THE CORPORATION OF

THE TOWN OF FLAMBOROUGH

BY-LAW NO. 93-69-H

Being a by-law to designate the Rous-Howard Family Cemetery located on Lot 1A of Registered Plan 197, at No. 1 Lynden Road formerly in the Township of Beverly, now Town of Flamborough, under the Ontario Heritage Act.

WHEREAS, Section 28 of The Ontario Heritage Act, RSO 1990, authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historical value or interest, and;

WHEREAS the Council of the Corporation of the Town of Flamborough has caused to be served on the owners of the lands and premises known as the Rous-Howard Family Cemetery, Lot 1A, Plan 197 Town of Flamborough, fronting on Lynden Road, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid property and has intention to so designate the aforesaid building and has caused 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 the reasons for designation are set out in Schedule "A" attached hereto, and;

WHEREAS 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 FLAMBOROUGH ENACTS AS FOLLOWS:

1. The Rous-Howard Family Cemetery more particularly described in Schedule "A" attached hereto, is designated as being of architectural and historical significance.

2. The Municipal Clerk is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "B" attached hereto in the proper land registry office.

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 same newspaper having general circulation in the Municipality once for each of three consecutive weeks.

READ AND PASSED THIS 21st DAY OF June , 1993.

Mayor

DEPUTY Clerk

SCHEDULE A

BY-LAW NO. 93-69-H

REASONS FOR DESIGNATION: The Rous-Howard Family Cemetery

The Rous-Howard Family Cemetery is a private family burying ground which is still open for internments. The cemetery is located in the Village of Lynden and derives its name from the fact that it serves as a burying ground for two Beverly Township pioneer families, the Rouses and the Howards.

The notable features of this cemetery are the fine and highly decorative wrought iron fence which borders Regional Highway No. 299 and Lynden Road; the decorative wrought iron gate; the three remaining decorative corner posts; and the fifty-two monuments presently in the cemetery which are laid out in six lines, more or less parallel with Lynden Road.

SCHEDULE "B"

BY-LAW NO. 93-69-H

DESCRIPTION OF PROPERTY - Rous-Howard Family Cemetery

Lot 1A Plan 197, Part Lot 13, Concession 1 in the former Township of Beverly now in the Town of Flamborough.

Province of Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

D

FOR OFFICE USE ONLY

159864

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

'93 07 27 10 26

LAND REGISTRAR / REGISTRATEUR DES TITRES

(1) Registry [X] Land Titles [ ]

(2) Page 1 of 5 pages

(3) Property Identifier(s) Block Property

Additional: See Schedule [ ]

(4) Nature of Document

BY-LAW

(5) Consideration

Dollars $

(6) Description

See Schedule Attached

New Property Identifiers

Additional: See Schedule [ ]

Executions

Additional: See Schedule [ ]

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

(8) This Document provides as follows:

See Schedule attached being Town of Flamborough By-law No. 93-69-H, being a by-law to designate the Rous-Howard Family Cemetery located on Lot 1A of Registered Plan 197, at No. 1 Lynden Road formerly in the Township of Beverly, now Town of Flamborough, under the Ontario Heritage Act.

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 FLAMBOROUGH				
By its Solicitor, Nancy L. Smith		1993	07	23

(11) Address for Service 163 Dundas Street East, P.O. Box 50, Waterdown, Ontario L0R 2H0

(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

n/a

(15) Document Prepared by:

Lee A. Pinelli
Barristers and Solicitors
1403-1 King Street West
HAMILTON, Ontario
L8P 1A4

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Fees and Tax	
Registration Fee	50.00

Additional Property Identifier(s) and/or Other Information

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Flamborough, in the Regional Municipality of Hamilton-Wentworth (formerly in the Township of Beverly, in the County of Wentworth)

COMMENCING at the North West Angle of Lot One (1), Plan 197;

THENCE North Seventy-five (75^0 E) Degrees East, Forty-nine and one-half feet (49 1/2") to a point;

THENCE South Thirteen (13^0 E) Degrees East, Sixty-two point seven (62.7") feet to a point at the North side of Dundas Street;

THENCE South Seventy-five (75^0W) Degrees West, Forty-nine point five (49.5") feet to the South West Angle of said Lot Number One (1);

THENCE North Thirteen (13^0W) Degrees West, Sixty-two point seven (62.7") feet to the place of beginning.

As described in Instrument No. 334590 C.D.

Lot 1A Plan 197, PART LOT 13 Concession 1 in the Former Township of Beverly now in the Town of Flamborough.

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