

GRANT OF EASEMENT

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

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT.

BETWEEN: PAUL T. SUTCH, of the Town of Pelham,
in the Regional Municipality of Niagara, and
LOIS A. SUTCH, 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 - ROBERT M. MELVILLE, of the Town of Pelham,
in the Regional Municipality of Niagara,

hereinafter called the "PARTY" OF THE THIRD PART

WHEREAS PAUL T. SUTCH and LOIS A SUTCH are the owners of the lands described in Schedule "A" hereto annexed subject to registered Mortgage No.45607B 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 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)

H. Dorney
As to Paul T. Sutch and
Lois A Sutch signatures)

R. Melville
As to the signature of
Robert M. Melville)

THE CORPORATION OF THE TOWN OF PELHAM)

[Signature])

[Signature])

PAUL T. SUTCH and LOIS A. SUTCH)

[Signature])

[Signature])

ROBERT M. MELVILLE)

[Signature])

SCHEDULE "A"
EASEMENT FROM PAUL SUTCH

* 6 STELLA ST.

PART OF LOT 22, PLAN 44, TOWNSHIP OF THOROLD
NOW IN THE TOWN OF PELHAM

THE RIGHT TO enter upon, construct and maintain a sanitary sewer
in, over, under, 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 Part of Lot 22 according to Registered Plan 44
for the Former Township of Thorold, and premising that the
Easterly limit of said Lot has a bearing of N 0° 38' W and relating
all bearings herein thereto the said parcel may be more particularly
described as follows:

COMMENCING at the South-easterly angle of said Lot 22;

THENCE S 89° 22' W along the Southerly limit of said Lot
150 feet to the South-westerly angle thereof;

THENCE N 0° 38' W, along the Westerly limit of said Lot 80.0 feet
to the North-westerly angle thereof;

THENCE N 89° 22' E along the Northerly limit of said Lot
10.0 feet;

THENCE S 0° 38' E, 75.0 feet to a point in a line drawn parallel
to the Southerly limit of said Lot and distant Northerly 5.0 feet
measured perpendicularly therefrom;

THENCE N 89° 22' E along said parallel line 140.0 feet more
or less to the Easterly limit of said Lot;


THENCE S 0° 38' E along said Southerly limit 5.0 feet to
the point of commencement.

CLARKE AND LANE,
Ontario Land Surveyors;

WELLAND, Ontario

January 14th, 1972.

File: 71-89.


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

CANADA
PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY
NIAGARA

of

J. M. 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

PAUL T. SUTCH and LOIS A. SUTCH

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 **16th**

day of **MARCH**

~~1971~~
1972

J. M. Cheney

[Signature]

A Commissioner for taking Affidavits, &c.

CANADA
PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY
NIAGARA

of

J.

RAYMOND J. DRAKE

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

ROBERT M. MELVILLE

one 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 **26th**

day of **September**

1971

R. J. Drake

[Signature]

A Commissioner for taking Affidavits, &c.