



**A BY-LAW TO BEING A BY-LAW TO AUTHORIZE AN ENCROACHMENT AGREEMENT WITH TASCO VENTURE MANAGEMENT INC. FOR PROPERTY LOCATED AT 142 ORR STREET COBOURG**

**WHEREAS** Tasco Venture Management Inc represents that it is the owner of the lands legally described as 144 Orr Street, COBOURG, ONTARIO, particularly described 142 ORR STREET, COBOURG, ONTARIO, particularly described as Part of Lot 14, BLOCK H ON CADDY PLAN, BEING PART 2 ON PLAN 39R-11472; COBOURG, PART OF PIN 51092-0167;

**AND WHEREAS** the Municipality represents that it is the owner of the lands described as Road Allowance – ORR STREET PL CADDYCOBOURG; COBOURG being all of PIN 51092-0099 (LT) (hereinafter referred to as the “Encroachment Lands”); and

**AND WHEREAS** Consent Applications B-08-21 through B-13-21 were approved by the Committee of Adjustment at their meeting on September 14, 2021. As a condition of the decisions, the Owner is required to enter into an Encroachment Agreement with the Town to recognize the existing structures in the road allowance.

**NOW THEREFORE BE IT RESOLVED THAT** the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Mayor and Clerk are authorized to sign, on behalf of the Municipality, the Encroachment Agreement with Tasco Venture Management Inc for the property located at 142 Orr Street, Cobourg.
2. THAT the Agreement shall be attached to this By-law as Schedule “A”.
3. That this Agreement shall be registered against the lands legally described as 142 ORR STREET, COBOURG, ONTARIO, particularly described as Part of Lot 14, BLOCK H on Caddy Plan, being Part 2 on Plan 39R-11472; COBOURG, PART OF PIN 51092-0167
4. THAT all costs for the preparation and registration of this Agreement are to be paid by Tasco Venture Management Inc.
5. THAT the Clerk and/or Mayor, as may be required, are authorized to execute whatever further documents as may be required to effect the Agreement described in Section 1 of this By-law.
6. THAT passage of this By-law shall be deemed to include authorization to legal counsel to register this Agreement, in the appropriate Land Titles Office or Land Registry Office without further written authorization.

7. THAT this By-law shall come into effect on its passing.

Read and finally passed in Open Council on this 11<sup>th</sup> day of April 2023.

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MAYOR

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MUNICIPAL CLERK

APPENDIX “A”

Encroachment Agreement

142 Orr Street Cobourg