

CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

BY-LAW # 15-06-801

Being a By-Law to authorize the Mayor and CAO to enter into an agreement with Shane Legree (Owner) requiring the Owner to apply for a deeming By-Law to merge the Subject Lands, Lot 19, Plan 65, into one parcel to accommodate the construction of a deck at Lakeview Deli, Cobden.

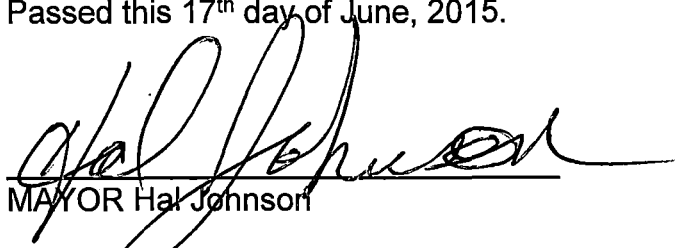
WHEREAS pursuant to Section 9 of the Municipal Act, 2001, S.O. 2001 as amended, a Council may enter into agreements;

AND FURTHER that the Municipal Council for the Township of Whitewater Region deem it necessary to enter into an agreement with Shane Legree, owner of Lakeview Deli in Cobden.

THEREFORE the Council of the Corporation of the Township of Whitewater Region enacts that:

1. The Mayor and the CAO are hereby authorized to execute this Agreement between Shane Legree and the Township of Whitewater Region as per the Agreement attached hereto as "Schedule A".

Passed this 17th day of June, 2015.


MAYOR Hal Johnson


CAO/CLERK Christine FitzSimons

THIS AGREEMENT made this 13th day of May, 2015

BETWEEN:

SHANE EDWARD LEGREE

(hereinafter called the "Owner")

PARTY OF THE FIRST PART

AND:

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

(hereinafter called the "Municipality")

PARTY OF THE SECOND PART

WHEREAS the Owner hereby warrants that he is the owner in fee simple of the lands described in Schedule "A" attached hereto (hereinafter called the "Subject Lands");

AND WHEREAS the Owner wishes to construct a deck on Lot 19, Plan 65, Township of Whitewater Region;

AND WHEREAS in order for the deck to comply with the side yard setbacks of the zoning bylaw of the Municipality, the Owner has agreed to enter into an agreement with the Municipality requiring the Owner to apply for a deeming by-law to merge the Subject Lands into one parcel;

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 Owner acknowledges and agrees that this Agreement shall apply to the Subject Lands.
2. The Owner agrees to apply to the Municipality for a deeming by-law to merge the Subject Lands into one parcel within one year from the date of registration of this Agreement.
3. Upon execution of this Agreement by the Owner and the Municipality, the Municipality will issue a conditional building permit for the deck.
4. Upon execution of this Agreement the Owner will deposit with the Municipality \$500.00 to be held by the Municipality pending issuance of the deeming by-law. In the event that a building permit is not issued for the deck or in the event that the deeming by-law is not issued, the Owner agrees that the \$500.00 deposit will be forfeited to the Municipality and agrees to remove the deck from the property.
5. The Owner hereby consents and agrees that this Agreement shall be registered on title to the Subject Lands at the sole expense of the Owner and that the Township Clerk be so notified of the registration.
6. Each obligation or agreement of the Municipality or the Owner expressed in this agreement is considered to be a covenant for all purposes.
7. 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 seals attested to by the hands of the property signing officers duly authorized in that regard.

SIGNED, SEALED & DELIVERED)
in the presence of)

Dmahusky

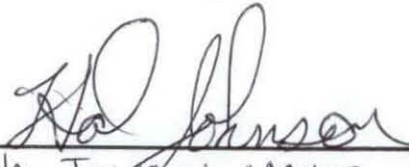


SHANE EDWARD LEGREE

) THE CORPORATION OF THE TOWNSHIP OF
) WHITEWATER REGION

) Per: 

) Christine FitzSimons, CAO/Clerk

per: 

HAL JOHNSON, MAYOR

SCHEDULE "A"

Lot 18, Plan 65, Except Part 1, 49R10552, Township of Whitewater Region
Being all of PIN 57225-0178 LT

Lot 19, Plan 65, Township of Whitewater Region
Being all of PIN 57225-0177 LT

Lot 20, Plan 65, Township of Whitewater Region
Being all of PIN 57225-0176 LT

JOSEPH D. LEGRIS, A PROFESSIONAL CORPORATION

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May 25, 2015

Township of Whitewater Region
44 Main Street
P.O. Box 40
Cobden, ON K0J 1K0

RECEIVED
MAY 27 2015

Attention: Doug Schultz

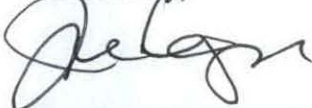
Dear Sir:

Re: Shane Legree - Lakeview Deli

Enclosed herewith please find Agreement executed by Shane Legree. Mr. Legree has indicated he will drop off a cheque for \$500.00 to the Township directly. Please return one fully executed Agreement to us for registration.

Once the Agreement has been executed and registered, we have received instructions from our client to proceed with applying for a deeming by-law.

Yours truly,



JOSEPH D. LEGRIS
JDL:dm
encls.