



CORPORATION OF THE TOWNSHIP OF AUGUSTA

BY-LAW NUMBER 2804

BEING A BY-LAW TO ENTER INTO AN AGREEMENT WITH IRACE CONSTRUCTION LIMITED AND THE INDIVIDUAL LOT OWNERS OF THE IRACE SUBDIVISION

WHEREAS the Municipal Act, 2001 c. 25 S.O. 2001 section 8 allows for the Powers of a Natural Person and those powers may include the entering into an agreement.

NOW THEREFORE the Council of the Township of Augusta hereby enacts as follows that:

1. The Corporation of the Township of Augusta enter into an Amending Agreement made this 11th day of January, 2010 between the Township, the individual lot owners whose property will be effected by this agreement, Irace Construction Limited and Anna Irace, which agreement amends the Subdivision Agreement entered into on April 18, 1989.
2. This By-Law shall be registered on the lands contained in Schedule "A" attached hereto.
3. The Reeve and the CAO are hereby authorized to sign the agreement on behalf of the Corporation of the Township of Augusta.
4. The Reeve and the CAO are hereby authorized to sign all legal documentation necessary to register same in the Grenville Land Registry Office.

READ a first time and second time this 11th day of January 2010.

READ a third time and passed this 11th day of January 2010.

REEVE

CLERK

SCHEDULE "A"
TO BY-LAW NUMBER 2804

This By-Law shall be registered on the following lands:

LT 1, PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0173 (LT)

LT 2, PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0174 (LT)

LT 3 PL 1084, S/T INTEREST IN PR156967; S/T EXECUTION 09-0000267, IF ENFORCEABLE;

S/T EXECUTION 94-0000747, IF ENFORCEABLE; S/T EXECUTION 96-0000297, IF ENFORCEABLE; AUGUSTA, BEING ALL OF PIN 68183-0175 (LT)

LT 4 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0176 (LT)

LT 5 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0177 (LT)

LT 6 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0178 (LT)

LT 7 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0179 (LT)

LT 8 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0180 (LT)

LT 9 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0181 (LT)

LT 10 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0182 (LT)

LT 11 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0183 (LT)

LT 12 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0184 (LT)

LT 13 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0185 (LT)

LT 14 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0186 (LT)

LT 15 PL 1084; S/T PR107726; AUGUSTA, BEING ALL OF PIN 68183-0187 (LT)

LT 16-17 PL 1084; S/T PR107726; AUGUSTA, BEING ALL OF PIN 68183-0188 (LT)

LT 18 PL 1084; S/T PR107726; AUGUSTA, BEING ALL OF PIN 68183-0189 (LT)

LT 19 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0190 (LT)

LT 20 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0191 (LT)

SCHEDULE "A"
TO BY-LAW NUMBER 2804 (Con't)

LT 21 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0192 (LT)

LT 22 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0193 (LT)

LT 23 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0194 (LT)

LT 24 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0195 (LT)

LT 25 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0196 (LT)

LT 26 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0197 (LT)

LT 27 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0198 (LT)

LT 28 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0199 (LT)

LT 29 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0200 (LT)

LT 30 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0201 (LT)

LT 31 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0202 (LT)

LT 32 PL 1084 S/T DEBTS IN PR189553; AUGUSTA, BEING ALL OF PIN 68183-0203 (LT)

BLK 33 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0204 (LT)

BLK 34 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0205 (R)

RESERVE BLK 37 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0206 (LT)

RESERVE BLK 38 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0302 (LT)

RESERVE BLK 39 PL 1084; AUGUSTA, BEING ALL OF PIN 68183-0303 (LT)

day of January, 2010

BETWEEN:

IRACE CONSTRUCTION LIMITED
and ANNA IRACE (as representative of Irace Construction)
Herein called the "Owner" OF THE FIRST PART

AND

THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
Herein called the "Township" OF THE SECOND PART

AND

THE INDIVIDUAL LOT OWNERS
(more particularly laid out in Schedule "A")
Herein called the "Lot Owners" OF THE THIRD PART

WHEREAS the Owner and the Township entered into a Subdivision Agreement, on or about the 18th day of April, 1989 as it related to a plan of subdivision being generally described as a parcel in the Township of Augusta, in the County of Grenville, being composed of that portion of the west $\frac{3}{4}$ of Lot 35 in the 1st Concession lying south of the lands of the Canadian National Railway and north of Highway No. 2 save and excepting Part1 on Reference Plan 15R-7062.

AND WHEREAS the Lot Owners shown in Schedule "A" are the registered owners of the lands referred to as the Irace Subdivision and are subject to the subdivision agreement dated April 18th, 1989 and registered in the Grenville Registry Office, Division 15 as Instrument No. 102938.

AND WHEREAS all parties wish to amend the subdivision agreement.

NOW THEREFORE THIS AGREEMENT WITNESS THAT in consideration of the mutual covenants hereinafter expressed, the parties hereto amend, covenant and agree one with the other as follows:

1. The above recitals are true and correct, and form part of this agreement.
2. This agreement binds the parties and runs with the lands and premises set out in Schedule "B" and is intended to be registered on title.
3. The subdivision agreement is hereby amended as follows:
 - (i) Schedule 'B' and 'N' of the aforementioned subdivision agreement are amended by:
 - (a) deleting the top soil and grass seed for the park known as Block 33
 - (b) deleting the fence around the park known as Block 33
 - (c) deleting the Berm north of Lots 27, 28 and 1
 - (d) adding or relocating the fence referred to in (b) to the back or north side of Lots 27, 28 and 1
 - (ii) Schedule 'H' is amended by deleting the requirement to create a road bed, as well as pave that section known as Lyons Street.

4. For greater certainty the subdivision agreement is amended in simple terms, by relocating the fence at the train tracks to the back of Lots 27, 28 and 1.
5. The Lot Owners in addition and as consideration for the amendments are to be given the sum of forty thousand dollars(\$40,0000.00) to, amongst other things, renovate, revitalize and improve the front entrance to the subdivision, add street lights and shelters for mailboxes.
6. The Owner acknowledges that the Township has liquidated two lots, it held as security for the performance of the covenants under this subdivision agreement, and acknowledges that the funds in the amount of forty thousand dollars (\$40,000.00) paid to the residents comes from the proceeds of the sale of these lots.
7. The Owner also acknowledges that the Township has incurred and spent funds to perform certain works under the subdivision agreement that it failed to do, and the Owner acknowledges and consents to those expenditures.
8. The Owner also acknowledges its obligation under section 53 of the agreement, to pay the Township's legal fees and costs.
9. This Amending Agreement may be executed in any number of counterparts and all of such counterparts taken together shall be deemed to constitute one and the same instrument.

DATED at Augusta, Ontario this day of January, 2010.

THE CORPORATION OF THE TOWNSHIP
OF AUGUSTA

Per: Mel Campbell, Reeve

Per: Richard Bennett, CAO

We have authority to bind the
Corporation

DATED at Augusta, Ontario this day of January, 2010.

IRACE CONSTRUCTION LIMITED

Per: Anna Irace
I have authority to bind the Corporation

Anna Irace
In my own personal capacity

SCHEDULE "A"
TO THE AMENDING AGREEMENT made this 11th day of January, 2010

BEING ALL OF PIN	LEGAL	REGISTERED OWNER(S)	SIGNATURE OF OWNER(S)
BEING ALL OF PIN 68183-0173 (LT)	LT 1, PL 1084; AUGUSTA	LINDSAY, PETER ALAN LINDSAY, MARNIE ELIZABETH	_____ _____
BEING ALL OF PIN 68183-0174 (LT)	LT 2, PL 1084; AUGUSTA	BOUCHER, GUY REJEAN NESBITT-BOUCHER, NANCY JEAN	_____ _____
BEING ALL OF PIN 68183-0175 (LT)	LT 3 PL 1084, S/T INTEREST IN PR156967; S/T EXECUTION 09-0000267, IF ENFORCEABLE; S/T EXECUTION 94-0000747, IF ENFORCEABLE; S/T EXECUTION 96-0000297, IF ENFORCEABLE; AUGUSTA	MACNEIL, JAMES KENNETH MACNEIL, JUDITH STEWART STEWART, JOHN FREDERICK HUDSON STEWART, LEONA MAYE	_____ _____ _____ _____
BEING ALL OF PIN 68183-0176 (LT)	LT 4 PL 1084; AUGUSTA	KOUYOUMDJIAN, CARMEN MARIE KOUYOUMDJIAN, MEGUERDICH KRIKER	_____ _____

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0177 (LT)

LT 5 PL 1084; AUGUSTA

GALIPEAU, VINCENT ESDRAS

GALIPEAU, ANGELA MYRTLE

BEING ALL OF PIN
68183-0178 (LT)

LT 6 PL 1084; AUGUSTA

DEL RICCIO, ROBERT VINCENT

DEL RICCIO, KATHRYN MICHELLE

BEING ALL OF PIN
68183-0179 (LT)

LT 7 PL 1084; AUGUSTA

LEDUC, PAUL ALEXANDER

LEDUC, DOROTHY MAY

BEING ALL OF PIN
68183-0180 (LT)

LT 8 PL 1084; AUGUSTA

BUSHFIELD, RAYMOND CHARLES

BUSHFIELD, KATHY ANN

BEING ALL OF PIN
68183-0181 (LT)

LT 9 PL 1084; AUGUSTA

RENNIE, DONALD EWEN

RENNIE, HEATHER JEAN

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0182 (LT)

LT 10 PL 1084; AUGUSTA

SHARRON, BRADLEY STEVEN

BARKLEY, HEATHER ELIZABETH

BEING ALL OF PIN
68183-0183 (LT)

LT 11 PL 1084; AUGUSTA

YEE JR, KING

FINNEGAN-YEE, DANA LOUISE

BEING ALL OF PIN
68183-0184 (LT)

LT 12 PL 1084; AUGUSTA

BARIBEAU, NORMAN LUCIEN

BARIBEAU, CHANTAL BARRIERE

BEING ALL OF PIN
68183-0185 (LT)

LT 13 PL 1084; AUGUSTA

TAYLOR, SCOTT HAYDN

TAYLOR, LISA DAWN

BEING ALL OF PIN
68183-0186 (LT)

LT 14 PL 1084; AUGUSTA

PALING, DARLENE MARGARET

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0187 (LT)

LT 15 PL 1084; S/T PR107726; AUGUSTA

MAGGIO, JOSEPH ROCCO

MAGGIO, ALICE CATHERINE

BEING ALL OF PIN
68183-0188 (LT)

LT 16-17 PL 1084; S/T PR107726; AUGUSTA

MAGGIO FLOORING LTD.

BEING ALL OF PIN
68183-0189 (LT)

LT 18 PL 1084; S/T PR107726; AUGUSTA

WEBB, JAY JEROME

WEBB, SHARON DAGLE

BEING ALL OF PIN
68183-0190 (LT)

LT 19 PL 1084; AUGUSTA

MAGIL, JOAN MERYL

BEING ALL OF PIN
68183-0191 (LT)

LT 20 PL 1084; AUGUSTA

NOVAK, RUDOLF

NOVAKOVA, LENKA

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0192 (LT)

LT 21 PL 1084; AUGUSTA

GUY, ROBERT VERNON

GUY, GRACE LILY

BEING ALL OF PIN
68183-0193 (LT)

LT 22 PL 1084; AUGUSTA

GUDMUNDSSON, JOANNE READ

BEING ALL OF PIN
68183-0194 (LT)

LT 23 PL 1084; AUGUSTA

MCELWAIN, DONALD EARLE

MCELWAIN, TAMMY LYNN

BEING ALL OF PIN
68183-0195 (LT)

LT 24 PL 1084; AUGUSTA

DONALDSON CANADA INC.

BEING ALL OF PIN
68183-0196 (LT)

LT 25 PL 1084; AUGUSTA

BAYLES, DANIEL PETER

BAYLES, REBECCA JEAN CHILDS

CHILDS, JOHN PHILIP

CHILDS, JOAN ANNE

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0197 (LT)

LT 26 PL 1084; AUGUSTA

BARNES, NORVILLE EARL

MACNEIL, KENNETH WILLIAM

STEINBACH, RONALD PAUL

BEING ALL OF PIN
68183-0198 (LT)

LT 27 PL 1084; AUGUSTA

KASMER, ROBERT

BEING ALL OF PIN
68183-0199 (LT)

LT 28 PL 1084; AUGUSTA

WIWCHAR, JEFFREY

WIWCHAR, KIRSTEN

BEING ALL OF PIN
68183-0200 (LT)

LT 29 PL 1084; AUGUSTA

MACCAULL, PETER WALLACE DELANO

MACCAULL, ORIEL GLENORA

BEING ALL OF PIN
68183-0201 (LT)

LT 30 PL 1084; AUGUSTA

YEUNG, MOON TAK

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0202 (LT)

LT 31 PL 1084; AUGUSTA

SANDHU, SIMRANDEEP KAUR

SANDHU, RAJA KANWAR JANG

BEING ALL OF PIN
68183-0203 (LT)

LT 32 PL 1084 S/T DEBTS IN PR189553; AUGUSTA VIGILE, GIOCONDA SOFIA IRACE

BEING ALL OF PIN
68183-0204 (LT)

BLK 33 PL 1084; AUGUSTA

THE CORPORATION OF THE TOWNSHIP
OF AUGUSTA

BEING ALL OF PIN
68183-0205 (R)

BLK 34 PL 1084; AUGUSTA

ANNA IRACE

BEING ALL OF PIN
68183-0206 (LT)

RESERVE BLK 37 PL 1084; AUGUSTA

THE CORPORATION OF THE TOWNSHIP
OF AUGUSTA

BEING ALL OF PIN

LEGAL

REGISTERED OWNER(S)

SIGNATURE OF OWNER(S)

BEING ALL OF PIN
68183-0302 (LT)

RESERVE BLK 38 PL 1084; AUGUSTA

THE CORPORATION OF THE UNITED
COUNTIES OF LEEDS AND GRENVILLE

BEING ALL OF PIN
68183-0303 (LT)

RESERVE BLK 39 PL 1084; AUGUSTA

THE CORPORATION OF THE UNITED
COUNTIES OF LEEDS AND GRENVILLE
