

BY-LAW NUMBER 33, 1970
of THE CORPORATION OF THE TOWN OF PELHAM.

A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH LESTER SHOALTS LIMITED WITH RESPECT TO SUBDIVISION PLAN N.S. 1, TOWN OF PELHAM.

WHEREAS Lester Shoalts Limited is the owner of all Lots (36) in Plan registered in the Registry Office of the Registry Division of Niagara South as N.S.1 for the Town of Pelham.


AND WHEREAS it is considered necessary to enter into an Agreement with Lester Shoalts Limited with respect to the development of the even numbered Lots as shown on the said Plan

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:-

1. THAT the Agreement between Lester Shoalts Limited and the Corporation of the Town of Pelham dated the 13 day of April, 1970, and attached hereto, BE AND THE SAME IS HEREBY APPROVED.

2. THAT the Mayor and Clerk be and each of them authorized and instructed on behalf of the Corporation to execute the said Agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 13 DAY OF APRIL, 1970.


MAYOR


CLERK

dated; April 13 ,1970

A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH LESTER SHOALTS
LIMITED IWTH RESPECT TO SUBDIVISION
PLAN N.S. 1, TOWN OF PELHAM

BAKER & SWAYZE
Barristers & Solicitors
163 Division Street
Welland, Ontario.

THB:vk

THIS AGREEMENT MADE THE 13 DAY OF APRIL, 1970.

B E T W E E N:

THE CORPORATION OF THE TOWN OF PELHAM,

hereinafter called the "TOWN"

OF THE FIRST PART

- and -

LESTER SHOALTS LIMITED,

hereinafter called the "OWNER"

OF THE SECOND PART

WHEREAS the Owner entered into a Sub division Agreement with the Council of the Corporation of the Township of Pelham on the 29th day of ~~January~~ December 1969 with respect to the development of a subdivision in Lot 2, Concession 9, Township of Pelham.

AND WHEREAS the said Agreement, which was approved by the Minister of Planning and the 1970 Council of the Town of Pelham, permitted the construction of homes on 18 of the odd numbered lots beginning with Lot 1 and ending with Lot 35, as shown on the Plan of Subdivision as submitted, duly approved and registered in the Registry Office for the Registry Division of Niagara South on the 28th day of January, 1970 as Plan number N.S. 1.

AND WHEREAS Council considers it desirable to enter into this Agreement with respect to the sale of the even numbered lots from 2 to 36 both inclusive as shown on said Plan N.S. 1.

NOW THIS AGREEMENT WITNESSETH that in consideration of the premises herein and of the approvals and conditions contained in an Agreement, dated the 29th day of December, 1969, and entered into between

Lester Shoalts Limited and the Corporation of the Township of Pelham,
the Parties hereto agree as follows:

(1) THE OWNER, Lester Shoalts Limited, will not construct, cause to be constructed or permit the construction of any building on Lots 2,4,6,8,10,12,14,16,18,20,22,24,26,28,30,32,34 or 36 according to Plan N.S.1 for the Town of Pelham until an Agreement satisfactory to the Town is entered into by the Owner and registered on the title to each of the said Lots.

THIS AGREEMENT SHALL ENURE to the benefit of and be binding upon the successors and assigns of the Parties hereto respectively.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seals duly attested by the hands of the proper officers in that behalf

CORPORATION OF THE TOWN OF PELHAM


MAYOR


CLERK

LESTER SHOALTS LIMITED

PER: _____
PRESIDENT

DATED: April 13 , 1970.

THE CORPORATION OF THE TOWN OF PELHAM

- and -

LESTER SHOALTS LIMITED

A G R E E M E N T

BAKER & SWAYZE
Barristers & Solicitors
163 Division Street
Welland, Ontario

THB:vk