

SUPREME COURT OF ONTARIO

THE HONOURABLE)
MR. JUSTICE) TUESDAY, THE 29TH DAY OF
) JULY, 1986.

B E T W E E N:

NATIONAL SEWER PIPE LIMITED,

Applicant,

- and -

THE CORPORATION OF THE CITY
OF BURLINGTON,

Respondent.

O R D E R

UPON MOTION made by the Applicant for the interim injunctive relief or stay of the expropriation proceedings commenced by the Respondent which are the subject matter of this application, was heard this day.

ON READING the Notice of Application, and on hearing the submissions of Counsel for the Applicant, and upon being advised of the parties consent to this Order:

1. THIS COURT ORDERS that the Respondent, its servants, agents or representatives are hereby restrained and enjoined from enforcing or taking any steps or acts pursuant to the resolutions

sought to be quashed within the application, and in particular, from proceeding under those resolutions with the expropriation of the Applicant's lands or the expropriation proceedings commenced by the Respondent pursuant to the provisions of The Expropriations Act, and from referring its application for approval to expropriate the Applicant's lands to the Chief Inquiry Officer pursuant to Section 7 of The Expropriations Act pending the disposition of this application.

2. THIS COURT ORDERS that the interim relief herein shall not prejudice or restrict the Applicant's or the Respondent's rights or obligations under an Access Agreement between the Applicant and the Respondent dated the 9th day of June, 1986.

3. THIS COURT ORDERS that the relief granted herein is given upon the Applicant's undertaking that it will be responsible for any damages suffered by the Respondent, if any, as a consequence of the granting of this Order.

4. THIS COURT ORDERS that the remaining aspects of this application be adjourned to a date to be fixed by the Registrar of this Court.

Registrar, Supreme Court of
Ontario

NATIONAL SEWER PIPE LIMITED

and

THE CORPORATION OF THE CITY
OF BURLINGTON

Short title of proceeding)

Court file no. RE 1630/86

SUPREME COURT OF ONTARIO
(Supreme or District)

Proceeding commenced at Toronto

O R D E R

DYE & DURHAM CO. LIMITED—Form No. 909

(RBT/PRG - 68161/920)

FASKEN & CALVIN
Barristers & Solicitors
Box 30
Toronto-Dominion Centre
Toronto, Ontario
M5K 1C1

Robert B. Tuer/
Peter R. Greene
(416) 366-8381

Solicitors for the Applicant.