PIPE CROSSING AGREEMENT

THE UNDERSIGNED

Town of Pelham

(HEREINAFTER CALLED "THE APPLICANT") PURSUANT TO SECTION 272 OF THE RAILWAY ACT, R.S.C., 1952, CHAPTER 234, HEREBY APPLIES TO

The Toronto, Hamilton and Buffelo Railway Company

RAILWAY COMPANY (HEREINAFTER CALLED THE "RAILWAY") FOR PERMISSION TO CONSTRUCT AND MAINTAIN THE WORKS SHOWN ON THE PLAN ATTACHED HERETO AT THE LOCATION AND IN THE MANNER SHOWN ON THE SAID PLAN.

THE APPLICANT COVENANTS AND AGREES WITH THE RAILWAY THAT:

- 1. THE WORKS SHALL BE CONSTRUCTED AND AT ALL TIMES MAINTAINED IN ACCORDANCE WITH THE GENERAL ORDERS, REGULATIONS PLANS OR SPECIFICATIONS ADOPTED OR APPROVED BY The Canadian Transport Commission. For Canada respecting pipe crossings under railways in force from time to time, including, but without limiting the generality of the foregoing. General order no. 812 dated the 12th day of July, 1955, and Amendments thereto, in the same manner and to the same degree as if the said orders had been special orders made in relation thereto and the applicant hereby agrees to observe and perform all the terms and conditions of the said orders, regulations, plans or specifications.
- 2. SHOULD IT BECOME NECESSARY OR EXPEDIENT FOR THE PURPOSES OF REPAIR OR IMPROVE-MENT ON THE SAID RAILWAY THAT THE SAID PIPE CROSSING BE TEMPORARILY REMOVED OR RELOCATED THE APPLICANT SHALL UPON REQUEST OF THE RAILWAY AND AT THE SOLE COST AND EXPENSE OF THE APPLICANT FORTHWITH REMOVE OR RELOCATE THE SAID PIPE CROSSING.

4.	NEITHER 1	THIS	LICENSE	NOR AI	JY RI	GHT, II	NTE	REST	OR	PRIVILE	GE F	HEREUNDER	IS	SUBJECT	TO
ANY	ASSIGNMENT	OR	SUB-LEA	SE WITH	TUO ł	NVAH	NG	FIRST	ОВ	TAINED	THE	CONSENT	IN	WRITING	OF
THE	RAILWAY.														,

DATED AT Hemilton, Onterio THIS Sth DAY OF September 1981.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

ES Bergenstern MATOR

CLERK

THE RAILWAY HEREBY CONSENTS TO THE CONSTRUCTION AND MAINTENANCE OF THE WORKS REFERRED TO HEREIN AND UPON THE TERMS AS ABOVE SET FORTH.

THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY,

By General Manager

