

G48939

THIS INDENTURE made the 1<sup>st</sup> day of June, in the  
year of Our Lord One Thousand Nine Hundred and Seventy-  
EIGHT. W: 78 954896 1653

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**ВЪТВЪРН:**

DONATO IORIO, Millworker, and  
CARMEN IORIO, Housewife, of Post Office  
Box 347, Lake Cowichan, in the Province  
of British Columbia, as Joint Tenants  
(hereinafter called the "Grantor")

(hereinafter called the "Grantor")

## OF THE FIRST PART

AND: - .

THE CORPORATION OF THE VILLAGE OF  
LAKE COWICHAN, of Lake Cowichan,  
in the Province of British Columbia,  
(hereinafter called the "Grantor")

(hereinafter referred to as "Finance")

## OF THE SECOND PART

WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada now paid by the Grantee to the Grantor (the receipt whereof is hereby acknowledged) the Grantor does hereby grant and convey to the Grantee, its successors and assigns, the right, at any time, to enter upon the lands hereinafter described, for the purpose of laying down and constructing a sanitary sewer for the passage and carriage of sewage in, under, through over and upon the said lands and for every such purpose the Grantee shall have access to the said lands, and of keeping and maintaining the said sanitary sewer at all times in good condition and repair; and for every such purpose the Grantee shall have access to the said lands at all times, by its agents, servants, employees and workmen, with or without equipment and machinery.

THE GRANTEE covenants and agrees with the Grantor as follows:

That all damage caused by the laying, operating, maintaining,  
repairing or removing the said sanitary sewer by the  
Grantee shall be paid by the Subscribers for term 27.

Date July 1, 1961 Name of defendant Robert C. Gandy  
Def. Attala County Sheriff M. No. 100-10000  
Phone (662) 226-1111 Box 373, L. F. Johnson Bldg., B. C.  
Registration of C.I. RR 262, Phoenix 744-5438

- 2 -

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2. That the surface of the said ground shall be restored to its original condition as much as is reasonably possible as soon as any maintenance or repairs as aforesaid have been completed;
  3. That all maintenance and repairs shall be completed by the Grantee with due dispatch.

THE GRANTOR covenants and agrees with the Grantee not to build or to locate any structure of whatever kind on the said lands that would curtail or prevent the Grantee's access to the sanitary sewer or allow anything to be done which, in the opinion of the Grantee would be hazardous to the said sanitary sewer.

THE COVENANTS herein contained shall be covenants running with the land and shall be perpetual and the easement hereby granted shall be perpetual.

THE GRANTOR will if so requested by the Grantee execute such further and other documents of title in respect of the said easement hereby granted as may reasonably be requisite.

The lands AFFECTED by this Easement are:

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the Cowichan Assessment District, in the Province of British Columbia, and more particularly known and described as:

All that part of Lot B, Block 37, Plan 1231, District Lot 12, Cowichan Lake District, lying to the northwest of a straight line and said straight line produced drawn parallel to and perpendicularly distant 10.0 foot southeasterly from the northwest boundary thereof, and lying to the northeast of a straight line and said straight line produced drawn parallel to and perpendicularly distant 60.0 foot southwesterly from the northeast boundary of the said lot B.

• 3 •

THIS AGREEMENT shall ensue to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Indenture.

SIGNED, SEALED AND DELIVERED  
by DONATO TORIO in the presence of:

GORDON R. LOUETT  
NOTARY PUBLIC  
BOX 375 LAKE COWICHAN, B.C.

SIGNED, SEALED AND DELIVERED  
by CARMEN TORIO in the presence of:

GORDON R. LOUETT  
NOTARY PUBLIC  
BOX 375 LAKE COWICHAN, B.C.

THE CORPORATE SEAL OF THE CORPORATION OF THE VILLAGE OF LAKE COWICHAN WAS HERETO AFFIXED IN THE PRESENCE OF:

Carmen

Gordon

Donato