

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #309 (1975)

Being a by-law to authorize the Mayor
and Clerk to execute a release accepting
the sum of \$4,500.00 to complete the
settlement of Town of Pelham vs. Washuta
Bros. Limited court case.

WHEREAS Council deems it expedient to execute the
release prepared by Solicitors, Weir & Foulds for out-of-court settle-
ment in the sum of \$4,500.00 received from Washuta Bros. Limited,

AND WHEREAS Council authorized the Solicitors,
Weir & Foulds to proceed and prepare the necessary release, when such
monies were received from Washuta Bros. Limited,

NOW THEREFORE COUNCIL OF THE TOWN OF PELHAM

ENACTS AS FOLLOWS:

- (1) THAT the release hereto attached and made part of this by-law
be and the same is hereby approved.
- (2) THAT the Mayor and Clerk be and each of them is hereby authorized
and instructed on behalf of the Corporation to execute the said release
and the Clerk is hereby authorized to affix the Corporate Seal hereto.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED IN COUNCIL THIS
7th. DAY OF April, 1975.


MAYOR


CLERK

IN CONSIDERATION of the payment to The Corporation of The Town of Pelham (hereinafter referred to as "The Town") of the sum of TWO DOLLARS (\$2.00) and other good and valuable consideration, The Town hereby releases and forever discharges Washuta Brothers Limited, its insurers and assigns from any and all actions, causes of actions, suits, debts, dues, accounts, bonds, covenants, contracts, claims and demands whatsoever which against the said Washuta Brothers Limited it had, now has or can, shall or may have for or by reason of an application by Washuta Brothers Limited to extend its gravel operations and an agreement in writing dated the 6th day of May, 1969 between the Township of Pelham and Fonthill Sand and Gravel Limited and an action commenced in the County Court of the Judicial District of Niagara South and known as No. 272/71 brought by The Town against Washuta Brothers Limited.

AND IT IS UNDERSTOOD AND AGREED that the said payments by Washuta Brothers Limited to The Town are deemed to be no admission whatever of liability on the part of the said Washuta Brothers Limited.

IN WITNESS WHEREOF is hereunto set the corporate seal of The Town attested by the signature of its proper officers in that behalf this 7th day of APRIL, 1975.

THE CORPORATION OF THE TOWN
OF PELHAM

Eric S. Bergen

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