

**SCHEDULE "A" TO BY-LAW 94-1360**

THIS AGREEMENT MADE THIS DAY OF JANUARY, 1995

BETWEEN

THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK  
OF THE FIRST PART

AND

MGS INVESTMENTS LTD.  
OF THE SECOND PART

**ENCROACHMENT AGREEMENT**

**WHEREAS** MGS Investments Ltd. (hereinafter referred to as "the owner") is the owner of lands and premises legally described as:

Lot Forty-Eight (48)  
Block Twenty (2)  
Plan 2319  
Inuvik

(hereinafter referred to as "the Owner's Lands")

**AND WHEREAS** the Municipal Corporation of the Town of Inuvik (hereinafter referred to as "the Town") owns land immediately adjacent to the lands of the owner (hereinafter referred to as "the Town lands");

**AND WHEREAS** there exists a building or buildings on the Owner's Lands which encroaches on the Town lands;

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the payment of the sum of One (\$1.00) Dollar, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions in this Agreement, the Parties agree as follows:

1. The Town agrees to allow the building located on the Owner's Lands to encroach upon the Town Lands as outlined in the Schedule attached hereto.
2. The Town shall not acquire title to that portion of the building or buildings which is encroaching on the Town lands, nor shall the Town acquire any interest in the Owner's Lands by virtue of the encroachment.

3. The rights and obligations of the Parties hereby granted shall not be extinguished in the event the title to or ownership of the Owner's Lands or the Town Lands becomes vested in any person or entity other than the Parties hereto. The rights and obligations granted under this Agreement are and shall be a covenant running with the land, and these presents including all the covenants and conditions herein contained shall extend to, be binding upon and enure to the benefit of the respective successors and assigns of the owner and the Town, and each and every transferee, registered owner and prospective purchaser.

**IN WITNESS WHEREOF** the parties hereto have hereunder caused to be affixed their signatures or respective corporate seals attested by the signatures of their respective proper signing officers duly authorized for such purpose of the date first written above.

THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK

PER: \_\_\_\_\_

PER: \_\_\_\_\_

MGS INVESTMENTS LTD.

PER: \_\_\_\_\_

PER: \_\_\_\_\_

