

**THE CORPORATION OF THE
TOWNSHIP OF EAST ZORRA-TAVISTOCK
COUNTY OF OXFORD
JOHN A KING AND WALTON DRAIN
BY-LAW #2010-9**

BEING a by-law to provide for drainage works in the Township of East Zorra-Tavistock, in the County of Oxford.

WHEREAS the requisite number of owners have petitioned the Council of the Township of East Zorra-Tavistock in the County of Oxford in accordance with the provisions of The Drainage Act, R.S.O. 1990, requesting that the following lands and roads be drained by a drainage works serving the area of:

Concessions 14 & 15, Lots 18, 19, 20, 21

AND WHEREAS the Council of the Township of East Zorra-Tavistock in the County of Oxford has procured a report by Mr. Kenn Smart of the firm of K. Smart & Associates Ltd. of Kitchener, Ontario and the report, as previously circulated, shall be attached hereto and form part of this by-law;

AND WHEREAS the estimated total cost of constructing the drainage works is \$451,800.00;

AND WHEREAS the Council is of the opinion that drainage of the area is desirable;

THEREFORE the Council of the Township of East Zorra-Tavistock, pursuant to The Drainage Act, R.S.O. 1990, ENACTS AS FOLLOWS:

1. The report dated January 22, 2010 is hereby adopted and the drainage works as therein set forth is hereby authorized, and shall be completed in accordance therewith.
2. (1) The Corporation of the Township of East Zorra-Tavistock may borrow on the credit of the Corporation the amount of \$451,800.00 being the amount necessary for construction of the drainage works.

- (2) The Corporation may arrange for the issue of debentures in the name of the County of Oxford for the amount borrowed less the total amount of
 - (a) grants received under Section 85 of The Act;
 - (b) commuted payments made in respect of lands and roads assessed within the municipality;
 - (c) moneys paid under Subsection 61(3) of The Act; and
 - (d) moneys assessed in and payable by another municipality

and such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at the prevailing rates at the time the said debenture is sold by the County of Oxford.

- 3. For paying the amount of \$422,176.00 being
 - (a) the amount assessed upon the lands and roads in the Township of East Zorra-Tavistock, except the lands and roads belonging to or controlled by the Municipality and
 - (b) the amount required to pay interest on the portion of the amount borrowed represented by the amount in Clause (a)

Less the total amount of

- (c) grants under Section 85 of The Act
- (d) commuted payments made in respect of the lands and roads assessed

- 4. For paying the amount of \$29,624.00 being
 - a) the amount assessed upon the lands and roads belonging to or controlled by the Municipality
 - b) the amount required to pay interest on the portion of the amount borrowed represented by the amount in Clause (a)

A special rate shall be levied upon lands and roads as set forth in "Schedule of Assessments" to be collected in the same manner and at the same time as other taxes are collected.

The amount of the special rate levied upon each parcel of land or part thereof shall be divided into five (5) equal amounts and one such amount shall be collected in each year for five (5) years after the passing of this by-law.

- 5. This by-law shall come into force on the passing thereof, and may be cited as the JOHN A KING AND WALTON DRAIN.

READ A FIRST AND SECOND TIME THIS 3RD DAY OF FEBRUARY 2010.



Jeff Carswell, Clerk



Don McKay, Mayor

READ A THIRD TIME AND FINALLY PASSED THIS 7TH DAY OF APRIL, 2010.



Jeff Carswell, Clerk



Don McKay, Mayor

**NOTICE OF COURT OF REVISION
JOHN A KING AND WALTON DRAIN**

You are hereby advised that the Drainage Court of Revision for the JOHN A KING AND WALTON DRAIN will be held on Wednesday, March 3, 2010 in the Council Chambers, Hickson, Ontario at 11:00 a.m. Any owner may appeal his/her assessment to the Court of Revision by giving written notice to the undersigned on or before Friday, February 19, 2010 at 4:30 p.m.

Jeff Carswell, C.A.O.
Township of East Zorra-Tavistock
Hickson, Ontario N0J 1L0

Also take notice that in accordance with The Drainage Act any owner or public utility affected by the drainage works, if dissatisfied with the report of the Engineer on the grounds that:

- (a) the benefits to be derived from the drainage work are not commensurate with the estimated cost thereof;
- (b) the drainage works should be modified on the grounds to be stated;
- (c) the compensation or allowances as provided by the Engineer are inadequate or excessive;

may appeal to the Tribunal. In every case, a written notice of appeal shall be served upon the Council of the initiating municipality within forty (40) days after the mailing of this notice.

DATED: February 4, 2010