

BY-LAW # 1988- 12

BEING a by-law to authorize the execution of an agreement between the Corporation of the village of Cobden and the Ministry of the Environment and Canadian Pacific Limited for the purpose of transferring Provincial Water Works Project # 5-0122 to the Village of Cobden.

WHEREAS the Ministry of the Environment has agreed to assign the given property to the Village of Cobden,

AND WHEREAS, Canadian Pacific has no objections to this assignment,

AND WHEREAS the Village of Cobden deems it necessary to obtain all rights, title and interest in the properties associated with Project # 5-0122,

NOW THEREFORE the Corporation of the Village of Cobden enacts as follows:

1. THAT the Reeve and Clerk be, and they are hereby authorized to execute the agreement hereto attached and marked as schedule "A" to this by-law and to affix thereto the corporate seal.
2. THAT this by-law shall come into force and take effect upon the date of final passing thereof.

READ a first, second and passed on the third reading this 14th day of June, 1988.



REEVE



CLERK-TREASURER

CANADIAN PACIFIC LIMITED

MEMORANDUM OF AGREEMENT made, in triplicate, this 7th day of April one thousand nine hundred and eighty-eight, to be effective the 2nd day of February, one thousand nine hundred and eighty-eight between Her Majesty The Queen in Right of Ontario, as Represented by the Minister of the Environment, hereinafter called the "Assignor", of the First Part; Village of Cobden hereinafter called the "Assignee", of the Second Part; and Canadian Pacific Limited, hereinafter called the "Railway Company" of the Third Part.

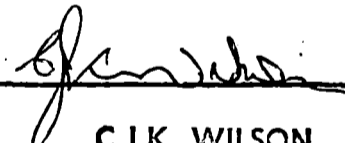
WHEREAS by an Agreement dated the 26th day of May 1978, made between the Railway Company and the Assignor, the said Railway Company did grant to the Assignor permission to construct, maintain and use an eight inch water main at Mileage 74.76 Chalk River Subdivision, in the Village of Cobden and Province of Ontario as more particularly described in the said agreement.

NOW THEREFORE THIS MEMORANDUM OF AGREEMENT WITNESSETH:

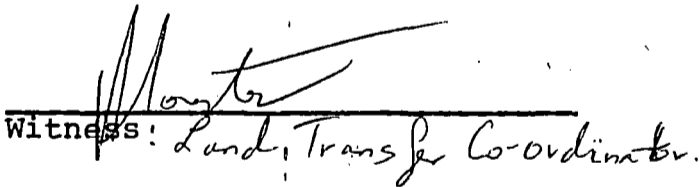
That in consideration of the sum of one dollar (\$1.00), the receipt whereof is hereby acknowledged, the Assignor hereby assigns to the Assignee all its right, title and interest in and to the said agreement dated May 26, 1978, and the Railway Company hereby consents to such assignment and in consideration of such consent the Assignee hereby covenants and agrees with the Railway Company that it will perform, fulfil and abide by all the covenants and conditions set forth in the said agreement. In all other respects the said agreement is hereby ratified and confirmed.

IN WITNESS WHEREOF the parties hereto have executed these presents.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, AS REPRESENTED BY THE MINISTER OF THE ENVIRONMENT

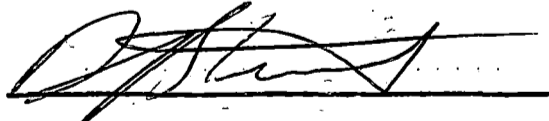


C.J.K. WILSON
ASSISTANT DIRECTOR
Assignor


Witness: Land Transfer Co-ordinator.

Witness

VILLAGE OF COBDEN




Assignee

CANADIAN PACIFIC LIMITED

Vice-President

Secretary