

# THE CORPORATION OF THE CITY OF BROCKVILLE

## By-law No. 086-2008

*By-law to accept Plan 406 and to discharge obligations under a Subdivision Agreement between Pimm Investments Limited and The Corporation of the City of Brockville  
(Hunters Hill Subdivision – Beley Street - Report 2008-132-09 - FILE 08T-955001(B))*

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**WHEREAS** the Corporation of the City of Brockville entered into a Subdivision Agreement with Pimm Investments Limited which Subdivision Agreement is binding against the title of the subdivision lands described as Plan 406 which Agreement provided for construction, maintenance and repair of all services related to the development of Hunters Hill Subdivision – Phase II, identified as Plan 406; and

**WHEREAS** upon completion of all obligations under the Subdivision Agreement, financial, servicing and otherwise, the Corporation of the City of Brockville is prepared, by passing of this by-law, to release the Developer from all its obligations under the said Subdivision Agreement.

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

1. THAT the Corporation of the City of Brockville hereby certifies that all Works authorized pursuant to the Subdivision Agreement dated 30 July 1996, registered as Instrument Number 0271186 on 15 August 1996 between the Owner and the City have been completed and accepted in accordance with the requirements for Certificate of Acceptance set out in Section 6 of the Subdivision Agreement referred to herein;
2. THAT this By-law shall operate as a discharge of all obligations of the Owner under the Subdivision Agreement dated the dated 30 July 1996, registered as Instrument Number 0271186 on 15 August 1996 between the Owner and the Corporation of the City of Brockville with the exception of the Owner's and all subsequent registered Owners' responsibility for drainage as provided under Clause 18 b) 18 c) and 18 d), inclusive in the Subdivision Agreement which reads as follows:

“18.b) The Owner shall notify all potential purchasers of lots within the Plan, and shall cause to be inserted in the Deed for all such lots, a clause to the effect that the grades established on individual lots are in conformity with the approved grading and drainage plan and shall not be altered by the addition or removal of fill unless such actions receive the prior written approval of the City Engineer.

- 18.c) The Owner agrees to provide a clause in both the Agreement of Purchase and Sale and the Deed for any lots and blocks within the Plan to inform the prospective purchaser of any lot within the limits of the Plan that no structures whatsoever shall be constructed in or on any drainage swale.
- 18.d) The Owner agrees to provide a clause in both the Agreement of Purchase and Sale and the Deed for any lots and blocks within the Plan that the purchaser of any lot within the limits of the Plan covenants to obtain a similar acknowledgment as in paragraphs 18.b) and 18.c) of this Agreement from any subsequent purchaser of property within the Plan."

**Given under the Seal of the  
Corporation of the City of Brockville  
and passed this 9<sup>th</sup> day of September, 2008**

  
\_\_\_\_\_  
**Mayor**

  
\_\_\_\_\_  
**Clerk**



September 12, 2008

Stewart Corbett  
21 Court House Avenue  
P.O. Box 187  
Brockville, Ontario  
K6V 5V2

Attention: Michael M. Johnston

Dear Mr. Johnston:

**Re: By-law 085-2008**  
**By-law to Accept Plan 420 and Discharge Obligations Under a**  
**Subdivision Agreement (Hunters Hill Subdivision – Beley**  
**Street); and**  
**By-law 086-2008**  
**By-law to Accept Plan 406 and to Discharge Obligations Under**  
**a Subdivision Agreement (Hunters Hill Subdivision)**

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Please find attached two (2) certified true copies of the above noted By-laws. Would you kindly proceed with the registration of the said By-laws and forward a copy of the Document General to the Clerk's Office by Friday, September 26<sup>th</sup>, 2008.

Should you have any questions or concerns, please do not hesitate to contact the undersigned at 342-8772, ext. 431.

Yours truly,

  
Jannette Amini  
Administrative Coordinator  
Clerk's Office

:ja  
Encl:

Copy: Maureen Pascoe Merkley, Director of Planning

FOR OFFICE USE ONLY

NUMBER LE11826  
CERTIFICATE OF RECEIPT  
15.29 Jan 20, 2009  
LEEDS  
NO. 28  
BROCKVILLE LAND REGISTRAR

(1) Registry ☐ Land Titles ☒ (2) Page 1 of 3 pages

(3) Property Identifier(s) Block Property  
44182-0172 to 44182-0209 inclusive  
44182-0211 to 44182-0222 inclusive  
Additional: See Schedule ☐

(4) Nature of Document  
BY-LAW NO. 086-2008

(5) Consideration  
Dollars \$

(6) Description  
Lots 1 through 19 inclusive + Block B  
Plan 406  
City of Brockville  
County of Leeds  
BEING all of the PIN's

New Property Identifiers  
Additional: See Schedule ☐

Executions  
Additional: See Schedule ☐

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☐ Additional Parties ☐ Other ☒

(8) This Document provides as follows:

SEE Certified true copy of By-Law No. 086-2008

Continued on Schedule ☐

(9) This Document relates to instrument number(s)  
271186

(10) Party(ies) (Set out Status or Interest)  
Name(s) Signature(s) Date of Signature  
CORPORATION OF THE CITY OF BROCKVILLE  
by its solicitor, Michael M. Johnston  
2009 01 07

(11) Address for Service  
P. O. Box 5000, Brockville, Ontario K6V 7A5

(12) Party(ies) (Set out Status or Interest)  
Name(s) Signature(s) Date of Signature  
Y M D

(13) Address for Service

(14) Municipal Address of Property  
Not Assigned  
Beley Street  
Brockville

(15) Document Prepared by:  
Michael M. Johnston  
Stewart, Corbett  
21 Court House Ave.  
P.O. Box 187  
Brockville, Ontario  
K6V 5V2

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Fees and Tax	
Registration Fee	
Total	