The Chief Administrative Officer approved the following recommendation:

**CAO4235 AMENDMENT**
**AMENDMENT APPROVED – November 9, 2017**

An amendment has been requested to extend the expiry date of the consent to enter to December 31, 2017.

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 a permanent utility easement in favour of EnWin Utilities Ltd. on the following terms and conditions:

   a) **GRANTEE:** EnWin Utilities Ltd.  
      787 Ouellette Avenue  
      Windsor, ON N9A 5T7  
      (the “Grantee”)

   b) **EASEMENT:** An approximate 3.0 m (9.84 ft) by 77.7 m (255 ft) permanent utility easement in favour of EnWin Utilities Ltd. for underground electrical cables through Jennifer Park at or near the southerly limit of the property, legally described as Part Lot 92, Concession 2, Sandwich East, to be designated on a new reference plan of survey (the “Lands”), the approximate location of which is shown on the aerial diagram attached as Appendix B

   c) **EASEMENT PRICE:** $5,020 (plus HST), to be credited to 151-6940-5010-02942-0229611 (Parkland Acquisition Fund), plus document preparation costs of $200.00 (plus HST) and registration costs of approximately $75.00 to be credited to 001-6650-5121-02942-0125230

   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. The Grantee will restore the Lands, and any other City owned Park lands affected by the installation of its works, to a condition satisfactory to the Corporate Leader of Parks, Recreation, Culture and Facilities or designate acting reasonably.

II. **THAT APPROVAL BE GIVEN** pursuant to Delegation of Authority Bylaw 208-2008, Section 1.30 (b) “City as Grantor” Licenses, Easements (permanent and temporary).
The Chief Administrative Officer approved the following recommendation:

temporary) and Consents to Enter (Appendix A), to the granting of a consent to enter in favour of EnWin Utilities Ltd. on the following terms and conditions:

a) That the Consent to Enter is provided to the Grantee and its employees, contractors, agents, and assigns to enter upon a portion of the lands known as Jennifer Park, described as Part Block 16, Plan M172, Part Lot 92, Concession 2 and Part of Parts 1 and 2 on Plan 12R-1958, being Part of PINs 01344-0251 (LT), 01344-0405 (LT) and 01344-0800 (LT), respectively, the approximate location of which is shown on the aerial diagram attached as Appendix B (the “Lands”);

b) The term of the agreement shall be from October 2, 2017 to November 10, 2017

c) The Grantee and/or its contractors, subcontractors, agents, employees and assigns will enter the Lands for the purpose of installing underground electrical cables;

d) Access to the Lands will be from Brookview Crescent, Alderbrook Drive and Jennifer Drive;

e) The Grantee agrees that, upon completion of the installation of its infrastructure, any disturbance of the Lands resulting from its occupation will be restored at its own costs to the satisfaction of the Corporate Leader of Parks, Recreation, Culture and Facilities or designate acting reasonably;

f) The Grantee will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the Manager of Risk and Insurance:

- $5,000,000 Commercial General Liability coverage with “The Corporation of the City of Windsor” listed as an additional insured and cross-liability coverage
- Automobile liability insurance in respect of those owned or leased vehicles used directly or indirectly in the performance of the work with a limit of liability of not less than two million dollars ($2,000,000) for each and every loss
- 30 days notice of cancellation

Or as such requirements may be amended, restated and/or supplemented by the Manager of Risk and Insurance from time to time
CAO APPROVAL NOTICE

The Chief Administrative Officer approved the following recommendation:

III. 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, in technical content to the Corporate Leader of Parks, Recreation, Culture and Facilities and in financial content to the Chief Financial Officer and City Treasurer 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.

CAO4235
APPROVED – October 23, 2017

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 a permanent utility easement in favour of EnWin Utilities Ltd. on the following terms and conditions:

a) GRANTEE: EnWin Utilities Ltd.
   787 Ouellette Avenue
   Windsor, ON N9A 5T7
   (the “Grantee”)

b) EASEMENT: An approximate 3.0 m (9.84 ft) by 77.7 m (255 ft) permanent utility easement in favour of EnWin Utilities Ltd. for underground electrical cables through Jennifer Park at or near the southerly limit of the property, legally described as Part Lot 92, Concession 2, Sandwich East, to be designated on a new reference plan of survey (the “Lands”), the approximate location of which is shown on the aerial diagram attached as Appendix B

c) EASEMENT PRICE: $5,020 (plus HST), to be credited to 151-6940-5010-02942-0229611 (Parkland Acquisition Fund), plus document preparation costs of $200.00 (plus HST) and registration costs of approximately $75.00 to be credited to 001-6650-5121-02942-0125230

d) TERMS & CONDITIONS:

3. 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.
The Chief Administrative Officer approved the following recommendation:

4. The Grantee will restore the Lands, and any other City owned Park lands affected by the installation of its works, to a condition satisfactory to the Corporate Leader of Parks, Recreation, Culture and Facilities or designate acting reasonably.

II. 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 a consent to enter in favour of EnWin Utilities Ltd. on the following terms and conditions:

   g) That the Consent to Enter is provided to the Grantee and its employees, contractors, agents, and assigns to enter upon a portion of the lands known as Jennifer Park, described as Part Block 16, Plan M172, Part Lot 92, Concession 2 and Part of Parts 1 and 2 on Plan 12R-1958, being Part of PINs 01344-0251 (LT), 01344-0405 (LT) and 01344-0800 (LT), respectively, the approximate location of which is shown on the aerial diagram attached as Appendix B (the “Lands”);

   h) The term of the agreement shall be from October 2, 2017 to November 10, 2017;

   i) The Grantee and/or its contractors, subcontractors, agents, employees and assigns will enter the Lands for the purpose of installing underground electrical cables;

   j) Access to the Lands will be from Brookview Crescent, Alderbrook Drive and Jennifer Drive;

   k) The Grantee agrees that, upon completion of the installation of its infrastructure, any disturbance of the Lands resulting from its occupation will be restored at its own costs to the satisfaction of the Corporate Leader of Parks, Recreation, Culture and Facilities or designate acting reasonably;

   l) The Grantee will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the Manager of Risk and Insurance:

   - $5,000,000 Commercial General Liability coverage with “The Corporation of the City of Windsor” listed as an additional insured and cross-liability coverage
The Chief Administrative Officer approved the following recommendation:

- Automobile liability insurance in respect of those owned or leased vehicles used directly or indirectly in the performance of the work with a limit of liability of not less than two million dollars ($2,000,000) for each and every loss
- 30 days notice of cancellation

Or as such requirements may be amended, restated and/or supplemented by the Manager of Risk and Insurance from time to time

III. 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, in technical content to the Corporate Leader of Parks, Recreation, Culture and Facilities and in financial content to the Chief Financial Officer and City Treasurer 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.

SR/12827

APPENDICES:
Appendix A - Delegation of Authority By-Law Number 208-2008
Appendix B - Aerial Diagram of Subject Property showing Required Easement and Lands subject to the Consent to Enter

Internal Distribution
Lease Administrator
Manager of Real Estate Services
Corporate Leader of Parks, Recreation, Culture and Facilities
City Solicitor
City Treasurer
Chief Administrative Officer

External Distribution