

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 99-27

A By-Law to enter into an Agreement regarding a Plan of Subdivision in Part Lot 11, Concession "B", Coulonge Lake Front, designated as Part 1, Reference Plan 49R-14212

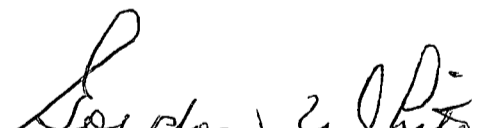
WHEREAS:-


- 1 A Municipality has authority under Section 51(26) of the Planning Act R.S.O. 1990 to enter into agreements imposed as conditions of approval of Plans of Subdivision.
- 2 In order to meet the conditions of the Land Division Committee of the County of Renfrew regarding a severance, the Council of the Corporation of the Township of Westmeath is prepared to enter into an agreement with Harold Timm and Evelyn Timm concerning the conveyance of certain property in Part Lot 11 Concession "B", Coulonge Lake Front, designated as Part 1, Reference Plan 49R-14212.

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

- 1) The Reeve and Clerk be authorized to sign the Agreement between the Municipal Corporation of the Township of Westmeath and Harold Timm and Evelyn Timm described as Schedule "A" attached to, and forming part of, this By-Law.
- 2) The Agreement referred to in Section 1) above will be registered against the land to which it applies.

PASSED AND ENACTED this 17th Day of November 1999.


Reeve


Clerk

THIS AGREEMENT made this 17th day of November, 1999.

BETWEEN:

HAROLD TIMM and EVELYN TIMM

(Hereinafter called the "Owners")
Party of the First Part

and

TOWNSHIP OF WESTMEATH

(Hereinafter called the "Municipality")
Party of the Second Part

WHEREAS the "Owners" hereby warrant that they are the owners in fee simple of the lands described as Part of Lot 11, Concession "B", Coulonge Lake Front, Township of Westmeath, designated as Part 1, Reference Plan 49R- 14212 comprising of approximately one (1) acre free from any encumbrance whatsoever;

AND WHEREAS, the "Owners" have applied to the County of Renfrew (Application No. B34/99(2)) for consent pursuant to the provisions of the Planning Act, R.S.O., 1990, Chapter P. 13;

AND WHEREAS the aforesaid application for consent was granted by the County of Renfrew subject to a condition that the "Owners" enter into an agreement with the "Municipality" regarding the matters hereinafter set out;

AND WHEREAS this Agreement is being entered into between the "Owners" and the "Municipality" in satisfaction of Condition No. 2 in the above-noted application pursuant to Sections 53(12) and 51(26) of the Planning Act, R.S.O., 1990, Chapter P. 13;

NOW THEREFORE this Agreement witnesseth that in consideration of the premises and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by the parties hereto) the parties hereto agree as follows:

1. The "Owners" acknowledge and agree that this Agreement shall apply to Part of Lot 11, Concession "B", Coulonge Lake Front, Township of Westmeath, designated as Part 1, Reference Plan 49R-14212.
2. The "Owners" acknowledge and agree that there will be no disturbance to the shoreline. The shoreline consists of those lands that start at the high water mark and extend 20 metres upland. Disturbance shall mean the removal or alteration to the existing vegetation, removal or importation of fill, and the erection of any building or accessory building as defined by the Township of Westmeath's Comprehensive Zoning By-Law. The only exception to this provision is a boat dock which is permitted within the 20 metre setback area and notwithstanding the foregoing, the routine maintenance and trimming of brush to improve the sight line to the Ottawa River will be permitted.
3. The "Owners" hereby consent and agree that this Agreement shall be registered on title to Part of Lot 11, Concession "B", Coulonge Lake Front, Township of Westmeath designated as Part 1, Reference Plan 49R-14212 at the sole expense of the "Owners" and that the Township Clerk be so notified of registration.
4. The "Owners" hereby warrant to the "Municipality" that the recitals to this Agreement are true.
5. The "Owners" acknowledge and agree that the terms of this Agreement may be enforced by the "Municipality" against the "Owners" and subject to the provisions of the Registry Act, any and all subsequent owners of Part of Lot 11, Concession "B", Coulonge Lake Front, Township of Westmeath designated as Part 1, Reference Plan 49R-14212.

- 6. This Agreement shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, successors in title and assigns.

IN WITNESS WHEREOF the parties hereto hereby set their hands and the corporate parties hereto hereby set their corporate seal attested to by the hands of the proper signing officers duly authorized in that regard.

SIGNED, SEALED AND DELIVERED in the presence of

Janette Mantifel

Deputy Clerk Treasurer
Township of Westmeath

Harold Timm
Harold Timm

Evelyn L. Timm
Evelyn Timm

TOWNSHIP OF WESTMEATH

Per: London L. Rite
Reeve

Per: Pandi Keith
Clerk