Appendix “A”
Terms of the Easement

Address: Rear of 5830 Bathurst Street

Owners: Forest Lawn Investments Inc.

Legal Description: Part of Lot 22, Concession 2 West of Yonge Street, identified hatched on the attached Appendix "B" (the "Easement Lands").

Size: 166 m² (1,786.81 ft²)

Purposes: Non-exclusive easement for the purposes of:

(1) a right of passage for pedestrian and cyclist ingress and egress to and from Torresdale Avenue to the City’s lands;

(2) construction and maintenance of a multi-use pathway located on the City's lands; and

(3) passage by the general public to be used as a pedestrian and/or bicycle pathway.

Term: In perpetuity. However if the City does not acquire title to the lands south of the Easement Lands the City will release its interest in the Easement Lands.

Consideration: Nominal ($2.00), plus Forest Lawn's legal costs, which is not to exceed $5,000.00, excluding H.S.T.

Maintenance and Repairs: The City to be responsible for the operation, maintenance, inspections, alteration, replacement, reconstruction, repair and upgrades to the Easement Lands, except for damages arising out of the use by the Owners or its agents, consultants and employees. The Owners shall have no obligation for lighting or snow and ice removal at any time: should lighting or snow and ice removal be required at any time, it shall be the sole responsibility of the City.

Indemnity: The City shall indemnify the Owners against all actions, suits, claims and demands which may be brought against or made upon the Owners and against all loss, costs, damages, charges and expense which may be incurred, sustained or paid by the Owners, save and except to the extent same are caused or contributed to by the negligent act or omission of the Owners or those for whom at law they are responsible.