

TOWN OF ITUNA

BYLAW NO. 2 - 98

A BYLAW TO PROVIDE ENTERING INTO AN AGREEMENT
RESPECTING AN EASEMENT FOR EFFLUENT FLOW

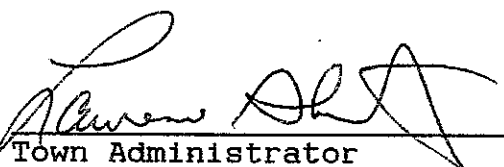
THE COUNCIL of the Town of Ituna, in the Province of Saskatchewan,
enacts as follows:

1. THAT the Town of Ituna is hereby authorized to enter into an agreement, attached hereto and forming part of this bylaw and identified as Exhibit A, with Leona P. Krywulak for the purpose stated within the Agreement.
2. THAT the Mayor and Administrator of the Town of Ituna are hereby authorized to sign and execute the attached identified as Exhibit A.

This bylaw comes into force on the date of signing of the Agreement.



Mayor



Town Administrator

SEAL

EXHIBIT "A"

E A S E M E N T A G R E E M E N T

BETWEEN LEONA P. KRYWULAK, of the Town of Ituna in the Province of Saskatchewan hereinafter referred to as the owner,

AND

THE TOWN OF ITUNA in the Province of Saskatchewan.

THAT THE OWNER agrees to grant an easement, being part of S.W. Section 14, Township 25, Range 11, West of the Second Meridian located south of the Canadian National Railway right-of-way and accommodating backsloped land, a constructed dike and a constructed drainage ditch, for drainage of the evaporation pond belonging to the Town of Ituna into Pheasant Creek.

THE TOWN OF ITUNA agrees:

1. that the said drainage ditch has been constructed in the Rural Municipality right-of-way.
2. that the ditch will be used for an occasional annual discharge of the effluent from the evaporation pond into Pheasant Creek, in accordance with environmental standards, as required in early spring or late fall and when necessitated by abnormally high precipitation events.
3. to assure that the effluent will not flow into the large slough located on the south side of the Canadian National Railway tracks.
4. to close the discharge channel from the evaporation pond on or before November 15 of the year whenever the evaporation pond has been discharged, or when discharge is no longer required, whichever is earlier, and assure that flow of effluent from the pond shall be ceased from this date until required for next annual discharge.
5. to maintain the dikes and the drainage ditch after the completion of the effluent discharge.
6. in the event of a change of ownership with this property, this easement agreement shall cease to be in effect.

Dated this 22nd day of April 1998 in the Town of Ituna in the Province of Saskatchewan.

SIGNED, SEALED AND DELIVERED
in the presence of:

Leona Krywulak
OWNER

S. Siss

SIGNED, SEALED AND DELIVERED
in the presence of:

Michael R. Siss
MAYOR ADMINISTRATOR

S. Siss