

THIS AGREEMENT made in triplicate this 1st. day of January,
A.D. 1980

BETWEEN:

WALLACE LANE, of the Town of Pelham, in the
Regional Municipality of Niagara,
HEREINAFTER CALLED "LANE"
OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWN OF PELHAM, a
Municipal Corporation,
HEREINAFTER CALLED THE "TOWN"
OF THE SECOND PART

WHEREAS the Parties hereto wish to enter into an agreement for the purposes of supply and sale by the Town of water to Wallace Lane for a water loading station;

AND WHEREAS the Owner of the lands described in Schedule "A" to this agreement is in agreement with the location of the water loading station on his property in accordance with the terms of this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements herein contained, the Parties hereto agree as follows:

1. BUILDING

Lane shall at his own expense construct and arrange to be located in a position satisfactory to the Town's Building Inspector, one aluminum clad building, to be termed a water station to receive the supply of water from the Town. Such building shall be located in the southwest quadrant of the lands described in Schedule "A", and shall be at least ten feet north of the south limit of the lands described in Schedule "A", and at least twenty feet east of the west limit of the said lands. Such building shall be adequately secured with locking door, and shall be used solely for the purpose of housing the water standpipe, the water meter, all necessary appurtenances thereto and an electrical supply adequate to heat the building and water line.

2. INSTALLATION OF WATER SERVICE

(a) The Town shall pay all costs of the installation of a two inch water line to the south limit of the lands described in Schedule "A" hereto, and Lane shall at his own expense construct and install the two inch water line from the said property line to the building, a Clayton Valve Model 50g pressure sustaining valve and water meter, all under the direction of, and to the satisfaction of the Town's Works Superintendent.

(b) The pressure sustaining valve and water meter shall be entirely housed in the water station and the water supply shall be used solely by Lane, his servants and employees except in cases of emergency as hereinafter provided.

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SCHEDULE "A"

ALL and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Pelham, in the Regional Municipality of Niagara (formerly in the County of Welland) and being composed of part of the original road allowance between Lots 2 and 3 in the 7th Concession and parts of Lots 2 and 3 in the said 7th Concession more particularly described as follows:

PREMISING that the bearings herein are astronomic and are referred to the meridian through the southeast corner of Lot 7, Concession 7, in the Township of Pelham in Longitude 79 degrees 06 minutes 30 seconds West;

BEGINNING at the southwest corner of Lot 2;

THENCE North 1 degree 06 minutes 30 seconds West along the West limit of Lot 2 a distance of 26.97 feet;

THENCE North 88 degrees 49 minutes 30 seconds East, 16 feet to the Point of Commencement;

THENCE North 43 degrees 51 minutes 30 seconds East, 70.76 feet to a monument in the West limit of a public road known as Haist Road;

THENCE North 1 degree 06 minutes 30 seconds West along the West limit of Haist Road, 130 feet to an iron post planted;

THENCE South 80 degrees 50 minutes 30 seconds West a distance of 210 feet to an iron post planted;

THENCE South 1 degree 06 minutes 30 seconds East a distance of 130.06 feet to an iron bar;

THENCE North 80 degrees 49 minutes 30 seconds East along the north limit of the road allowance between Concessions 7 and 8 as widened by D.H.O. Deposited Plan No. 80507, a distance of 160 feet to the Point of Commencement.///

