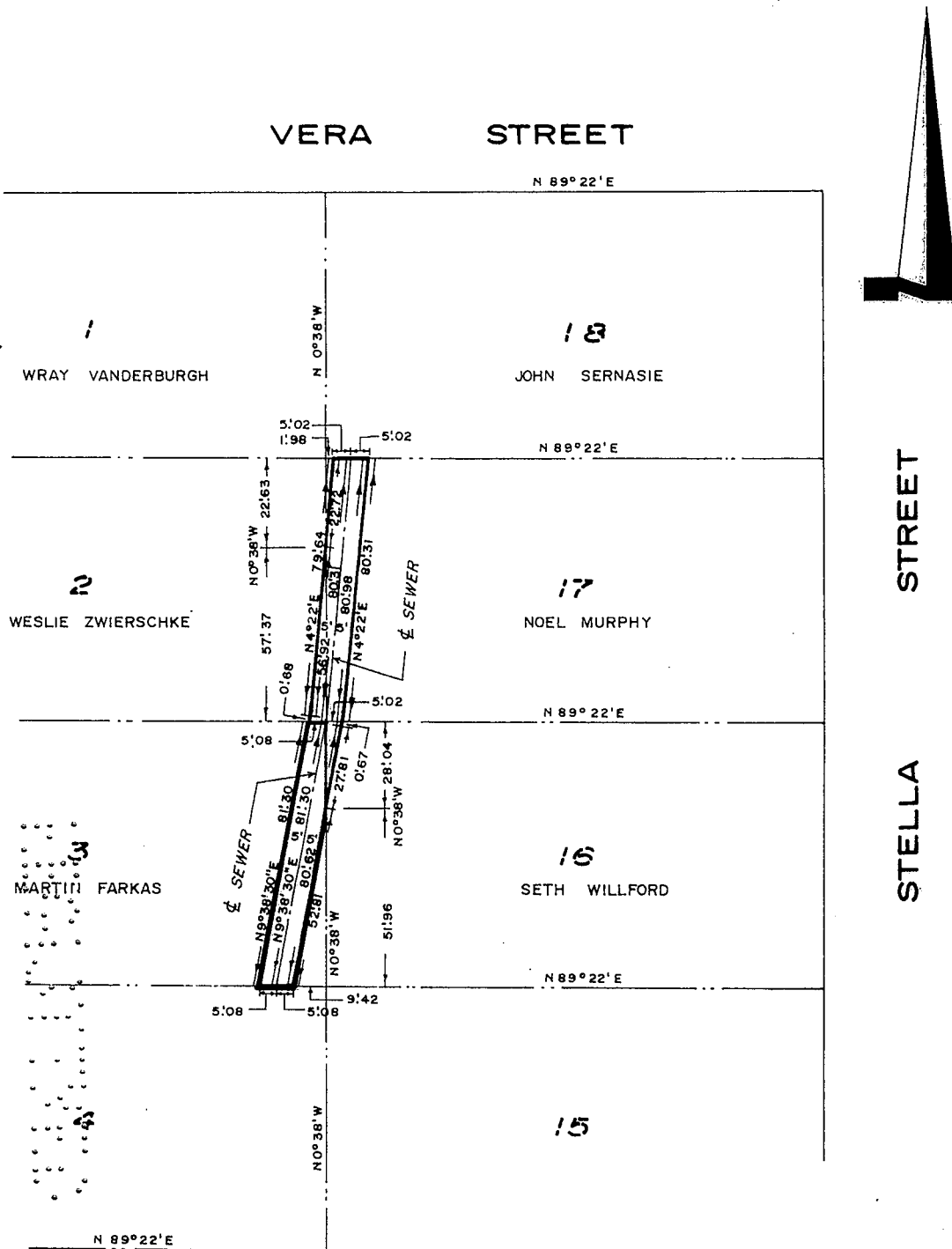
October 3rd, 1972.

File: 71-89.


THOMAS G. CAHILL, O.L.S.

PLAN SHOWING SEWER EASEMENTS
OVER PART OF LOTS 2, 3, 16 and 17
REGISTERED PLAN 36
FORMERLY IN THE TOWNSHIP OF THOROLD
COUNTY OF WELLAND
NOW IN THE TOWN OF PELHAM
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1" = 40'



Thomas G. Cahill

THOMAS G. CAHILL
CLARKE AND LANE

ONTARIO LAND SURVEYORS
WELLAND ONTARIO

DATE OCT 2, 1972

FILE 71-89

CANADA
PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY
NIAGARA

I, J. G. Cheney
of the Town of Pelham
in the Regional Municipality of Niagara
To Wit: Deputy Clerk 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

MARTIN FARKAS and THERESA FARKAS

Two of the part **ies** 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 14th

day of February 19 73
72

J. G. Cheney

A Commissioner for taking Affidavits, &c.

CANADA
PROVINCE OF ONTARIO

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.