

The Corporation of the Municipality of Brockton



By-Law 2019-042

Being a By-Law to Establish and Assume Certain Lands Within the Corporation of the Municipality of Brockton as a Public Highway.

Whereas pursuant to s. 31(2) of the *Municipal Act, 2001*, after January 1, 2003, land may only become a public highway by virtue of a By-Law passed by the Council of the Municipality;

And Whereas the Corporation of the Municipality of Brockton is the owner of the lands described in this By-Law;

And Whereas it is deemed appropriate to establish and assume the lands described in this By-Law as a public highway for public use;

Now Therefore the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That the lands described in "Schedule A" to this By-Law be hereby established and assumed by the Municipality of Brockton as a public highway for public use under the jurisdiction of the Municipality;
- 2.0 The execution by the Mayor and Clerk of the attached Acknowledgement and Direction for the Application to Establish Public Highways and the Application to Change Name-Owners, or any amendments thereto, are hereby authorized, ratified and confirmed.
- 3.0 This By-Law shall come into full force and effect upon final passage.
- 4.0 This By-Law may be cited as the "Spitzig Road Transfer Agreement By-Law".

Read, Enacted, Signed and Sealed this 14th day of May, 2019.

Mayor – Chris Peabody

Clerk – Fiona Hamilton

BY-LAW 2019-042

SCHEDULE 'A'

The lands described as:

Block 13, Plan 3M225, being PIN 33196-0528(LT)

Block 9, Plan 3M225, being PIN 33196-0524(LT)

PT UNNAMED RD PL 162 LYING S of 3R883 & N OF DURHAM RD, PT 3 3R9411, being
PIN 33196-0530(LT)

All lands being in the Municipality of Brockton, County of Bruce

ACKNOWLEDGMENT AND DIRECTION

TO: Tammy W. Grove-McClement
AND TO: Grove-McClement & Fischer LLP
RE: Brockton and Spitzig Subdivision
- Application By-law to Establish Public Highways
File No.: 18236

This will confirm the following:

1. I/We have reviewed the information set out below and attached and the information is accurate.
2. You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically on my/our behalf the document(s) described in this Acknowledgment and Direction as well as any other document(s) required to complete the transaction described above.
3. You are hereby authorized to insert any information that may be required in the electronic documents described in this Acknowledgment and Direction that may not be available to you at the time of execution of this Acknowledgment and Direction.
4. The effect of the electronic documents described in this Acknowledgment and Direction has been fully explained to me/us and I/we understand that I/we are parties to and are bound by the terms and provisions of these electronic documents to the same extent as if I/we had signed these documents.
5. I am/We are, in fact, the parties named in the electronic documents described in this Acknowledgment and Direction and I/we have not misrepresented our identities to you.
6. I/We hereby authorize you to make any minor, non-material alterations that may be required by the Land Registry Office or any governmental agencies or governmental authorities to effect certification of the electronic documents described in this Acknowledgment and Direction by the Land Registry Office.
7. This Acknowledgment and Direction may be executed in counterpart and each such counterpart shall, for all purposes, constitute one document binding on all parties hereto, notwithstanding that all parties are not signatories to the same counterpart, provided that each party has signed at least one counterpart.
8. Execution of the Acknowledgment and Direction by facsimile transmission or by e-mail shall be binding upon each party hereto and upon the party so signing by facsimile or e-mail transmission.

DESCRIPTION OF DOCUMENT: Application By-law to Establish Public Highways

Date: , 2019. **THE CORPORATION OF THE
MUNICIPALITY OF BROCKTON**

Per: _____
Name: Chris Peabody
Title: Mayor

Per: _____
Name: Sonya Watson
Title: CAO

We have authority to bind the Corporation.

Properties

PIN 33196 - 0528 LT
Description BLOCK 13, PLAN 3M225; MUNICIPALITY OF BROCKTON
Address WALKERTON

PIN 33196 - 0530 LT
Description PT UNNAMED RD PL 162 LYING S OF 3R883 & N OF DURHAM RD, PT 3 3R9411;
 MUNICIPALITY OF BROCKTON
Address WALKERTON

PIN 33196 - 0524 LT
Description BLOCK 9, PLAN 3M225; MUNICIPALITY OF BROCKTON
Address WALKERTON

Applicant(s)

This Order/By-law affects the selected PINs.

Name THE CORPORATION OF THE MUNICIPALITY OF BROCKTON
 Acting as a company
Address for Service 100 Scott Street, Box 68
 Walkerton, ON N0G 2V0

This document is being authorized by a municipal corporation Chris Peabody, Mayor and Sonya Watson, CAO.
This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-law .

File Number

Applicant Client File Number : 18236

ACKNOWLEDGMENT AND DIRECTION

TO: Tammy W. Grove-McClement
AND TO: Grove-McClement & Fischer LLP
RE: Brockton and Spitzig Subdivision
- Application to Change Name-Owners
File No.: 18236

This will confirm the following:

1. I/We have reviewed the information set out below and attached and the information is accurate.
2. You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically on my/our behalf the document(s) described in this Acknowledgment and Direction as well as any other document(s) required to complete the transaction described above.
3. You are hereby authorized to insert any information that may be required in the electronic documents described in this Acknowledgment and Direction that may not be available to you at the time of execution of this Acknowledgment and Direction.
4. The effect of the electronic documents described in this Acknowledgment and Direction has been fully explained to me/us and I/we understand that I/we are parties to and are bound by the terms and provisions of these electronic documents to the same extent as if I/we had signed these documents.
5. I am/We are, in fact, the parties named in the electronic documents described in this Acknowledgment and Direction and I/we have not misrepresented our identities to you.
6. I/We hereby authorize you to make any minor, non-material alterations that may be required by the Land Registry Office or any governmental agencies or governmental authorities to effect certification of the electronic documents described in this Acknowledgment and Direction by the Land Registry Office.
7. This Acknowledgment and Direction may be executed in counterpart and each such counterpart shall, for all purposes, constitute one document binding on all parties hereto, notwithstanding that all parties are not signatories to the same counterpart, provided that each party has signed at least one counterpart.
8. Execution of the Acknowledgment and Direction by facsimile transmission or by e-mail shall be binding upon each party hereto and upon the party so signing by facsimile or e-mail transmission.

DESCRIPTION OF DOCUMENT: Application to Change Name-Owners

Date: , 2019.

**THE CORPORATION OF THE
MUNICIPALITY OF BROCKTON**

Per: _____

Name: Chris Peabody
Title: Mayor

Per: _____

Name: Sonya Watson
Title: CAO

We have authority to bind the Corporation.

This document has not been submitted and may be incomplete.

Properties

PIN 33196 - 0528 LT
Description BLOCK 13, PLAN 3M225; MUNICIPALITY OF BROCKTON
Address WALKERTON

PIN 33196 - 0524 LT
Description BLOCK 9, PLAN 3M225; MUNICIPALITY OF BROCKTON
Address WALKERTON

Party From(s)

Name MUNICIPALITY OF BROCKTON
 Acting as a company
Address for Service 100 Scott Street, Box 68
 Walkerton, ON N0G 2V0

Applicant(s)	Capacity	Share
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<i>Name</i>	THE CORPORATION OF THE MUNICIPALITY OF BROCKTON	
	Acting as a company	
<i>Address for Service</i>	100 Scott Street, Box 68	
	Walkerton, ON N0G 2V0	

This document is being authorized by a municipal corporation Chris Peabody, Mayor and Sonya Watson, CAO.
This document is not authorized under Power of Attorney by this party.

Statements

I Tammy W. Grove-McClement solicitor make the following law statement The name of the registered owner was inadvertently entered as "Municipality of Brockton" at the time the land was acquired. The correct name of the registered owner is "The Corporation of the Municipality of Brockton". The "Municipality of Brockton" and "The Corporation of the Municipality of Brockton" are one and the same. This statement is made for no other or improper purpose.

File Number

Party From Client File Number : 18236
Applicant Client File Number : 18236

This document has not been submitted and may be incomplete.

Properties

PIN 33196 - 0531 LT Interest/Estate Fee Simple
Description PT UNNAMED RD PL 162 LYING S OF 3R883 & N OF DURHAM RD; MUNICIPALITY OF BROCKTON
Address WALKERTON

DRAFT

Consideration

Consideration \$1.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name THE CORPORATION OF THE MUNICIPALITY OF BROCKTON
 Acting as a company
Address for Service 100 Scott Street, Box 68
 Walkerton, ON N0G 2V0

This document is not authorized under Power of Attorney by this party.
This document is being authorized by a municipal corporation Chris Peabody, Mayor and Sonya Watson, CAO.

Transferee(s)	Capacity	Share
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Name	THE CORPORATION OF THE COUNTY OF BRUCE
	Acting as a company
Address for Service	30 Park Street
	Walkerton, ON N0G 2V0

Statements

The land is being acquired or disposed of by the Crown in Right of Ontario or the Crown in Right of Canada, including any Crown corporation, or any agency, board or commission of the Crown; or a municipal corporation.

Calculated Taxes

Provincial Land Transfer Tax	\$0.00
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File Number

Transferor Client File Number : 18236

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 33196 - 0531 PT UNNAMED RD PL 162 LYING S OF 3R883 & N OF DURHAM RD;
MUNICIPALITY OF BROCKTON

BY: THE CORPORATION OF THE MUNICIPALITY OF BROCKTON
TO: THE CORPORATION OF THE COUNTY OF BRUCE

DRAFT

1. TAMMY W. GROVE-MCCLEMENT

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☒ (d) The authorized agent or solicitor acting in this transaction for THE CORPORATION OF THE COUNTY OF BRUCE described in paragraph(s) (c) above.
- ☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) () above.
- ☐ (f) A transferee described in paragraph () and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph () and as such, I have personal knowledge of the facts herein deposed to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	\$1.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	\$0.00
(ii) Given Back to Vendor	\$0.00
(c) Property transferred in exchange (detail below)	\$0.00
(d) Fair market value of the land(s)	\$0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	\$0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	\$1.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	\$0.00
(i) Other considerations for transaction not included in (g) or (h) above	\$0.00
(j) Total consideration	\$1.00

4.

Explanation for nominal considerations:

g) Transfer to a municipality pursuant to subdivision or development agreement, condominium approval or other municipal purposes: Transfer from lower tier municipality to upper tier municipality for road purposes.

5. The land is not subject to an encumbrance

6. Other remarks and explanations, if necessary.

- 1. The information prescribed for purposes of section 5.0.1 of the Land Transfer Tax Act is not required to be provided for this conveyance.
- 2. The transferee(s) has read and considered the definitions of "designated land", "foreign corporation", "foreign entity", "foreign national", "specified region" and "taxable trustee" as set out in subsection 1(1) of the Land Transfer Tax Act. The transferee(s) declare that this conveyance is not subject to additional tax as set out in subsection 2(2.1) of the Act because:
- 3. (a) This is not a conveyance of land that is located within the "specified region".
- 4. The transferee(s) declare that they will keep at their place of residence in Ontario (or at their principal place of business in Ontario) such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act for a period of at least seven years.
- 5. The transferee(s) agree that they or the designated custodian will provide such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act, to the Ministry of Finance upon request.

PROPERTY Information Record

A. Nature of Instrument:

Transfer

LRO 3

Registration No.

Date:

B. Property(s):

PIN 33196 - 0531

Address WALKERTON

Assessment Roll No

C. Address for Service:

30 Park Street

Walkerton, ON N0G 2V0

D. (i) Last Conveyance(s):

PIN 33196 - 0531

Registration No.

(ii) Legal Description for Property Conveyed: Same as in last conveyance?

Yes☒

No☐

Not known☐

PRINTED ON 04 MAR, 2019 AT 15:48:08
FOR MCCLEMMENT



PROPERTY INDEX MAP
BRUCE(No. 03)

- LEGEND
- FREEHOLD PROPERTY
 - LEASEHOLD PROPERTY
 - LIMITED INTEREST PROPERTY
 - CONDOMINIUM PROPERTY
 - RETIRED PIN (MAP UPDATE PENDING)
 - PROPERTY NUMBER
 - BLOCK NUMBER
 - GEOGRAPHIC FABRIC
 - EASEMENT
- 0449
08050

THIS IS NOT A PLAN OF SURVEY

NOTES

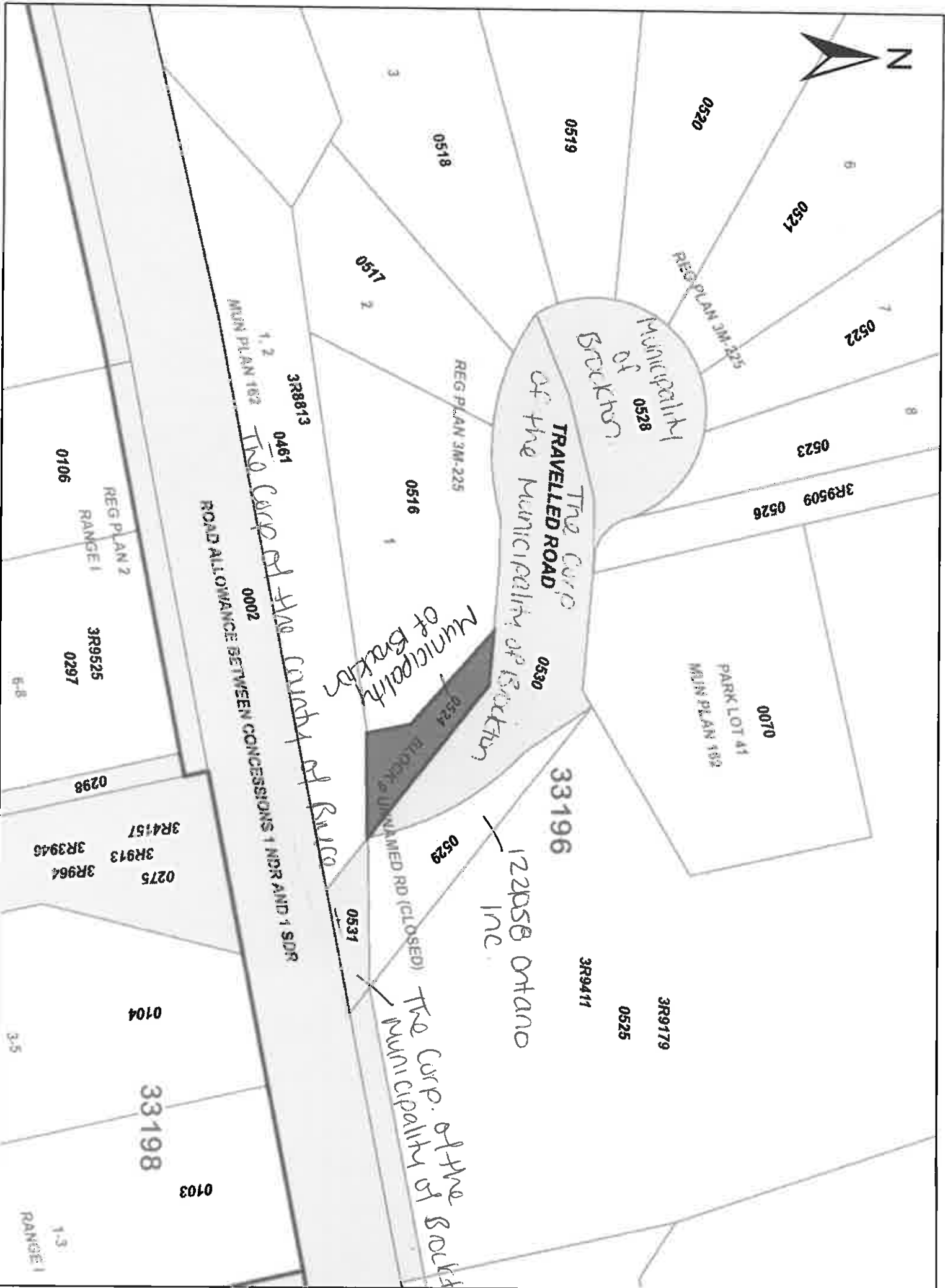
REVIEW THE TITLE RECORDS FOR COMPLETE
PROPERTY INFORMATION AS THIS MAP MAY
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND
DOCUMENTS RECORDED IN THE LAND
REGISTRATION SYSTEM AND HAS BEEN PREPARED
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT
REFERENCE PLANS ARE NOT ILLUSTRATED



PRINTED ON 23 APR, 2019 AT 11:29:30
FOR KWATSON8



PROPERTY INDEX MAP
BRUCE(No. 03)

- LEGEND
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 - LEASEHOLD PROPERTY
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