

GRANT OF EASEMENT

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

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT

BETWEEN: MIECZYSLAW NOWICKI, of the Town of Pelham,  
in the Regional Municipality of Niagara, and  
TERESA NOWICKI, 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 - ~~RICHARDO CUCURULLO of the City of Oakland,  
in the Regional Municipality of Niagara, and  
NICOLETTA CUCURULLO his wife of the same place  
as joint tenants~~

~~hereinafter called the "PARTIES" OF THE THIRD PART~~

WHEREAS MIECZYSLAW NOWICKI and TERESA NOWICKI are the owners of the lands described in Schedule "A" hereto annexed, subject to Registered Mortgage No. 3343213 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 )

M. Cheney  
AS to the signatures of  
Mieczyslaw Nowicki and  
Teresa Nowicki

~~AS to the signatures of  
RICHARDO CUCURULLO and  
NICOLETTA CUCURULLO~~

No Mortgages

THE CORPORATION OF THE TOWN OF PELHAM

MIECZYSLAW NOWICKI and TERESA NOWICKI

~~RICHARDO CUCURULLO and NICOLETTA CUCURULLO~~


SCHEDULE "A"  
EASEMENT FROM M. NOWICKI

PART OF LOT 19, PLAN 44, 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 Northerly 5 feet of Lot 19, according to  
Registered Plan 44 for the former Township of Thorold.

CLARKE AND LANE,  
Ontario Land Surveyors,

  
\_\_\_\_\_

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

WELLAND, Ontario,  
January 14th, 1972.  
File: 71-89.

CANADA  
PROVINCE OF ONTARIO  
REGIONAL MUNICIPALITY  
NIAGARA

of

I, *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

**MIECZYSLAW NOWICKI AND TERESA NOWICKI**

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 15<sup>th</sup>

day of MARCH 19 72

*M. Cheney*

A Commissioner for taking Affidavits, &c.

CANADA  
PROVINCE OF ONTARIO  
REGIONAL MUNICIPALITY  
NIAGARA

of

I, *Riccardo Cucuruzzo*  
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

**RICCARDO CUCURUZZO and NICOLETTA CUCURUZZO**

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

day of

XXXXXX

1971

*Riccardo Cucuruzzo*

A Commissioner for taking Affidavits, &c.