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

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT.

BETWEEN:

WRAY VANDERBURGH, of the Town of Pelham, in the Regional Municipality of Niagara, and

CORA VANDERBURGH, his wife of the same place, as junt 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 WRAY VANDERBURGH and CORA VANDERBURGH 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 Parties 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 wverything 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

WRAY VANDERBURGH and CORA VANDERBURGH

*Wray Vanderburgh.

*Bora Vanderburgh

SCHEDULR "A"

EASEMENT FROM WRAY VANDERBURGH

PART OF LOT 1, 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:

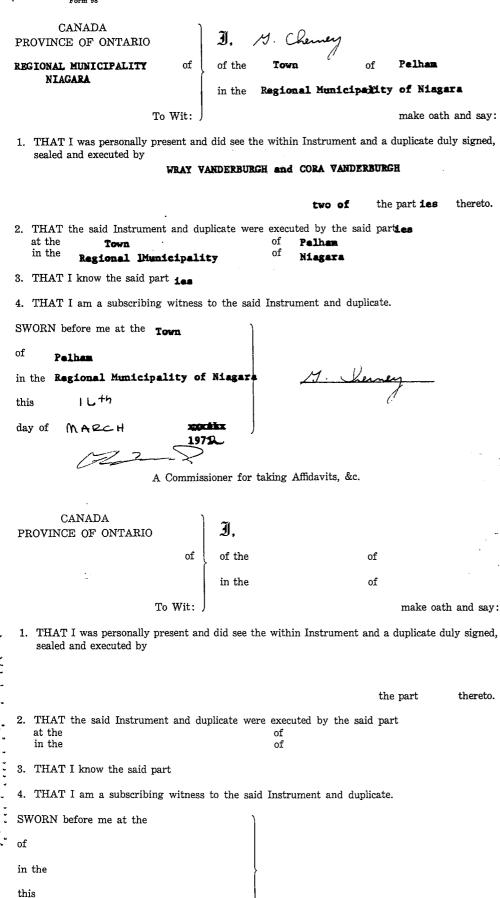
ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the County of Welland and being composed of the Easterly 5 feet of the Southerly 5 feet of Lot 1, according to Registered Plan 36 for 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.



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day of