Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

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166398

CERTIFICATE OF REGISTRATION
CERTIFICAT D'ENREGISTREMENT
WENTWORTH (62) HAMILTON

'93 10 12 15 34

LAND REGISTRAR (REGISTRATEUR)

(1) Registry [X] Land Titles [ ]

(2) Page 1 of 4 pages

(3) Property Identifier(s) Block Property

Additional: See Schedule [ ]

(4) Nature of Document

By-law

(5) Consideration

Dollars $

(6) Description

Part Lot 35, Concession 3 formerly in the Township of Ancaster, now in the Town of Ancaster, Regional Municipality of Hamilton-Wentworth and more particularly described in the Schedule attached hereto. As in Deed of Trust #C344 ANCASTER.

New Property Identifiers

Additional: See Schedule [ ]

Executions

Additional: See Schedule [ ]

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch [ ] (b) Schedule for: Description [ ] Additional Parties [ ] Other [ ]

(8) This Document provides as follows:

See Schedule attached being the Corporation of the Town of Ancaster By-law No. 93-68, being a by-law to designate the lands and premises municipally known as 1156 Highway No. 2, in the Town of Ancaster, as lands and premises of Historic Value, Architectural Value and Interest.

Continued on Schedule [ ]

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

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D
THE CORPORATION OF THE TOWN OF ANCASTER				
By its Solicitor, Lee A. Pinelli	[signature]	1993	10	12

(11) Address for Service 300 Wilson Street East, Ancaster, Ontario L9G 2B9

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D

(13) Address for Service

(14) Municipal Address of Property

Not available

(15) Document Prepared by:

LEE A. PINELLI
Barristers and Solicitors
1403 - 1 King St. W.
Hamilton, Ontario
L8P 1A4

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Fees and Tax	
Registration Fee	50.00
Total	

THE CORPORATION OF THE TOWN OF ANCASTER

BY-LAW NO. 93-68

To designate the Lands and Premises municipally known as 1156 Highway No. 2, in the Town of Ancaster, as Lands and Premises of Historic Value, Architectural Value and Interest

WHEREAS this Council is empowered under subsection (6) of Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, to enact By-laws to designate real property, including buildings and structures thereon, as described in Schedule "A" attached hereto to be of historic or architectural value or interest, and

WHEREAS this Council has caused to be served upon the owner of the lands and premises municipally known as 1156 Highway No. 2, in the Town of Ancaster, and upon the Ontario Heritage Foundation notice of intention to so designate and has caused such notice of intention to be published in a newspaper having a general circulation in this municipality once for each of three consecutive weeks, and

WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk-Treasurer of this municipality within the time prescribed by the said Statute, and

WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto.

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

1. In this By-law the word "property" means real property and includes all buildings and structures thereon.

2. There is hereby designated as being of historic value, architectural value and interest the property municipally known as 1156 Highway No. 2, in the Town of Ancaster, and more particularly described in Schedule "A" attached hereto.

3. Town Solicitor Lee A. Pinelli, of the legal firm of Lee A. Pinelli, is hereby authorized and directed to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office for the Registry Division of Wentworth.

4. The Clerk-Treasurer is hereby authorized and directed to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Foundation and to cause notice of this By-law to be published in a newspaper having general circulation in the Town of Ancaster.

ENACTED AND PASSED THIS 19th **DAY OF** JULY **1993.**

Mayor

Patricia Sweeney
Clerk-Treasurer

CLERK-TREASURER'S CERTIFICATE

I, Patricia Sweeney, Clerk-Treasurer of the Corporation of the Town of Ancaster, in the Regional Municipality of Hamilton-Wentworth, do hereby certify that this is a true copy of By-law No. 93-68 passed in Council the 19th day of July, 1993.

Patricia Sweeney
Clerk-Treasurer

SCHEDULE "A"

Description

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Ancaster, in the Regional Municipality of Hamilton-Wentworth (formerly the Township of Ancaster, in the County of Wentworth), in the Province of Ontario, and being composed of part of Lot Thirty-five, in the Third Concession.

COMMENCING on the South end of said lot at the distance of 518.1 feet from the South-east angle of the said lot,

THENCE North seventeen degrees and forty minutes West 305.58 feet,

THENCE North seventy-two degrees and twenty minutes East 92.4 feet,

THENCE North seventeen degrees and forty minutes West 78.54 feet,

THENCE South seventy-two degrees and twenty minutes West 92.4 feet,

THENCE North seventeen degrees and forty minutes West 231 feet to the South side of Hwy. #2 road,

THENCE along the South side of said road in a Westerly direction 33 feet,

THENCE South seventeen degrees and forty minutes East 615.12 feet to the South end of said lot,

THENCE along the South end of said lot in an Easterly direction 33 feet more or less, to the place of beginning.

The aforesaid lands commonly known as "Shaver Family Cemetery", were first described in a "Memorial for Registry of a Deed of Trust from Frederick Shaver to John Shaver and Others for a burying ground", registered as Memorial No. C344, the first day of November, 1859.

SCHEDULE "B"

REASONS FOR DESIGNATION OF SHAVER FAMILY CEMETERY, 1156 HIGHWAY NO. 2, IN THE TOWN OF ANCASTER

The reasons for the proposed designation are that the Shavers figure prominently in the history of Ancaster and the "Shaver Family Cemetery" is a Southern Ontario landmark which is a monument to the lives as well as the deaths of Ancaster's pioneers.

The Shavers were United Empire Loyalists and early settlers in Ancaster. John Shaver came to Canada from New Jersey in 1789, and his second son, William (1772-1830) married Mary Catherine Book (1776-1845), who was also a U.E.L. from Pennsylvania.

In 1797 William received 200 acres in Lot 35, Concession 3, in the Township of Ancaster, which was registered the same year. William and Mary Catherine worked hard, acquired more land (1,600 acres) and raised thirteen children.

In 1848, following the death of their parents, the Shaver children chose this site, in Shaver Glen, across the road from the original homestead, as the location of their family cemetery. On the front of the substantial stone wall which surrounds it is a large stone carved with this insscription:

> "This cemetery was erected AD. 1848 as a token of filial affection and respect by the 13 children of William and Mary Catherine Shaver who settled this farm in 1798, it being then a wilderness."

In addition, and without restricting the generality of the foregoing, the reasons for this Council designating the described premises include the intention that the following features of the described site should be preserved, that is

(a) the stone retaining wall surrounding the cemetery,
(b) the memorial plaque located on the eastern portion of the retaining wall, and
(c) the memorial monuments and markers located within the cemetery,

but this Council has no intention that any alterations, maintenance, repair, replacement or improvement of elements of the premises requires the prior written consent of this Council unless such affects the reasons for designation of the premises as described in paragraphs (a) to (c) herein.