

FORM 1

BY-LAW NUMBER 2001-36, Section 6 (g)

FIRE ROUTE AGREEMENT

THIS AGREEMENT made duplicate this _____ day of _____, 2018.

BETWEEN:

THE CORPORATION OF THE TOWN OF TECUMSEH
(Hereinafter called the "Town")

OF THE FIRST PART

- and -

ESSEX CONDOMINIUM CORPORATION 27
(Hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Owner is the registered owner of lands and premises in the Town of Tecumseh, known for municipal purposes as **Marine Drive**, which meets the policy criteria for Fire Routes established by the Fire Department of the Town and upon which have been laid out certain private Roadways which the owner has requested be designated and administered by the Town as a Fire Routes pursuant to Section 11 of the *Municipal Act, 2001 S.O. 2001, c.M.25*, as amended;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT FOR GOOD AND VALUABLE CONSIDERATION NOW PAID BY THE TOWN TO THE OWNER, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED BY THE OWNER:

1. **THAT** the Owner consents during the term of this Agreement to the designation by the Town of a private Roadway as a Fire Route pursuant to Section 11 of the *Municipal Act, 2001 S.O. 2001, c.M.25*, as amended, and to the full and free administration and enforcement with respect to such private Roadway of by-laws pertaining to Fire Routes including, but without restricting the generality of the foregoing, the right of free and unhindered entry and re-entry at all Times upon the Owner's lands and premises by the Town's employees, servants, agents and municipal Parking By-law Enforcement Officers, constables and officers appointed for the carrying out of the provisions of the *Highway Traffic Act* for purposes of erecting, maintaining and removing Authorized Signs, prohibiting Parking and ticketing, removing and impounding Vehicles Parked or left along the Fire Route.
2. **THAT** the Owner covenants and agrees:
 - a) the Town shall be responsible for initially erecting Authorized Signs and standards for which the Owner shall pay to the Town the actual costs on invoice, preceded by a deposit advance of \$100.00 at the time of application and the material and labour costs of the Town for erecting Authorized Signs and standards in accordance with its Municipal Maintenance Management;
 - b) once Authorized Signs are erected, the Owner shall be responsible for their maintenance at his/her expense in accordance with the standards of the Town;
 - c) the Town shall have the right to remove or re-erect Authorized Signs at the expense of the Owner;
 - d) the Owner shall not permit anything to be done which obstructs the plain view of any Authorized Sign by the Driver of a Vehicle along a Fire Route;

- e) the Owner shall, at all Times, keep the Fire Route in good repair, free and clear of any obstruction, excavation, object or thing likely to hinder, obstruct or interfere with the movement of a fire truck or emergency Vehicle along the Fire Route.
3. THAT the Owner releases the Town from all manner of debts, claims, demands causes of action or suits which the Owner may now or hereafter have against the Town, or its employees, servants and agents in respect of any matter contained in or arising from this agreement.
4. THAT the Owner agrees this agreement shall continue in full force and effect from the date hereof until terminated by the Town upon one month's prior written notice delivered personally or sent by first class regular mail to the Owner's last known address.
5. THAT this agreement shall enure to the benefit of and be binding upon the Town and the Owner, and their respective heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals under the hands of their proper officers duly appointed in that behalf.

**THE CORPORATION OF THE
TOWN OF TECUMSEH**

SEAL

Gary McNamara, Mayor

Laura Moy, Clerk

Date

We / I have the authority to bind the Corporation

Essex Condominium Corporation 27

PRESIDENT ECC 27

Name: J. H. Wilson

Name: M. C. Temple

We / I have the authority to bind the Corporation

SEAL