

Corporation of The City of Brockville

BY-LAW NUMBER 31-94

BY-LAW TO CONSENT TO THE ENCROACHMENT of the verandah of the building situate on Lot 9, Sub-Block 3, Block 47, Plan 67, City of Brockville, County of Leeds onto Brock Street according to said Plan 67 of the City of Brockville.

WHEREAS Stephen Arthur Healy and Shirley Marjorie Patricia Healy are the owners of the lands and premises known as 133 Brock Street Brockville, which lands are more particularly described in Schedule "A" attached hereto;

AND WHEREAS the verandah situate on the said lands at present encroach 2.11 feet onto that part of Brock Street, more particularly described in Schedule "B" attached hereto;

AND WHEREAS the Corporation of the City of Brockville agrees to permit the said encroachment in the present location at the pleasure of Council and to enter into an agreement relating thereto;

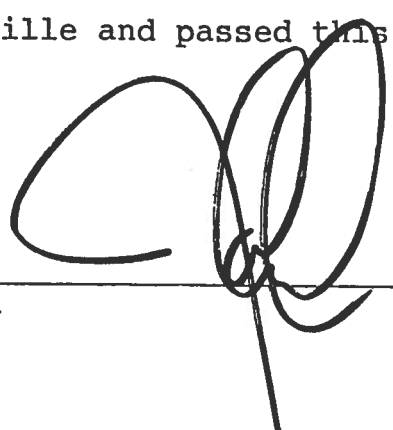
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

1. The Corporation of the City of Brockville consents to the said encroachment and grants unto Stephen Arthur Healy and Shirley Marjorie Patricia Healy, their heirs, executors, administrators and assigns the right to maintain the said encroachment in the above-mentioned location at the pleasure of Council.
2. The Mayor and Clerk be and they are hereby authorized to execute an Agreement on behalf of the Corporation of the City of Brockville acknowledging the consent of the Corporation of the City of Brockville aforesaid.

GIVEN under the seal of the Corporation of the City of Brockville and passed this 8 day of March, 1994.

MAYOR

CLERK



Marjorie J. Smith

SCHEDULE "A"

Lot 9,
Sub-Block 3, Block 47,
Plan 67,
City of Brockville, County of Leeds

SCHEDULE "B"

That part of the Southerly 2.5 feet in perpendicular width of Brock Street lying north of Lot 9, Sub-Block 3, Block 47, Plan 67, City of Brockville, County of Leeds.
NOT PREVIOUSLY described in a registered Instrument.



FOR OFFICE USE ONLY

NUMBER **249439**
CERTIFICATE OF REGISTRATION

94 MAR 15 P3:56

LEEDS
No. 28
BROCKVILLE

J. A. Souder
LAND REGISTRAR

New Property Identifiers

Additional:
See
Schedule ☐

Executions

Additional:
See
Schedule ☐

(1) Registry ☒

Land Titles ☐

(2) Page 1 of 4 pages

(3) Property
Identifier(s)

Block

Property

Additional:
See
Schedule ☐

(4) Nature of Document

ENCROACHMENT AGREEMENT

(5) Consideration

Dollars \$

(6) Description

That part of the southerly 2.5 feet in
perpendicular width of Brock Street lying north
of Lot 9, Sub-Block 3, Block 47, Plan 67,
City of Brockville, County of Leeds
Not previously described in a registered
instrument.

(7) This
Document
Contains:

(a) Redescription
New Easement
Plan/Sketch ☐

(b) Schedule for:

Description ☐ Additional
Parties ☐ Other ☒

(8) This Document provides as follows:

See copy Encroachment Agreement made between The Corporation of the City of
Brockville and Stephen Arthur Healy and Shirley Patricia Healy relating to
verandah of 133 Brock Street, Brockville.

Continued on Schedule ☐

(9) This Document relates to Instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

THE CORPORATION OF

THE CITY OF BROCKVILLE

by its authorized agent David A. Hain

David A. Hain

1994 03 15

(11) Address
for Service

One King Street West, Brockville, Ontario, K6V 3P5

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

HEALY, Stephen Arthur

HEALY, Shirley Patricia

owners

(13) Address
for Service

133 Brock Street, Brockville, Ontario

(14) Municipal Address of Property

133 Brock Street
Brockville, Ontario

(15) Document Prepared by:

Hain/Souder
84 King Street West
P.O. Box 757
Brockville, Ontario
K6V 5W1

FOR OFFICE USE ONLY

Fees and Tax

Registration Fee

50.00

Total

THIS AGREEMENT made this 11th day of February, 1994.

B E T W E E N:

THE CORPORATION OF THE CITY OF BROCKVILLE,

hereinafter called the "CORPORATION",

OF THE FIRST PART,

- and -

STEPHEN ARTHUR HEALY AND SHIRLEY MARJORIE PATRICIA HEALY

hereinafter called the "OWNERS",

OF THE SECOND PART.

WHEREAS the owners are the owners of the lands and premises described as 133 Brock Street, Brockville, which lands are more particularly described in Schedule "A" attached hereto;

AND WHEREAS the verandah of the building situate on the said lands at present encroach 2.11 feet onto that part of Brock Street, more particularly described in Schedule "B" attached hereto;

AND WHEREAS the Corporation agrees to permit the said encroachment in the present location at the pleasure of Council, and to enter into an agreement relating thereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants hereinafter contained the parties hereto hereby covenant and agree as follows:

1. The encroachment of the verandah as described herein on the building situate on the premises known as 133 Brock Street, Brockville, more particularly described in Schedule "A" attached hereto shall be deemed to be with the express licence and consent of the Corporation to the intent that the owner and his successors in title shall not acquire any easements or rights in respect thereof.

2. The Corporation hereby consents to the said encroachment and hereby grants unto the owners and their successors in title the right to maintain the said encroachments upon Brock Street as described herein over the lands described in Schedule "B" attached hereto.

3. The owner hereby covenants and agrees to indemnify the Corporation and save harmless the said Corporation from all actions, causes of actions, claims and demands of every nature and kind whatsoever arising out of the said encroachments.

4. This Agreement shall enure to the benefit of and be binding

upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Corporation has caused its Corporate Seal to be affixed thereto as attested to by the hands of its proper Officers in that behalf and the Owner has hereunto set his hand and seal.

SIGNED, SEALED AND DELIVERED
In the Presence of

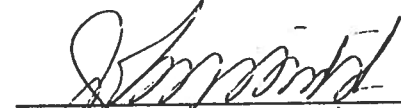
THE CORPORATION OF THE CITY
OF BROCKVILLE

PER: _____

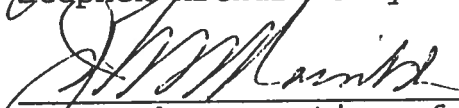
MAYOR

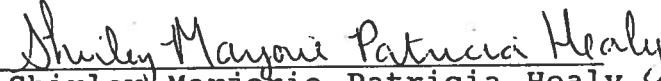
PER: _____

CLERK


As to the execution by
Stephen Arthur Healy


Stephen Arthur Healy


As to the execution of
Shirley Marjorie Patricia
Healy


Shirley Marjorie Patricia Healy

SCHEDULE "A"

Lot 9,
Sub-Block 3, Block 47,
Plan 67,
City of Brockville, County of Leeds

SCHEDULE "B"

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