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THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 42-86

A BY-LAW TO DESIGNATE THE LANDS AND PREMISES KNOWN MUNICIPALLY AS 46 KING STREET, WEST, (HENLEY ARCADE) IN THE TOWN OF COBOURG IN THE PROVINCE OF ONTARIO.

WHEREAS The Ontario Heritage Act, R.S.O. 1980, Chapter 337, Section 29 authorizes the Council of a municipality to enact by-laws to designate real property including all buildings and structures thereon, to be of architectural and/or historical value or interest;

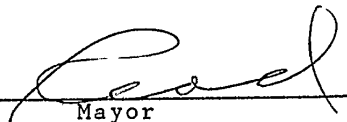
AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has caused to be served on the owners of the lands and premises known as 46 King Street, West (Henley Arcade) and upon such notice of intention to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed designation has been received;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT there is designated as being of architectural and historical value or interest the real property known as 46 King Street, West, (Henley Arcade) more particularly described in Schedule "A" hereto.
2. THAT a copy of this by-law together with the reasons for the designation be registered against the property described in Schedule "A" hereto in the land registry office.
3. THAT a copy of this by-law be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and that notice of the passing of this by-law be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

READ a first, second and third time and finally passed in Open Council this 28th day of April, 1986.


Mayor


Clerk

THE CORPORATION OF THE TOWN OF COBOURG

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SCHEDULE "A"

ALL THAT PORTION in the Town of Cobourg, in the County of Northumberland, in the Province of Ontario, being composed of parts of Lots 4 and 5, Block D, according to the Caddy Plan of the said Town being formerly part of Lot 17, Concession "A" and which said portion has an area of 1,714 square feet shown in heavy outline on plan of survey attached to Registered Instrument Number 64491 and being more particularly described as follows:

PREMISING that the Northerly limit of King Street has an astronomic bearing of North 82 degrees, 37 minutes, 40 seconds East and relating all bearings herein, thereto.

COMMENCING at a point in the northerly limit of King Street and which said point may be located as follows:

BEGINNING at the intersection of the northerly limit of King Street with the westerly limit of Division Street.

THENCE Westerly along the northerly limit of King Street the following described courses:

South 72 degrees, 25 minutes 20 seconds West 111.64 feet to a point.

South 83 degrees, 49 minutes 30 seconds West 273.62 feet to a point.

South 82 degrees, 37 minutes 40 seconds West 68.50 feet to the POINT OF COMMENCEMENT.

THENCE South 82 degrees, 37 minutes 40 seconds West along the northerly limit of King Street 12.0 feet to a point.

THENCE North 7 degrees, 36 minutes 30 seconds West 25.0 feet to a point.

THENCE South 82 degrees, 37 minutes 40 seconds West 4.0 feet to a point in the easterly face of each wall of a three storey brick building standing on the lands to the west of the herein described portion.

THENCE North 7 degrees, 36 minutes 30 seconds West along the easterly face of said wall 17.76 feet to an angle therein.

THENCE North 9 degrees, 23 minutes 10 seconds West along the easterly face of said east wall and its production 98.10 feet to a point.

THENCE North 89 degrees, 32 minutes East 12.0 feet to a survey monument.

THENCE South 9 degrees, 11 minutes 50 seconds East 96.50 feet to a point in the northerly face of north wall of three storey brick building standing on the herein described portion.

THENCE North 82 degrees, 51 minutes East along the northerly face of said north wall 4.0 feet to a point in the westerly face of west wall of three storey brick building standing on the lands to the east of the herein described portion.

THENCE South 8 degrees, 13 minutes 50 seconds East along the westerly face of said west wall and its production 43.06 feet to a point in the northerly limit of King Street and being the POINT OF COMMENCEMENT.

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SAVE AND EXCEPT that portion of vacant land at the rear of the hereinabove described building under Agreement of Sale to the Municipal Corporation of the Town of Cobourg by Agreement dated August 10th, 1971.

TOGETHER WITH a right-of-way to the Grantees and to any others lawfully entitled thereto to have access to and the use of the stairway leading from the front of the Grantors' land on King Street to the second floor of the building located on the herein described lands.

TOGETHER WITH THE right to the Grantees and/or their successors in title to have the second and third floors of the building located on the herein described lands over hang the said stairway by approximately four (4) feet.

TOGETHER WITH THE right to the Grantors and/or their successors in title to have the third floor fire exit attached to the said building located on the lands herein described and for the Grantees and/or their successors in title to have the said exit attached to the building located on the lands owned by the Grantors and lying immediately to the west of the herein conveyed lands.