

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 4066 (2019)

Being a by-law to authorize the execution of a condominium agreement with Niagara South Vacant Land Condominium Plan No. 147 and the Corporation of the Town of Pelham— Davis Heights.

U. Lucchetta Construction Limited
File No. 26CD19-11001

WHEREAS at the Council meeting held on January 21, 2019 the Municipal Council of the Town of Pelham approved the Report Regarding the Execution of the Davis Heights Condominium Agreement, authorizing the entry into a Condominium Agreement with Niagara South Vacant Land Condominium Plan No. 147 (the 'Condominium Corporation') and the Corporation of the Town of Pelham detailing certain land conveyances, payments and dedications, and the conditions whereby development can occur; and,

WHEREAS it is deemed desirable to enter into a Condominium Agreement for Davis Heights with Niagara South Vacant Land Condominium Plan No. 147 in order to control development of lands as described in Schedule 'A' of the Condominium Agreement which is attached hereto and forms part of this by-law;

NOW THEREFORE the Municipal Council of the Town of Pelham hereby enacts as follows:

1. **THAT** provided Niagara South Vacant Land Condominium Plan No. 147 first satisfies the requirements mentioned in the Agreement attached to and forming part of this by-law that are to be satisfied prior to or at the time of execution of the Agreement by Niagara South Vacant Land Condominium Plan No. 147 and the Corporation of the Town of Pelham, then the Mayor and Clerk are authorized to execute the Condominium Agreement annexed hereto and once executed by all parties, the Agreement shall be registered upon the title to the lands described in Schedule 'A' of the said agreement.

2. **THAT** the conveyances, payments, and dedications required by the said Condominium Agreement, are authorized and approved.
3. **THAT** the Mayor and Clerk be and they are hereby authorized and directed to execute the Condominium Agreement attached to and forming part of this by-law.
4. **THAT** in the event minor modifications to the Condominium Agreement are necessary to effect the intent herein, the Clerk of the Town of Pelham is hereby authorized to complete same in consultation with the Town Solicitor.

ENACTED, SIGNED AND SEALED THIS
4th DAY OF FEBRUARY, 2019 A.D.


MAYOR MARVIN JUNKIN


CLERK NANCY J. BOZZATO