

Smith, Albert File
Dated Decenber 1937

ALBERT E. SMITH

and

. S ' S No 11, HALDIMAND TWP

LEASE of WELL PROPERTY

I certify that the within instrument is duly
entered and registered in the Registry Office for
the Registry Division of the West Riding of the
County of Northumberland, in Book 4
for the Township of Halldimand
at 12:15 o'clock P. M. of the 17
day of June A.D. 1938
Number 15-820

Clive Paul Dep REGISTRAR



Cobourg Public Library

THIS INDENTURE made in duplicate the 29th day
of December A.D. 1937

BETWEEN:-

ALBERT E. SMITH of the Township of Haldimand in
the County of Northumberland, farmer (herein-
after called the Lessor),

Of the FIRST PART

-and-

SCHOOL SECTION No. 11 of the said Township of
Haldimand (hereinafter called the Lessees),

Of the SECOND PART,

WITNESSETH that in consideration of the covenants
and agreements hereinafter reserved and contained by the
Lessees to be observed and performed, the Lessor hereby
demises and leases unto the Lessees all that certain par-
cel or tract of land situate, lying and being in the Town-
ship of Haldimand in the County of Northumberland, and being
that part of the south half of Lot Number 28 in the Fourth
Concession of the Township of Haldimand across the road from
and to the south of the school known as School Section No. 11,
enclosed by a fence, and on which enclosure there is a well.

TO HAVE AND TO HOLD unto the Lessees for and during
the term of Ninety-nine years from the date hereof; the said
well to be used for the purpose of supplying water for the
said school known as School Section No. 11, and for no other
purpose, except as hereinafter set out. With free access to
and from the said well at all times.

RESERVING to the Lessor or any members of his
family full use of said well at such times as there is a
sufficient supply of water from the said well for all parties
hereto.

The said Lessees to keep pump and well on said property
in repair.

PROVIDED, that if at anytime during the said term the
school known as School Section No. 11 ~~the~~ is closed permanently
and is not replaced by a school to which the said well would
be of any benefit the Trustees or other parties acting for
said School Section No. 11 shall assign to the said Lessor,
his heirs, executors, administrators or assigns all the
interest of said School Section No 11 in the land hereinbefore
described; it being the intention and understanding of all
parties concerned that the said well is to be used for school
purposes only.

THE said Lessor covenants with the Lessees that he had
good right and full power to grant, demise and lease the said
lands, rights and privileges unto the Lessees in the manner
aforesaid, notwithstanding any act of the Lessor or any other
person whomsoever.

AND it is hereby declared and agreed that these presents
and everything herein contained shall ~~as~~ respectively enure to
the benefit of and be binding upon the parties hereto, their
heirs, executors, administrators and assigns respectively.

IN WITNESS WHEREOF the said parties hereto have hereunto
set their hands and seals the day and year first above written.

SIGNED, SEALED and DELIVERED

in the presence of

A. E. Smith

Grant Massey

John W. Cink
Trustees S.S. Noll

Stuart, A. Nelson

PROVINCE OF ONTARIO
COUNTY of
NORTHUMBERLAND
To Wit:

I *Stuart Nelson* of the Township
of Haldimand in the County of North-
umberland, *James* make oath
and say:

1- THAT I was personally present and did see the within
instrument and duplicate thereof duly signed, sealed
and executed by *Ed Smith Frank Murray*
and John Wood the parties thereto.

2- THAT the said Instrument and duplicate were executed
at the Township of Haldimand.

3- THAT I know the said parties.

4- THAT I am a subscribing witness to the said Instrument
and duplicate thereof.

SWORN before me at the *Im*
of *Cowby* in the County of
Northumberland this *12* day
of *June* December A D 1937.

Stuart, J. Nelson

Kevin L. Haffey
A ~~Commiss~~ *Notary Public*