

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Phone: (519)255-6211

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

Report Number: CAO 201/2021

Approved: August 18, 2021

- I. THAT **APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) "City as Grantor" Licenses, Easements (permanent and temporary) and Consents to Enter (Appendix A), to the granting of the following Easement:
- a) **GRANTEE:** Enwin Utilities Ltd.
4545 Rhodes Drive
Windsor, Ontario N8W 5T1
(the "**Grantee**")
 - b) **EASEMENT:** 123.34 m² (1,327.62 sq ft) permanent utility easement in favour of the Grantee for a utility pole and aerial plants (the "**Works**") over Part Closed Alley on Registered Plan 1153, further described as Parts 1 and 2 on Plan 12R-17490 (the "**Lands**").
 - c) **PRICE:** \$1.00, plus document preparation costs of approximately \$230.00 (plus HST) and registration costs of approximately \$75.00
 - d) **TERMS & CONDITIONS:**
 - 1. The Grantee is responsible for all costs related to this transaction including, but not limited to, the costs of construction, installation, restoration costs and survey costs;
 - 2. Even though the Works may become annexed or affixed to the Lands, title to the Works shall nevertheless remain in the Grantee;



OFFICE OF THE CITY CLERK COUNCIL SERVICES

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3. The Grantee shall indemnify and save the Grantor harmless from all actions, causes of actions, suits, claims and demands of every nature and kind whatsoever which may be made against the Grantor relating to or arising out of the placement of the Works by the Grantee and for which the Grantor, in law, is responsible;
 4. In the event the Grantee needs to enter the Lands for the purpose of maintaining, repairing or replacing the Works, the Grantee will restore the Lands to a condition satisfactory to the City Engineer or designate acting reasonably; and,
- II. THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign any required written documents satisfactory in form and content to the City Solicitor and that the transaction **BE COMPLETED** electronically pursuant to By-Law 366-2003 and that the City Solicitor or designate **BE AUTHORIZED** to sign any documents related to the completion of a real estate transaction.

Report Number: CAO 201/2021
Clerk's File: SL/14012

Anna Ciacelli

Deputy City Clerk/Supervisor of Council Services
August 20, 2021

Department Distribution

Coordinator of Real Estate Services
Manager of Real Estate Services
Commissioner, Legal and Legislative Services
Chief Administrative Officer

External Distribution