

THIS AGREEMENT made in duplicate this day
of , 1979.

B E T W E E N:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"

- and -

JOSE G. CAMACHO and ELISEA CAMACHO

Hereinafter called the "Owners"

WHEREAS the Owners purport to be the Owners of 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 the Township of Thorold, County of Welland) and being composed of part Lot 237 for the former Township of Thorold, and as shown as Part 5 and 7 on reference plan 59R-1232, registered on the 8th day of July, 1975;

AND WHEREAS the said lands are outside the limits of the Town's "sewer area" as designated by By-law number 50 (1970) as passed by the Municipal Council of the Town;

AND WHEREAS the adjoining Owner has connected his lands with the Town's sanitary sewer system;

AND WHEREAS the Town has agreed to allow the Owners and the Owner of the adjoining land being Part 6 on reference plan 59R-1232 to share the use of an existing sanitary sewer lateral, subject to certain terms and conditions:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants herein contained the Town and the Owners covenant and agree as follows:

1. The Town shall allow the Owners and the Owner of the aforementioned adjoining property to share an existing sanitary sewer lateral, which lateral is presently being used by the Owners to service their aforementioned property.

2. The Owners further agree to pay to the Town and charge their lands with an annual tax levy variable from year to year based upon the special sewer area rate, as prescribed from year to year by the Municipal Council of the Town, and payable by all of the assessed owners within the Town's aforementioned sewer area, as well as any other tax levies made from time to time as assessed by the Municipal Council of the Town.

3. This agreement is to be binding on the Owners, their heirs, executors, administrators, successors and assigns forever and shall be registered against the title of the Owners.

IN WITNESS WHEREOF the Owners have hereunto set their hands and seals and the Town has affixed its corporate seal attested by the hands of its proper signing officers in that behalf.

SIGNED, SEALED AND DELIVERED
In the presence of



) THE CORPORATION OF THE
) TOWN OF PELHAM
) PER: E. S. Bergenstern
)
) PER: William Hackett
)
)
)
) JOSE G. CAMACHO
) E. Camacho
) ELISEA CAMACHO

AFFIDAVIT OF SUBSCRIBING WITNESS

I, ~~THOMAS A. BIELEY~~ AT LACAVERA
of the City of Welland
in the Regional Municipality of Niagara
Solicitor

make oath and say:

* See footnote I am a subscribing witness to the attached instrument and I was present and saw it executed at Welland, Ontario by JOSE G. CAMACHO and ELISEA CAMACHO.

* See footnote I verily believe that each person whose signature I witnessed is the party of the same name referred to in the instrument.

SWORN before me at the City of Welland, in the Regional Municipality of Niagara

this 13 day of August 1979

Wanda E Szajnocha

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.
WANDA E. SZAJNOCHA, a Commissioner,
etc., Judicial District of Niagara South, for
Lacavera and Ivankovich, Barristers.
Expires September 21, 1980.

* Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after instrument had been read to him and he appeared fully to understand it". Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

AFFIDAVIT AS TO AGE AND SPOUSAL STATUS

X / WE JOSE G. CAMACHO and ELISEA CAMACHO
of the Town of Pelham
in the Regional Municipality of Niagara

* If attorney, see footnote (severally) make oath and say: When X / WE executed the attached instrument,

XXXXX / WE WERE EACH at least eighteen years old;

and within the meaning of section 1(f) of The Family Law Reform Act, 1978,

(a) XXXXXXXXXXXXXXXXXXXXXX

(b)

XXXXXSPANX

(c) We were spouses of one another.

Strike out inapplicable clauses.

** Not a matrimonial home, etc., see footnote.

Resident of Canada, etc.

(SEVERALLY) SWORN before me at the City of Welland, in the Regional Municipality of Niagara

this 11 day of August 1979

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Note: Where affidavit made by an attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (spousal status, and if applicable, name of other spouse) within the meaning of section 1(f) of The Family Law Reform Act, 1975 and when he/she executed the power of attorney, he/she had attained the age of majority".

** Note: See Section 42(3) of The Family Law Reform Act, 1975 where spouse does not join in or consent; or complete a separate affidavit.

