

THE AGREEMENT FOR AN EXEMPTION OF HALF LOAD made, in duplicate, this
_____ day of _____, 2017.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH HURON ('Township')

AND

MANSCHESTER FARMS LTD. C/O DAVE AND MIKE FRANKEN ('Applicant')

WHEREAS Section 122 of the Highway Traffic Act restricts seasonal loads;

AND WHEREAS the applicant wishes to undertake construction activity at 38721 Westfield Road in the spring of 2017;

AND WHEREAS the applicant has requested permission for an exemption to the seasonal load restrictions between March and April 2017;

NOW THEREFORE the applicant covenants and agrees as follows:

1. The Applicant must satisfy itself as to the condition of the Township right-of-way prior to carrying excess loads over the right-of-way. The parties acknowledge and agree that no damage existed on the right-of-way prior to the Applicant carrying excess loads over the said right-of-way, unless such existing damage is brought to the attention of the Township's Public Works Department prior to the Applicant conducting carrying the excess load over the right-of-way.
2. The Applicant covenants and agrees to restore, at the Applicant's sole cost and expense, the right-of-way to its original condition prior to the Applicant's exercise of its rights in this permit, which shall include repairing any damage to the Township's right-of-way directly or indirectly attributable to the Applicant's exercise of its rights in this permit.
3. The Applicant shall provide a security to the Township in the amount of **\$5,000** to ensure the adequate condition of the specified established route for half-load exemption under this agreement.
4. The security shall be subject to release upon Township inspection and approval from the Director of Public Works, or designate.
5. The exemption applies during regular business days only, which is not a Saturday, Sunday or statutory or civic holiday in the Province of Ontario.

6. The Applicant, its agents, employees and contractors shall comply with the sections of the Highway Traffic Act (Ontario) and the regulations enacted thereunder, as amended, pertaining to carrying excess loads over roads.
7. The applicant agrees to use the following as an access route: Donnybrook Line to Westfield Road in the township of North Huron as shown in **Schedule "A"**.
8. The applicant agrees to obtain any other permits required from Huron County with respect to load limitations.

IN WITNESS, WHEREOF the parties hereto have caused this Agreement to be duly executed as of the date first written above.

SIGNED, SEALED and DELIVERED
in the presence of

Witness

Witness

MANSCHESSTER FARMS LTD.

per: 
Dave Franken

per: 
Mike Franken

*I/We have authority to bind the
Corporation.*

**THE CORPORATION OF THE
TOWNSHIP OF NORTH HURON**

per: _____
Neil Vincent, Reeve

per: _____
Kathy Adams, Clerk

*I/We have authority to bind the
Corporation*

SCHEDULE "A"

Road Occupancy Application



P.O. Box 90, 274 Josephine Street, Wingham, Ontario N0G 2W0
Phone: 519-357-3550 Fax: 519-357-1110