



**Municipality of Middlesex Centre
By-Law 2021-019**

Being a by-law to approve and ratify a Section 158 Agreement between Kilworth Heights West, the “Developer” and the Municipality of Middlesex Centre as the “Municipality” for lands described as Block 23, Plan 33m761, subject to an easement in gross over Pat 1, 33R20419 as in ER1247193; subject to an easement as in ER1286740, Municipality of Middlesex Centre being part of PIN 08502-1493 (LT)

WHEREAS Kilworth Heights West is the owner of certain lands in the Municipality of Middlesex Centre legally described as Block 23, Plan 33m761, subject to an easement in gross over Pat 1, 33R20419 as in ER1247193; subject to an easement as in ER1286740, Municipality of Middlesex Centre being part of PIN 08502-1493 (LT);

AND WHEREAS the Developer and the Municipality entered into a vacant land condominium agreement dated July 15, 2020 and registered on September 2, 2020 as instrument ER1321419;

AND WHEREAS paragraph 60 of the Vacant Land Condominium Agreement requires that, when the Developer submits to the Municipal Engineer a Certificate of Completion, it shall be accompanied by, amongst other things, an agreement made by the Developer in favour of the Municipality that complies with section 158 of the Condominium Act, 1998, as amended, which ensures the installation and completion of all of the Site Development Works, as defined in the Vacant Land Condominium Agreement;

AND WHEREAS the Parties have agreed that this Agreement satisfies the requirement of paragraph 60.2 of the Vacant Land Condominium Agreement for an agreement made by the Developer in favour of the Municipality that complies with section 158 of the Condominium Act, 1998, as amended, which ensures the installation and completion of all of the said Site Development Works;

NOW THEREFORE BE IT RESOLVED THAT The Council of the Municipality of Middlesex Centre enacts as follows:

1. THAT the Agreement attached hereto be and the same is hereby approved and ratified.
2. THAT the Director of Public Works & Engineering be authorized to execute the schedules found in the attached Agreement
3. THAT the Mayor and Clerk are hereby authorized to execute the attached Agreement on behalf of the Municipality of Middlesex Centre following the execution of the Agreement by the developer;

PASSED AND ENACTED this 10th day of March, 2021.

Aina DeViet, Mayor

James Hutson, Municipal Clerk