

BY-LAW NO. 305

A By-law to provide for *draining part of the township of Sandwich East by the construction of the O'Connell Creek drain and repairing and improving Part of the Sullivan Creek drain* in the Township of *Sandwich East*, and for borrowing on the credit of the Municipality, the sum of *three thousand and ^{eleven} ~~over~~ dollars* for completing same.

Whereas a majority in number of the Owners as shown by the last revised Assessment Roll of the property hereinafter set forth to be benefited by the construction of the O'Connell Creek drain have petitioned the Council of the said Township of Sandwich East praying that they would construct a drain on the East Side of the 9th Concession Road across Lots 3 & 4. Thence West through Lot 4 to the centre of the Swamp. Thence North to the Talbot Road lots. Thence Northerly near and along Sullivan Creek to a sufficient Outlet. under the provisions of the Municipal Act Sections "567 to 610"

and Whereas *Joseph Berry and others* - , interested parties have notified the council of the said municipality, that the said *Sullivan Creek drain* was so badly out of repair as to cause damage to their lands ;

And whereas the said drain has become filled up, obstructed and out of repair, and it is necessary to clean out, repair and improve the same, so as to properly maintain the same and enable it to carry off the waters which it was originally designed to carry off, and to prevent damage to the adjacent lands,

And whereas, thereupon the said Council procured an examination to be made by *a J. Haeferd* being a person competent for such purpose, of the said drain proposed to be repaired and improved, and has also procured plans and estimates of the work to be made by the said *a J. Haeferd* - and an assessment to be made by him of the real property to be benefited by such drainage, stating, as nearly as he can, the proportion of benefit which, in his opinion, will be derived in consequence of such drainage by every road and lot or portion of lot the said assessment so made, being the assessment hereinafter in this By-Law enacted to be assessed and levied upon the lots and Parts of Lots hereinafter in that behalf specially set forth and described, and the report of the said *a J. Haeferd* and of the said drainage in respect thereof, and of the said repairs and improvements, being as follows :

In compliance
with your instructions I have made an examination of the locality described in the petition of *James McCarthy and others* and have laid out the drain asked for in said petition and beg leave to report thereon :

The drain extends across Lots 3 & 4 on the East Side of the 9th Concession Road. Thence West on the centre of Lot 4 about 90 rods. Thence North through the Swamp about to the Road in Rear of Lots 298 & 299, Thence North East on this line to the line between the North and South halves of the North Talbot Road Range. Thence East to the Creek. Thence Northerly near and along the creek to the centre of the 10th Concession. From this point north the petition of *Joseph Berry and others* asks to have the Creek repaired and improved.

It is necessary that the drain be cleaned out, straightened and enlarged to the size given in the accompanying Plans. as in its present condition it is entirely insufficient to carry off the water it was designed to carry off

and instead of improving it is a damage to the land? adjoining it. The work of repair and improvement will require to extend to Pike Creek drains. Before any drains were constructed in this locality the water used to join Pike Creek on lot 14. The Sullivan Creek. now joins Pike Creek on lot 18. On the south line of lot 14 the creeks are only 120 rods apart. The Bottom of Pike Creek is 3 feet below the bottom of Sullivan Creek.

I would strongly urge the advisability of constructing a new outlet on the line between lots 13 & 14 in the 11th concession. Here it will be more easily be maintained & is less liable to damage the adjoining lands. The cost too will be about \$600⁰⁰ less than on the old course. If the New Outlet is constructed the drain as it now stand. will be sufficient for lots. 14, 15, 16 & 17.

My estimate of the cost of the work (all expenses included) is \$300⁰⁰.

This drain should be kept in repair. at the expense of the Land and Roads now assessed for its construction. each Lot and Road. to contribute toward the cost of such Repair. in the same relative proportion as here in assessed. Unless the Engineer in charge of such Repairs deems it advisable to change such proportions.

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Accompanying you will find Plans & Specifications of the work and a detailed estimate of the cost. Also a schedule of assessments, showing the amount charged against each lot and part of lot and the Road. which will be benefited by the drain.

drainage and.

whereas, the said Council are of opinion that the said repairs and improvements are desirable and necessary, and that the same are so extensive that it is inexpedient to levy the whole amount of the cost thereof in one year.
Be it therefore enacted by the said Municipal Council of the said Township of Sandwich East pursuant to the provisions of "The Municipal Act."

1st. That the said report, plans and estimates be adopted, and the said repairs and improvements, and the works connected therewith be made and constructed in accordance therewith.

2nd. That the Reeve of the said Township may borrow on the credit of the Corporation of the said Township of Sandwich East the sum of \$3000⁰⁰ being the funds necessary for the work, and may issue debentures of the Corporation to that amount, in sums of not less than \$100 each, and payable within ten years from the date thereof, with interest at the rate of 5 per centum per annum, that is to say, in annual payments of such amounts respectively that the aggregate amount payable for both principal and interest combined in any year shall be equal, as nearly as may be, to what is payable for both principal and interest combined, during each of the year's during which the said debentures have to run, such debentures to be payable at The Bank of Commerce at Windsor Ontario and to have attached to them coupons for the payment of interest.

3rd. That for the purpose of paying the sum of \$2200⁰⁰, being the amount charged against the said lands so to be benefited as aforesaid, other than belonging to the municipality, and to cover interest thereon for 10 years at the rate of 5 per centum, the following special rates, over and above all other rates, shall be assessed and levied (in the same manner and at the same time as taxes are levied) upon the undermentioned lots and parts of lots, and the amount of the said special rates and interest assessed as aforesaid against each lot or part of lot respectively shall be divided into 10 equal parts and one such part shall be assessed and levied as aforesaid in each year for 10 years after the final passing of this by law, during which the said debentures have to run.

Engineer's Assessment.

Amount to be Raised.

CONCESSION.	DESCRIPTION OF PROPERTY.		Value of Improvement.	To cover Interest for 10 years at 5 per Cent.	Total Special Rate.	Annual Assessment in each year for 10 years.
	LOT OR PART OF LOT ASSESSED.	AREA IN ACRES.				
8 ⁴ / ₄	9 ⁴ / ₄ W 1/2	3	95 130 ⁰⁰	19 00	169 00	1690
	S W 1/4	4	50 70 ⁰⁰	21 00	91 00	910
	N W 1/4	4	50 66 ⁰⁰	19 50	82 50	825 ⁰⁰ - 845
	W pt	5	42 21 ⁰⁰	6 80	27 80	278
	S E 1/4	3	50 40 ⁰⁰	12 00	52 00	520
	N E 1/4	3	50 40 ⁰⁰	12 00	52 00	520
	E pt S 1/2	4	55 65 ⁰⁰	19 50	84 50	845 ⁰⁰ - 845
	E pt N 1/2	4	55 70 ⁰⁰	22 50	97 50	975
	E pt S W 1/4	5	20 10 ⁰⁰	3 ⁰⁰	13 ⁰⁰	130
	E pt N W 1/4	5	20 10 ⁰⁰	3 ⁰⁰	13 ⁰⁰	130
S.7.R	S E 1/4	5	45 62 ⁰⁰	18 60	80 60	806
	N E 1/4	5	60 66 ⁰⁰	19 50	82 50	825 ⁰⁰
	E pt	6	25 30 ⁰⁰	9 ⁰⁰	39 ⁰⁰	390
	E pt S 1/2	299	60 80 ⁰⁰	24 ⁰⁰	104 ⁰⁰	1040
	N 1/2	299	100 95 ⁰⁰	28 50	123 50	1235 ⁰⁰
	W pt S 1/2	297	10 5 ⁰⁰	1 50	6 50	65 ⁰⁰
	W pt S 1/2	298	40 80 ⁰⁰	24 ⁰⁰	104 ⁰⁰	1040
	W 1/4 N 1/2	298	25 30 ⁰⁰	9 ⁰⁰	39 ⁰⁰	390
	E 1/2 N W 1/4	298	25 12 ⁰⁰	3 60	15 60	156

65 40 Revision

OR PART OF LOT ASSESSED.	AREA IN ACRES.	Value of Improvement.		To cover Interest for years at per cent.		Total Special Rate.	Annual Assessment in each year for years.
		\$		\$		\$	\$
1 1/4	300	25	12 00	3 60	15 60	1 66	
pt	300	22	10 00	3 00	13 00	1 30	
pt	300	32	15 00	4 50	19 50	1 95	
pt	299	33 1/2	15 00	4 50	19 50	1 95	
1/2 W 1/2 S 1/2	299	33 1/2	15 00	4 50	19 50	1 95	
1/3 S 1/2	299	33 1/2	35 00	10 50	45 50	4 55	
1/3	298	65	65 00	19 50	84 50	8 45	
1/3	298	65	26 00	7 80	33 80	3 38	
pt 1/3	298	35	12 00	3 60	15 60	1 56	
pt W 1/4	297	30	10 00	3 00	13 00	1 30	
1/4	299	45	25 00	7 50	32 50	3 25	
1/2 N 1/2	299	50	20 00	6 00	26 00	2 60	
W pt 1/2	10	30	15 00	4 50	19 50	1 95	
1/2	10	35	35 00	10 50	45 50	4 55	
1/2	11	100	28 00	8 00	36 00	3 60	
S 1/4	12	50	12 00	3 60	15 60	1 56	
N 1/4	12	50	12 00	3 60	15 60	1 56	
S 1/2	13	40	10 00	3 00	13 00	1 30	
N pt S 1/4	13	10	3 00	90	3 90	39	
N 1/4	13	50	12 00	3 60	15 60	1 56	
1/2	14	100	24 00	7 20	31 20	3 12	
1/2	15	100	24 00	7 20	31 20	3 12	
1/2	16	130	7 00	2 10	9 10	91	
W pt	9	10	4 00	1 20	5 20	52	
W pt 1/2	10	20	7 00	2 10	9 10	91	
S W 1/2	10	33	13 00	3 90	16 90	1 69	
1/2 W 1/3	10	66	38 00	11 40	49 40	4 94	
W 1/4	11	50	48 00	13 50	61 50	6 15	
1/2 1/4	11	75	25 00	7 50	32 50	3 25	
N 1/2 1/4	11	75	25 00	7 50	32 50	3 25	
S pt 1/2	12	75	76 00	22 50	97 50	9 75	
S W 1/4	12	50	45 00	13 50	58 50	5 85	
N W 1/4	12	50	25 00	7 50	32 50	3 25	
N 1/8	12	25	25 00	7 50	32 50	3 25	
1/2	13	80	76 00	22 80	98 80	9 88	
S pt W 1/2	13	75	18 00	5 40	23 40	2 34	
N W 1/8	13	25	6 00	1 80	7 80	78	
S W 1/4	14	50	12 00	3 60	15 60	1 56	
1/2 W 1/4	14	25	6 00	1 80	7 80	78	
N W 1/8	14	25	6 00	1 80	7 80	78	

by Ct Review

Engineer's Assessment.

Amount to be Raised.

CONCESSION	DESCRIPTION OF PROPERTY.		Value of Improvement.	To cover Interest for years at per cent.	Total Special Rate.	Annual Assessment in each year for years.
	LOT OR PART OF LOT ASSESSED.	AREA IN ACRES.				
10 ^{1/4}	S & pt	14	30	8 ⁰⁰	2 40	10 40
	N & pt	14	40	17 ⁰⁰	5 10	22 10
	S & 1/4	15	50	12 ⁰⁰	3 60	15 60
	N & 1/4	15	50	12 ⁰⁰	3 60	15 60
	S & 1/4	15	50	12⁰⁰	3 60	15 60
	N & 1/4	15	50	12⁰⁰	3 60	15 60
	E 1/2	16	50	10 ⁰⁰	3 00	13 00
11 ^{1/4}	N W pt	12	20	10 ⁰⁰	3 00	13 00
	S & pt	13	40	30 ⁰⁰	8 ⁰⁰	39 ⁰⁰
	N & pt	13	65	45 ⁰⁰	13 50	58 50
	S pt	14	50	45 ⁰⁰	13 50	58 50
	N pt	14	29	18 ⁰⁰	5 40	23 40
	N pt	14	57	34 ⁰⁰	10 20	44 20
	N pt	14	30	17 ⁰⁰	5 10	22 10
	S pt	15	20	11 ⁰⁰	3 30	14 30
	N pt	15	45	25 ⁰⁰	7 60	32 60
	N pt	15	100	50 ⁰⁰	15 00	65 00
		16	100	50 ⁰⁰	15 00	65 00
	S 1/2	17	100	25 ⁰⁰	7 50	32 50
Michigan Central Railway Land?		20	20 00	6 ⁰⁰	2 60	2 60
Talbot Street Gravel Road			45 ⁰⁰	13 50	58 50	5 85
Total - -			2202	660 60	2862 60	8286 25
			2274 00	644 20	2878 20	8287 82
On 9 ^{1/4} Concession Road						
" 10 ^{1/4} " "						
" 11 ^{1/4} " "			809	242 70	1051 70	105 18
" South Talbot Road			777 00	239 10	1036 70	103 64
" North " "						
" Barrett Side Road						
Total on Land & Road?			3011 ⁰⁰	903 30	3914 30	391 43