

THE CORPORATION OF THE CITY OF BROCKVILLE

By-law No. 085-2008

By-law to accept Plan 420 and to discharge obligations under a Subdivision Agreement between Pimm Investments Limited as amalgamated with Brockmoor Developments Corporation Limited and The Corporation of the City of Brockville (Hunters Hill Subdivision – Beley Street - Report 2008-131-09 - File 08T-955001(B))

WHEREAS the Corporation of the City of Brockville entered into a Subdivision Agreement with Pimm Investments Limited As Amalgamated With Brockmoor Developments Corporation Limited, which subdivision agreement is binding against the title of the subdivision lands described as Plan 420 which Agreement provided for construction, maintenance and repair of all services related to the development of Hunters Hill Subdivision – Phase III, identified as Plan 420; 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 16 May 2002, registered as Instrument Number 321706 on 13 June 2002 between the Owner and the City have been completed and accepted in accordance with the requirements for Certificate of Acceptance set out in Section 8 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 16 May 2002, registered as Instrument Number 321706 on 13 June 2002 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 15 b) in the Subdivision Agreement which reads as follows:

"15. Lot Grading

b) Deed Clauses:

- i) 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.

- ii) 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 or block within the limits of the Plan that no structures whatsoever shall be constructed in or on any drainage swale.
- iii) 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 15.b)i) and 15.b)ii) 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 9th day of September, 2008



Mayor

Clerk

FOR OFFICE USE ONLY

NUMBER *LE 11824*
CERTIFICATE OF RECEIPT
15.20 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
44182-0273 to 44182-0292 inclusive Additional: See Schedule ☐

(4) Nature of Document
BY-LAW NO. 085-2008

(5) Consideration
Dollars \$

(6) Description
Lots 1 through 20 inclusive
Plan 420
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. 085-2008

Continued on Schedule ☐

(9) This Document relates to instrument number(s)
321706

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

CORPORATION OF THE CITY OF BROCKVILLE
by its solicitor, Michael M. Johnston

Signature(s)

[Signature]

Date of Signature
Y M D
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