

RURAL MUNICIPALITY OF DUFFERIN

By-Law No. 1616

Being a by-law of the R.M. of Dufferin entering into an agreement with Mr. Gerry John Vandersluis for the purpose of constructing a tank loading facility on part of the S.E. 1/4 29-6-4 W.P.M.

WHEREAS the Rural Municipality of Dufferin deems it necessary and in the best interest of the Municipality to construct a tank loading facility on the Boyne River to be located on part of the South-East Quarter Section of Section twenty-nine, Township Six, Range Four, West of the Principal Meridian;

AND WHEREAS this tank loading facility will be located partly on the municipal right-of-way and partly on the personal property registered in the name of Mr. Gerry John Vandersluis and described as follows:

"C.T.#96057 - The S.E. 1/4 29-6-4 W.P.M. excluding RD 1073 excluding the West 3 chains of the South 22 Chains."

AND WHEREAS Mr. Vandersluis has agreed to enter into a ninety-nine year lease with the Rural Municipality of Dufferin authorizing access to the property required for the tank loading facility;

NOW THEREFORE BE IT RESOLVED that the R.M. of Dufferin in open session, duly assembled, enacts as follows:

1. That the R.M. of Dufferin enter into an agreement with Mr. Gerry John Vandersluis regarding access to the S.E. 1/4 29-6-4 W.P.M. (C.T. #96057) for a tank loading facility;
2. That the attached agreement be binding upon Mr. Vandersluis and the Rural Municipality of Dufferin;
3. That the Reeve and Secretary-Treasurer are hereby authorized and directed to do all acts and execute all documents required to implement and complete the agreement.

DONE AND PASSED IN Council duly assembled on the 8th day of October A.D. 1991.



REEVE



SECRETARY-TREASURER

GRANT OF RIGHT-OF-WAY

THIS DEED made the 8th day of October, 1991

BETWEEN:

GERRY JOHN VANDERSLUIS
of the Postal District of Carman,
in Manitoba,

(hereinafter referred to as the "Grantor")

OF THE FIRST PART

- and -

RURAL MUNICIPALITY OF DUFFERIN

(hereinafter referred to as the "Grantee")

OF THE SECOND PART

WITNESSES that in consideration of the sum of \$ 1.00 dollars
paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged, the
Grantor grants to the Grantee, their heirs and assigns, a right-of-way for persons
and vehicles over the following land:

All that portion of the SE 1/4 29-6-4 WPM, in Manitoba
bounded on the east by the eastern boundary of the said
quarter section and bounded on the west, north and south
by the eastern bank of the Boyne River as approximately
shown on the sketch attached hereto and marked as
Schedule "A".

The purpose of this agreement is to permit the Grantee to construct a
tank loading facility which will be partially located on the Municipal right-of-way
adjacent to the eastern boundary of the SE 1/4 29-6-4 WPM in Manitoba and
partially located on the land hereinbefore described and owned by the Grantor. It
is agreed that the Grantee may construct that particular facility and no other on
the said property.

It is further agreed that persons and trucks may be permitted to drive onto the property for the purpose of loading water onto their trucks and tanks and in particular they may drive across the land hereinbefore described and owned by the Grantor and in particular they shall have the right of ingress and egress to the loading facility across the land owned by the Grantor and hereinbefore described.

The Grantee, their heirs and assigns, covenants with the Grantor, their heirs and assigns, that the Grantee will at his own expense keep the premises and right-of-way in good repair.

The term of this agreement shall be for 99 years.

This agreement shall be binding on the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF the Grantor has hereunto set his hand and seal the day and year first above written and the Rural Municipality of Dufferin has caused its corporate seal to be hereunto affixed, attested by the signatures of its proper officers in their behalf the day and year first above written.

SIGNED, SEALED AND DELIVERED)

in the presence of:)

Ruth Stege

ASST. SECY.-TREAS.
RURAL MUNICIPALITY OF DUFFERIN

Gerry John Vandersluis

GERRY JOHN VANDERSLUIS

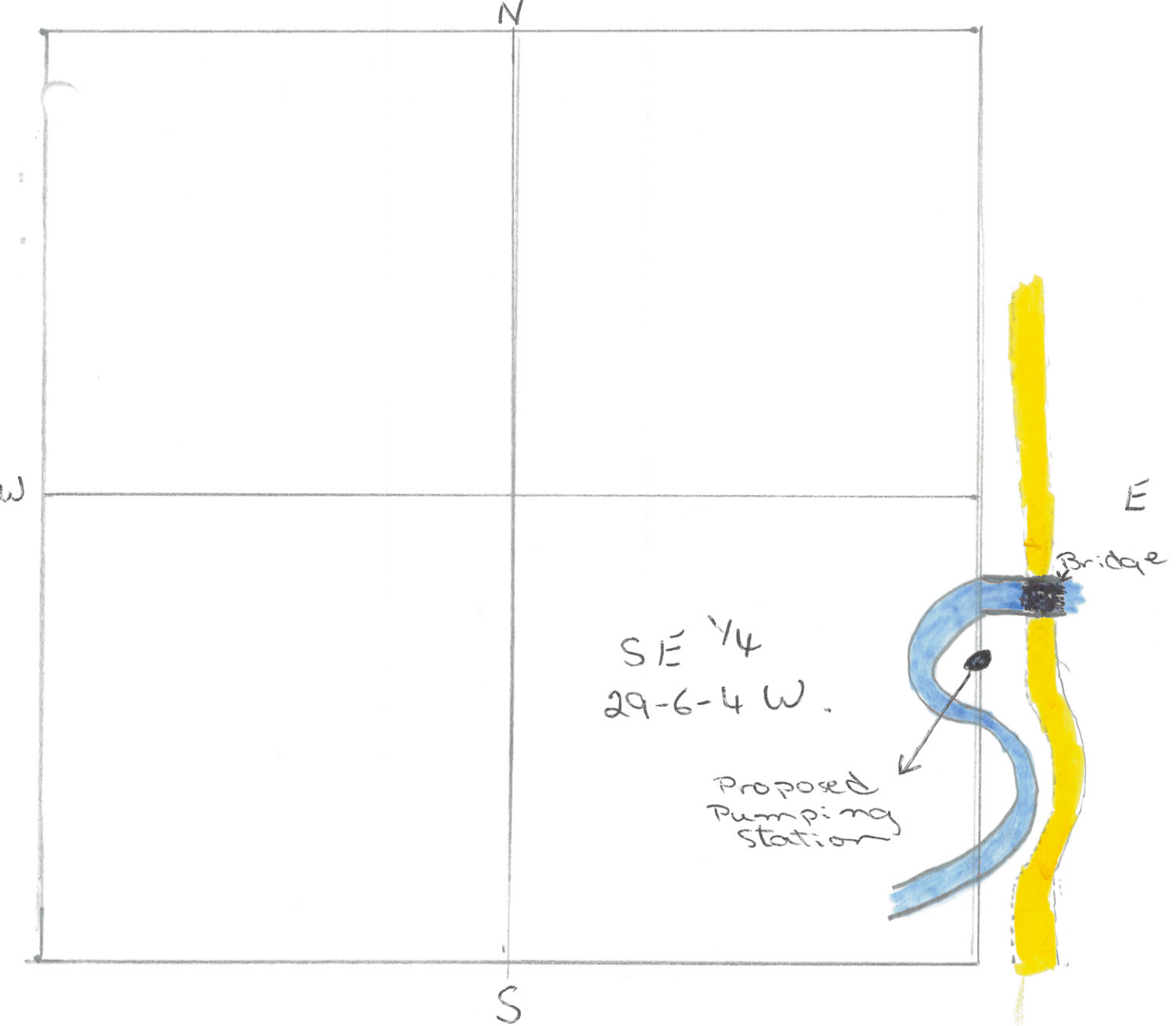
RURAL MUNICIPALITY OF DUFFERIN:

William K. Reeh

REEVE


Linda Colpitts

SECRETARY-TREASURER



Section 29-6-4 W.P.M.

 Bayne River

 Municipal Road.