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2

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 98-62

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE WOODBURN COTTAGE, 4918 KING STREET, IN PART OF LOT 174, ON CORPORATION PLAN NO. 3, FORMER TOWN OF BEAMSVILLE, NOW TOWN OF LINCOLN, AS BEING A STRUCTURE OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS:

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, authorizes the Council of the municipality to enact by-laws to designate real property including all buildings and structures thereon to be of architectural or historical value or interest.
2. The Council of the Corporation of the Town of Lincoln has caused to be served on the owners of the lands and premises known as 4918 King Street, in the Town of Lincoln, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the Lincoln Post Express, a newspaper having general circulation in the municipality once in its publication of June 24th, 1998.
3. The reasons for the designation are set out in Schedule "B" attached hereto, and forming part of this by-law.
4. No notice of objection to the proposed designation has been served on the Clerk of the municipality.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value or interest the real property known as the Woodburn Cottage, 4918 King Street, Part of Lot 174, on Plan C.P.3, former Town of Beamsville, now Tow of Lincoln, more particularly described in Schedule "A" attached hereto, for the reasons as described in Schedule "B" attached hereto and forming part of this by-law.
2. The Municipal Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" attached hereto and forming part of this by-law.
3. The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the Lincoln Post Express, a newspaper having general circulation in the municipality.


BY-LAW read a FIRST time this 17th day of August, 1998.
BY-LAW read a SECOND time this 17th day of August, 1998.
BY-LAW read a THIRD time and FINALLY PASSED this 17th day of August, 1998.

ONTARIO HERITAGE TRUST

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MAYOR: RAY A. KONKLE


CLERK: KYLE S. KRUGER

3

SCHEDULE "A"

DESCRIPTION

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Town of Lincoln, in the Regional Municipality of Niagara and Province of Ontario, being formerly in the Town of Beamsville, in the County of Lincoln, and being composed of those parts of Lot 174 as shown on a compiled Plan registered in the Land Registry Office for the Registry Division of Niagara North as Corporation Plan No. 3 and being more particularly described as follows:

FIRSTLY:

COMMENCING at a point in the southerly boundary of King Street distant therein south 57 degrees and 30 minutes east a distance of 35.0 feet from the northeast angle of Lot 175 according to said Corporation Plan No. 3;

THENCE south 33 degrees and 46 minutes west, a distance of 568.3 feet to a point in the southerly boundary of said Lot 174;

THENCE south 58 degrees and 37 minutes east in the southerly boundary of said Lot 174, a distance of 267.9 feet more or less to the southeast angle of said Lot;

THENCE north 34 degrees and 08 minutes east in the easterly boundary of said Lot, a distance of 561.0 feet more or less to a point in the southerly boundary of King Street;

THENCE north 57 degrees and 30 minutes west in the southerly boundary of King Street, a distance of 272 feet more or less to the place of beginning.

TOGETHER WITH a right-of-way over that part of said Lot 174 which may be described as follows:

COMMENCING at a point in the southerly boundary of King Street distant therein south 57 degrees and 30 minutes east, a distance of 35.0 feet from the northeast angle of Lot 175 according to said Corporation Plan No. 3;

THENCE south 33 degrees and 46 minutes west in the westerly boundary of the above described parcel, a distance of 225.0 feet;

THENCE north 57 degrees and 30 minutes west, a distance of 6.0 feet;

THENCE north 35 degrees and 18 minutes east, a distance of 225.2 feet more or less to the place of commencement.

RESERVING THEREFROM to the owners of the property immediately adjoining to the west a right-of-way over that part of said Lot 174 which may be described as follows:

COMMENCING at a point in the southerly boundary of King Street distant therein south 57 degrees and 30 minutes east, a distance of 35.0 feet from the northeast angle of Lot 175 according to said Corporation Plan No. 3;

THENCE south 57 degrees and 30 minutes east in the southerly boundary of King Street, a distance of 9.0 feet;

THENCE south 35 degrees and 18 minutes west, a distance of 225.2 feet;

THENCE north 57 degrees and 30 minutes west, a distance of 3.0 feet to the westerly boundary of the above described parcel;

THENCE north 33 degrees and 46 minutes east, a distance of 225.0 feet more or less to the place of beginning.

SECONDLY:

COMMENCING at a point in the southerly boundary of King Street distant therein south 57 degrees and 30 minutes east, a distance of 35.0 feet from the northwest angle of said Lot 174;

THENCE south 33 degrees, 43 minutes west, a distance of 297.45 feet to a point which said point is the place of beginning of the herein described parcel;

THENCE south 33 degrees, 43 minutes west, a distance of 270.0 feet to the southerly boundary of said Lot 174;

(Description cont'd)

THENCE north 58 degrees, 49 minutes west along the southerly boundary of said Lot, a distance of 91.3 feet to the southwest angle thereof;

THENCE north 34 degrees, 12 minutes east along the westerly boundary of said Lot, a distance of 270.0 feet;

THENCE south 58 degrees, 53 minutes east, a distance of 89.0 feet more or less to the place of beginning.

PREMISING that the assumed astronomic bearing of the southerly boundary of King Street is north 57 degrees, 30 minutes west and all bearings herein are related thereto.

SAVE AND EXCEPT that part of Lot 174, Corporation Plan No. 3 designated as Part 1 on Reference Plan No. 30R-4356.

5

SCHEDULE "B"

REASONS FOR DESIGNATION

The land on which the house sits was originally deeded by Crown Patent to Jacob Beam in 1801. The house was built c.1834 for James B. Osborne, a merchant, postmaster and private banker who immigrated from Ayrshire, Scotland. A prominent member of the community, he gave land where Trinity United Church now stands and eventually turned property over to what became Mount Osborne Cemetery. He was also one of the founders of the Mechanics' Institute and a member of the local school board.

The name "Woodburn" is said to have derived from J.B.Osborne's second wife's family. The house remained in the family for three generations, being passed on to J.B.'s youngest son, E.B.Osborne, then to Janet (nee Osborne) Hayes, until it was sold in 1979 to barrister and music teacher Donald Bradbury and his wife, Elizabeth, R.N., who operated a satellite home for senior citizens here for 14 years. Since 1996, new owners [REDACTED] [REDACTED] have worked to transform the property into a bed and breakfast establishment.

The house is Regency Cottage in style, with many borrowed features from J.B.Osborne's native Scotland. Believed to be the first brick home in the village, it is most probably the work of architect and builder John G.Howard who was active throughout Upper Canada during this period. Built of flemish double stretcher bond red brick on top of a fieldstone foundation, the front façade features an impressive double-door with sidelights and a signature fan transom housed in an arched brick surround. Flanking the doorway are four large, shuttered windows, each with 12 panes and flat stone lintels on top. The hipped roof has double-flued, corbeled chimneys on each corner and is surmounted by a large belvedere.

The interior of the three front rooms have cornice moldings and wide baseboards throughout, while the entryhall features a mid-19th century rosette in the plaster ceiling. The fireplace mantelpieces in the dining room and sitting room adhere to the empire and greek revival styles respectively. An arched cutaway spans the length of the sitting room and original interior front window shutters are still intact. Etched into these windows are the initials of J.B.Osborne's daughters, Jessie and Bessie. The design of the basement rooms are consistent with the upstairs, and remarkably, a "dumbwaiter" still exists. The addition to the rear of the house was built approximately ten years later.

Document General

Form 4 — Land Registration Reform Act

D

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">FOR OFFICE USE ONLY</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 24px; font-weight: bold;">0746227</p> <p style="text-align: center;">CERTIFICATE OF REGISTRATION NIAGARA N. (30) ST. CATHARINES</p> <p style="text-align: center;">*98 SEP 28 AM 10 25</p> <p style="text-align: center;"><i>[Signature]</i> LAND REGISTRAR</p> <p>New Property Identifiers Additional: See Schedule <input type="checkbox"/></p> <p>Executions Additional: See Schedule <input type="checkbox"/></p>	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of 5 pages	
	(3) Property Identifier(s) Block Property	46106-0140 (R) Additional: See Schedule <input type="checkbox"/>	
	(4) Nature of Document	By-law 98-62	
	(5) Consideration	Dollars \$	
	(6) Description	Part Lot 174 Corporation Plan No.3 Town of Lincoln Regional Municipality of Niagara	
	(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

) This Document provides as follows:

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
THE CORPORATION OF THE TOWN OF LINCOLN BY ITS SOLICITOR STUART ELLIS	<i>Stuart Ellis</i>	1998 08 28

(11) Address for Service 4800 South Service Road, Beamsville, Ontario. L0R 1B1

(12) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D

) Address for Service

(14) Municipal Address of Property	(15) Document Prepared by: Stuart Ellis, Lampard, Ellis & Walsh, 51 Queen St., Box 338, St. Catharines, Ontario. L2R 6V5	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">Fees and Tax</th> </tr> <tr> <td style="width:50%;">Registration Fee</td> <td style="text-align: center;">50</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td> </td> </tr> </table>	Fees and Tax		Registration Fee	50			Total	
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