

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 94-11

A By-Law to enter into an agreement with Bernard and Marie Zettler regarding restricting future severances.

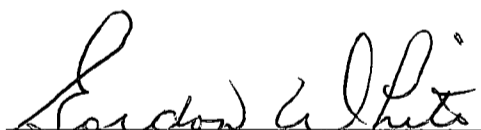
WHEREAS:

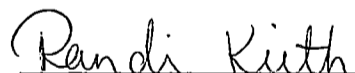
1. The Council of the Corporation of the Township of Westmeath has authority under Section 102 of the Municipal Act, R.S.O. 1990 to pass By-Laws concerning the welfare of the inhabitants of the Municipality.
2. The Council of the Corporation of the Township of Westmeath has authority under Section 51(6) and 53(2) of the Planning Act, R.S.O. 1990 to enter into agreements with an owner of land as a condition of the approval of subdivision of land.
3. The Renfrew County Land Division Committee requires the landowners to enter into an agreement with the Township restricting future severances.

NOW THEREFORE the Council of the Corporation of the Township of Westmeath enacts as follows:-

1. That the Corporation of the Township of Westmeath enters into an agreement with Bernard and Marie Zettler, known as Schedule I, attached to, and forming part of this By-Law.
2. That the Reeve and Clerk are hereby authorized to sign the agreement referred to in Section 1, on behalf of the Corporation.

PASSED and ENACTED this 6th Day of April, 1994.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Clerk

FOR OFFICE USE ONLY

NUMBER **371693**  
 NUMÉRO

**Certificate of Registration**  
**Certificat d'enregistrement**

11 30 APR 08 1994

RENFREW  
 No. 49  
 PEMBROKE

*R. Reiche*  
 LAND REGISTRAR  
 REGISTRATEUR

New Property Identifiers

Additional: See Schedule

Executions

Additional: See Schedule

(1) Registry  Land Titles  (2) Page 1 of 6 pages

(3) Property Identifier(s) Block Property Additional: See Schedule

(4) Nature of Document  
 Agreement

(5) Consideration  
 Dollars \$

(6) Description  
 in the Township of Westmeath, in the County of Renfrew, Province of Ontario and being composed of Part of Lot 11, East Front C, more particularly described as Part 3 on Plan 49R-10945 and Part 4 on Plan 49R-10945

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

(8) This Document provides as follows:  
 Agreement between the Municipal Corporation of the Township of Westmeath and Bernard Zettler and Marie Zettler dated April 6, 1994.

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 MUNICIPAL CORPORATION OF THE TOWNSHIP OF WESTMEATH by its Solicitor, ROY C. REICHE	<i>Roy C. Reiche</i>	1994	04	08

(11) Address for Service: c/o 203 Nelson Street, Pembroke, Ontario, K8A 3N1

(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	(15) Document Prepared by: ROY C. REICHE, Barrister & Solicitor, 203 Nelson Street, Pembroke, Ontario. K8A 3N1	Fees and Tax	
		Registration Fee	
		<b>Total</b>	

FOR OFFICE USE ONLY

THIS AGREEMENT made this 6th day of April, 1994

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF WESTMEATH  
Hereinafter called the "Municipality"

OF THE FIRST PART

- and -

BERNARD ZETTLER and MARIE ZETTLER

Hereinafter called the "Owners"

OF THE SECOND PART

WHEREAS the Owners are the owners in fee simple of the lands described in Schedule "A" attached hereto in the Township of Westmeath, in the County of Renfrew.

AND WHEREAS the Owners have applied to the Land Division Committee of the County of Renfrew for consent to sever the said lands;

AND WHEREAS consent to sever has been granted on condition that if the severed lands and the lands being added to (Part 4 on 49R-10945) are conveyed in the future, they shall be conveyed as one parcel.

AND WHEREAS Section 53(2) of The Planning Act, R.S.O. 1990 chap. P.133 provides that Council has the same powers with respect to consent as the "Minister" (as defined in the said Planning Act);

AND WHEREAS Section 53(2) and Section 51(6) of the said Planning Act allows the municipality to enter into an agreement registered on title with respect to consents;

NOW THEREFOR THIS Agreement witnesseth that in consideration of the sum of ONE DOLLAR (\$1.00), now paid by each party to the other, and the mutual covenants hereinafter referred to, the parties hereto agree as follows:

1. The Municipality agrees to the severance of the lands described in Schedule "B" hereto from the lands described in Schedule "A"
2. The Owners agree that they shall not convey less than the whole of the lands described in Schedule "C" by way of Deed or Transfer, or grant, assign, or exercise a power of appointment with respect to the said lands, or mortgage or charge less than the whole of said lands, or enter into an Agreement of Sale and purchase of less than the whole of said lands or enter into any Agreement that has the effect

of granting the use of or right in less than the whole of said lands directly or be entitlement to renewal for the period for a period of twenty-one (21) years or more.

- 3. The Parties agree that the Land Division Committee may issue a Certificate of consent for the lands described in Schedule "B" whereafter the Owners may convey the said lands described in Schedule "C" to a third party.
- 4. The Agreement shall be registered on the title of the lands described in Schedule "B" and "C".
- 5. This Agreement shall be binding upon the owners, their heirs, executors, administrators and assigns, including all subsequent owners of the lands described in Schedule "B" and Schedule "C".

IN WITNESS WHEREOF the Part of the First Part has hereunto affixed its seal, attested by the signatures of the appropriate signing officers, and the parties of the second part have hereunto set their hand and seal.

SIGNED, SEALED AND DELIVERED )  
in the Presence of )

*Norma Aziz Shah* )  
*Norma Aziz Shah* )

The Municipal Corporation of  
The Township of Westmeath  
Per:

*Sandra White*  
Reeve

*Randi Kiith*  
Clerk

*[Signature]*  
Bernard Zettler

*[Signature]*  
Marie Zettler

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate lying and being in the Township of Westmeath, in the County of Renfrew, in the Province of Ontario and being composed of Part of Lot 11, East Front C, more particularly described as Part 2 on Plan 49R-10945 and Part 3 on Plan 49R-10945.

SCHEDULE "B"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate lying and being in the Township of Westmeath, in the County of Renfrew, in the Province of Ontario and being composed of Part of Lot 11, East Front C, more particularly described as Part 3 on Plan 49R-10945.

SCHEDULE "C"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate lying and being in the Township of Westmeath, in the County of Renfrew, in the Province of Ontario and being composed of Part of Lot 11, East Front C, more particularly described as Part 3 on Plan 49R-10945 and part 4 on 49R-10945.