

AND WHEREAS the parties hereto of the first part, being the Corporation of the said Village, are willing to grant such permission as to so much of Yonge Street aforesaid as is within the boundaries of the said Village upon the terms and conditions hereinafter set forth, and to enter into an agreement with the said parties of the second part such as hereinafter contained :

NOW THIS INDENTURE WITNESSETH, That the said parties of the first and second parts have covenanted and agreed, and by these presents do covenant and agree, each with the other of them, as follows :

First.—That the said parties of the second part be permitted without let or hindrance from the said parties of the first part, to lay down the continuance of their street railway along so much of Yonge Street in the Village of Yorkville as is situate between the northern boundary of the City of Toronto and the northern boundary line of the said Village where the same crosses Yonge Street, of the same materials and of the same dimensions as authorized by the Corporation of the City of Toronto, but under such regulations as the said parties of the first part may see fit from time to time to make, ordain and declare.

Second.—That the track of the railway shall be laid by the said parties of the second part of such rails as may be approved of by the Corporation of the City of Toronto, and actually used in the streets of the said City, and the rails laid flush with the surface of the street, and conform to the grade thereof as now established, or as it may be from time to time altered or established.

Third.—That the said parties of the second part shall keep the surface of the street inside of the rails, and for one foot outside thereof, in good order and repair, and all dirt and filth cleaned and removed therefrom, as the said parties of the first part may from time to time order and direct.

Fourth.—That the said parties of the second part shall pave or macadamize the roadway between and within at least one foot six inches (or as much as the ties project) from and outside of each rail, and the same constantly keep in repair.

Fifth.—That the said parties of the second part shall also construct and keep in good repair the crossings at the intersection of every such railway track and cross street or other crossings, to the extent of said railway track and one foot on each side thereof, of a similar character to those in use by the said parties of the said parties of the first part within the limits of the Village.

Sixth.—That the said parties of the second part shall cause the railway to be constructed in the centre of the street if a single track, and if of a double track the inside rail of each track shall be laid within one foot and six inches of the centre of the street, said rails to be so laid as to accommodate the width of ordinary carriage wheels or otherwise, as may hereafter be agreed upon between the said parties.

Seventh.—That when the said parties of the second part shall have completed one track of the said railway and placed cars thereon for public use, it shall be lawful for them at any time thereafter within the period of five years to build a second track, so that they do not interrupt the running in the ordinary way of the cars on the first completed track.

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