



Township of Westmeath

BY-LAW No. 761

A BY-LAW TO PROVIDE FOR THE DRAIN-
AGE OF MEADOW CREEK, TO BE KNOWN
AS MEADOW CREEK DRAIN, ON LOTS 4-5-6
IN THE 7th AND 8th CONCESSIONS OF THE
TOWNSHIP OF WESTMEATH, AND FOR
PAYING THE COST OF THE WORK TO BE
DONE.

Provisionally Adopted the 10th day of February, A.D. 1954

S. E. DAVISON, Clerk.

J. C. WRIGHT, Reeve.



BY-LAW No. 761 OF THE TOWNSHIP OF WESTMEATH, 1954

A by-law to provide for drainage work in the Township of Westmeath, in the County of Renfrew and Province of Ontario, and for borrowing on the credit of the Township the sum of \$3,992.00 for completing the same.

Provisionally adopted the 10th day of February, A.D. 1954.

Finally passed on the day of

WHEREAS the majority in number of the resident and non-resident owners (exclusive of farmers' sons not actual owners) as shown by the last revised assessment roll of the property hereinafter set forth to be benefitted by drainage work, have petitioned the Council of the said Township of Westmeath, praying that the area of land described as follows, that is to say, part of Lots 4, 5 and 6, in Concession 8, of the said township, together with the Township road between Lots 5 and 6, Concession 8, may be drained by means of deepening and clearing the stream known as Meadow Creek.

AND WHEREAS thereupon the said township has procured an examination to be made by H. R. Farley, P.E.O., being a person competent for such purpose, of the said area proposed to be drained and the means suggested for the drainage thereof, and of other lands and roads liable to assessment under the Municipal Drainage Act, and has also procured plans, specifications and estimates of the drainage work to be made by him, and an assessment to be made by him of the lands and roads to be benefited by such drainage work, and of the other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability, injuring liability, which in his opinion, will be derived or incurred in consequence of such drainage work by every road or lot, or portion of lot, the said assessment so made being the assessment hereinafter in this by-law enacted, to be assessed and levied upon the roads and lots or parts of lots, hereinafter in that behalf specially set forth and described, and the report of the said H. R. Farley, P.E.O., in respect thereof and the said drainage work being as follows:

Ottawa, Ontario, February 9th, 1954.

The Reeve and Council of The
Municipality of the Township of Westmeath,
Beachburg, Ontario.

Gentlemen:

Pursuant to instructions from your Council, I have made an examination of the Meadow Creek Drain under Section 77 of the Municipal Drainage Act and beg to report as follows:

The portion of the ditch required to be dug begins in Lot 6, approximately 1,280 feet north of the Road Allowance between Lots 5 and 6, Concession 8, Township of Westmeath. Then running southerly across the said Lot 6, it crosses the said Road Allowance between Lots 5 and 6, Concession 8, at a point approximately 1,950 feet west of the northeast angle of the

said Lot 5, Concession 8. It continues southerly across the said Lot 5, Lot 4 and into Lot 3, Concession 8. The total length to be excavated is approximately 5,500 feet.

The proposed drain will have three branches, Branch "A," "B" and "C." Branch "A" runs south along the Road Allowance between Concessions 7 and 8, Township of Westmeath, opposite the north half of Lot 4, turns to the east and runs down through the north half of Lot 4 to the Meadow Creek Drain. This branch requires digging from the northwest angle of Lot 4, Concession 8, along the said Road Allowance for approximately 950 feet, where it turns east.

Branch "B" runs northeasterly from the Road Allowance between Concessions 7 and 8, Township of Westmeath, through the north half of Lot 5, Concession 8, and at a distance of approximately 1,280 feet it bends easterly and runs for a distance of approximately 250 feet where it comes upon the division line between the north half and the south half of Lot 5. It then bends northeasterly and follows the said division line to the Meadow Creek Drain, at a distance of approximately 900 feet. From station 0x00, which is at Meadow Creek Drain, to station 14x00, there is no existing ditch. The total length of this branch is approximately 2,430 feet.

Branch "C" runs northerly from the Road Allowance between Concessions 7 and 8, Township of Westmeath, across the northwest corner of the south half of Lot 5, into the north half of Lot 5 where it empties into Branch "B" between station 20x00 and 21x00 of Branch "B." There is no existing ditch from station 4x00 to station 5x75, which is at the said Road Allowance. The total length of this branch is approximately 575 feet.

I have prepared plans and profiles, showing the course of the proposed drain and the lands assessed for benefit and outlet liability, the whole of which forms a part of this report.

The total cost of the work is \$3,992.00, made up as follows:

4,075 Cubic Yards Earth, at 60c	\$2,445.00
116 Cubic Yards Rock, at \$3.00	928.00
Engineering, Assistance, Expenses	319.00
Clerk's Fees, Printing and Preparing By-laws, Etc.,	
Court of Revision, Etc.	200.00
Superintendence	100.00
	Total
	\$3,992.00

Two-thirds of this amount I have assessed against the lands and roads affected by the proposed ditch in proportion to their benefit and outlet liability, the remaining one-third to be paid by the Ontario Government.

SCHEDULE OF ASSESSMENT

OWNER	Con.	Lot	Acres Drained	Benefit Liab.	Outlet Liab.
John Lavellee	7	E½5	83		\$ 294.00
John Lavellee	7	N½4	50		197.00
H. D. Robertson	7	S½4	17		77.35
J. J. Barr	8	6	118	\$ 615.06	
H. D. Robertson	8	N½5	70	364.90	
P. H. Robertson	8	S½5	65	337.05	
S. J. Montgomery	8	N½4	67	340.39	
C. Robertson	8	E Pt. S½4	47	224.50	
Erwin Wilson	8	E Pt. S½4	30		137.50
Erwin Wilson	8	W½3			
Twp. Westmeath, Road Allowance Between Lots 5 and 6, Con. 8.			4	20.65	
Twp. Westmeath, Road Allowance Between Cons. 7 and 8.			11		52.93
Total—				\$1,902.55	\$ 758.78

Distribution:—

Approximate Rates—Benefit	\$5.95 acre
Approximate Rates—Outlet	\$7.68 acre
Total Assessment for Outlet Liability	\$1,138.18
Total Assessment for Benefit Liability	\$2,853.82
	\$3,992.00

The Township Clerk shall call for tenders before May 1st, 1954.

The work shall be scheduled for completion not later than July 31st, A.D. 1954.

REMARKS: This report is the final report on the Meadow Creek Drain and supercedes and cancels all previous reports.

Respectfully submitted,

H. R. FARLEY, P.E.O.

AND WHEREAS the said Council is of the opinion that the drainage work as set forth in said report, profile and specifications is desirable.

THEREFORE THE SAID MUNICIPAL COUNCIL of the Township of Westmeath pursuant to the provisions of the Municipal Drainage Act enacts as follows:

1. The said Report, Plans, Specifications, Assessments and Estimates are hereby adopted, and the drainage work as therein indicated and set forth shall be made and constructed in accordance therewith.

2. The Reeve of the said Township of Westmeath may borrow on the credit of the Corporation of the said Township of Westmeath the sum of Three Thousand Nine Hundred and Ninety-Two Dollars (\$3,992.00) being the amount required for the construction of the said work and for the legal fees and engineer fees in connection with the said drainage work and may issue debentures of the Corporation to that amount in sums of not less than One Hundred Dollars each, to be payable within twenty years from the date of the said debentures with interest at the rate of five per centum per annum, that is to say, in 20 consecutive, equal annual payments to be made in such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the said period of 20 years, such debentures shall be payable at The Bank of Nova Scotia at its office in the Village of Beachburg, Ontario.

3. For paying the sum of Three Thousand Nine Hundred and Ninety-Two Dollars (\$3,992.00) the amount charged against lands and roads in the Municipality of Westmeath for benefit and outlet liabilities, there being no assessment for injuring liability, and for covering interest thereon for 20 years at the rate of five per centum per annum, the following total special rates over and above all other rates shall be assessed, and levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the hereinbefore mentioned lots and parts of lots and roads, and the amount of the said special rates shall be assessed, levied and collected as aforesaid in each year for 20 years after the final passing of this by-law during which the said debentures have to run.

4. Instead of being published in a newspaper this by-law, together with a notice of the sitting of the Court of Revision thereunder shall be printed and mailed in accordance with Section 25 of the Municipal Drainage Act.

5. This by-law may be cited as "The Meadow Creek Drain By-Law" and shall come into force and effect upon and after the final passing thereof.

By-law read a first and second time and provisionally adopted this 10th day of February, A.D. 1954.

Signed:

J. C. WRIGHT, Reeve.

Signed:

S. E. DAVISON, Clerk.

By-law read a third time and passed, signed and sealed in open Council

this5..... day of MAY..... A.D. 1954.

NOTICE

NOTICE IS HEREBY GIVEN that the Court of Revision will be held at the Town Hall at Beachburg, in the Township of Westmeath, in the County of Renfrew, on Monday, the 15th day of March, A.D. 1954, commencing at One o'clock, for the hearing and trial of appeals made against the foregoing assessment, or any part thereof, in the manner provided by the Municipal Drainage Act.

NOTICE of such appeals must be served on the Clerk of the Municipality at least ten days prior to the first sittings of the Court of Revision.

AND FURTHER NOTICE IS HEREBY GIVEN that any one intending to have the said by-law, or any part thereof, quashed, must not later than ten days after the final passing thereof serve a notice in writing upon the Reeve or other Head Officer, and upon the Clerk of the said Municipality of his intention to make application for that purpose to the Drainage Referee during six weeks next ensuing the final passing of this by-law.

Dated this 17th day of February, A.D. 1954.

S. E. DAVISON, Clerk-Treasurer.

Corporation of the Township of Westmeath.