1977

c 98 The County of Peterborough Act, 1977

Ontario
CHAPTER 98

An Act respecting
the County of Peterborough

Assented to December 16th, 1977

WHEREAS by letters patent under the Great Seal of the Province of Ontario dated the 12th day of May, 1847 the Council of the District of Colborne was granted certain lands in the Town of Peterborough, in the County of Peterborough, in the District of Colborne, for the use of the district gaol and court house; and whereas that part of the said lands described in clause 4 of the agreement forming part of the by-law set forth in the schedule hereto are no longer required for the uses and purposes of the gaol and court house of the County of Peterborough; and whereas The Corporation of the County of Peterborough is desirous of conveying the lands described in the said clause 4 free from the trusts or conditions contained in the said letters patent and hereby applies for special legislation to authorize such conveyance; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.-(1) The council of The Corporation of the County of Peterborough is hereby authorized to pass By-Law Number 28-1976, as set forth in the Schedule hereto, to enter into the agreement set forth in the schedule to the said by-law and to convey the lands described in clause 4 of the said agreement.

(2) That part of Lot 7 north of Brock Street and east of Water Street in the City of Peterborough in the County of Peterborough, described in the letters patent under the Great Seal of the Province of Ontario dated the 12th day of May, 1847 and which may be more particularly described as Part 4 on a plan deposited in the Land Registry Office for the Registry Division of Peterborough (No. 45) as Plan 45R-2345 is hereby vested in The Corporation of the County of Peterborough in fee simple free from any trust or condition contained in the said letters patent.
2. This Act comes into force on the day it receives Royal Assent.

3. The short title of this Act is The County of Peterborough Act, 1977.

SCHEDULE

BY-LAW NUMBER 28-1976

A By-law to authorize an agreement between the Corporation of the City of Peterborough, the Corporation of the County of Peterborough and the Peterborough Hydraulic Power Company Limited

THE CORPORATION OF THE COUNTY OF PETERBOROUGH

BY THE COUNCIL THEREFORE ENACTS AS FOLLOWS:

1. That the Corporation of the County of Peterborough enter into the agreement with the Corporation of the City of Peterborough and the Peterborough Hydraulic Power Company Limited set forth as a schedule to this by-law and the Warden and Clerk are hereby authorized and directed to sign and affix the seal of the Corporation thereto.

READ A FIRST AND SECOND TIME this 1st day of December, 1976.

Geo. H. Graham,
Warden.

W. D. Armstrong,
Clerk.

READ A THIRD TIME and finally passed this day of 1977.

Warden.

Clerk.

Schedule to By-law 28-1976

THIS AGREEMENT made in triplicate this 1st day of October, A.D., 1976.

BETWEEN:

THE CORPORATION OF THE CITY OF PETERBOROUGH,
hereinafter called the "CITY" of the FIRST PART,

— and —

THE CORPORATION OF THE COUNTY OF PETERBOROUGH,
hereinafter called the "COUNTY" of the SECOND PART,

— and —

THE PETERBOROUGH HYDRAULIC POWER COMPANY LIMITED,
hereinafter called "HYDRAULICS" of the THIRD PART.

WHEREAS the purpose of this agreement is to provide for the connection of the Canadian Pacific Railway (herein called C.P.R.) spur line serving
the Quaker Oats Co. of Canada Ltd. plant in Peterborough from the south and the Canadian National Railway (herein called C.N.R.) spur line serving the said plant from the north in order to permit the removal of that part of the C.N.R. main line from Peterborough to Lakefield between Brock Street and the east end of the Auburn Dam.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration the parties hereto hereby agree as follows:

1. The City will, by by-law, close those parts of Dickson Street, Murray Street and Brock Street shown as Parts 1, 3 and 5 on a plan deposited in the Registry Office for the Registry Division of Peterborough (No. 45) as Plan 45R2345.

2. The City will thereupon convey said Part 1 to the County and said Parts 3 and 5 to Hydraulics without charge.

3. Hydraulics will convey Part 2 on the said plan to the County without charge.

4. The County will convey Part 4 on the said plan to Hydraulics without charge.

5. Hydraulics will permit C.N.R. to construct a single track rail line on the land lying to the east of the east limits of said Parts 2 and 5 to connect the said C.P.R. spur line to the said C.N.R. spur line on terms satisfactory to C.N.R. and C.P.R.

6. This agreement shall not be binding on any of the parties unless and until the City enters into an agreement with C.N.R. to provide for the construction of the rail line referred to in para. 5 and the removal of that part of the main line referred to in the recital.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their respective Corporate Seals duly attested by their proper officers.

THE CORPORATION OF THE CITY OF PETERBOROUGH

THE CORPORATION OF THE COUNTY OF PETERBOROUGH

THE PETERBOROUGH HYDRAULIC POWER COMPANY LIMITED