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## CAO APPROVAL

The Chief Administrative Officer approved the following recommendation:

**Report Number: CAO 54/2022**

**Approved: March 7, 2022**

- 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:** 1,195 m<sup>2</sup> (12,862.5 sq ft) permanent utility easement in favour of the Grantee for hydro poles, overhead lines and guy wires (the "**Hydro Infrastructure**") at 3485 Wheelton Drive, legally described as Parts 2 and 9 on Plan 12R-25926 (the "**Easement Lands**") and shown in Appendix B.
  - c) **PRICE:** \$1.00, plus registration costs of approximately \$124.57 (plus HST) to be paid by The Corporation of the City of Windsor (the "**City**").
  - 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 and restoration costs;
    2. Even though the Hydro Infrastructure may become annexed or affixed to the Easement Lands, title to the Hydro Infrastructure shall nevertheless remain with the Grantee;



## OFFICE OF THE CITY CLERK COUNCIL SERVICES

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3. The Grantee shall indemnify and save the City harmless from all actions, causes of actions, suits, claims and demands of every nature and kind whatsoever which may be made against the City relating to or arising out of the placement of the Hydro Infrastructure by the Grantee and for which the City, in law, is responsible;
  4. In the event the Grantee needs to enter the Easement Lands for the purpose of maintaining, repairing or replacing the Hydro Infrastructure, the Grantee will restore the Easement Lands to a condition satisfactory to the Director of Operations – Windsor Airport or designate acting reasonably; and,
- II. THAT the transaction **BE COMPLETED** electronically, where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction, as required, and that the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction.

Report Number: CAO 54/2022  
Clerk's File: APM2022

*Anna Ciacelli*

Deputy City Clerk/Supervisor of Council Services  
March 7, 2022

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