

THIS IS EXHIBIT "G" TO THE AFFIDAVIT OF  
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF  
APRIL, 2024.

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A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.  
Province of Ontario, for the  
Municipality of Chatham-Kent.  
Expires August 31, 2026.**

**TODGHAM AND CASE LIMITED**  
**CONSULTING CIVIL ENGINEERS**

151 THAMES STREET  
CHATHAM, ONTARIO

HERBERT H. TODGHAM  
B.A.Sc., O.L.S., P.ENG.

POST OFFICE BOX 386  
TELEPHONE 354-0400

G. WILLIAM CASE  
M.A.Sc., P.ENG.

August 17th, 1970.

Canadian Pacific Railway,  
Office of the Division Engineer,  
Richmond Street,  
London, Ontario.

Attention: Mr. Tom Clark.

Re: Facey Drain and Facey Drain East Branch,  
Township of Zone, County of Kent.

Gentlemen:

Further to our consultation with your Mr. Clark, Township Officials and property owners, we have prepared a sketch and specification for installing a new culvert under your tracks where each of these drains crosses your right-of-way.

We enclose three copies of the sketch and specification for each of these installations and we should appreciate it very much if you could review them and let us have your comments at the earliest possible moment. I expect to be in the office most of Wednesday and Thursday of this week and perhaps you would be good enough to call me as soon as you have looked these over.

When I have your comments I shall make any necessary amendments and the Township will then arrange to obtain prices for the necessary work.

Yours very truly,

TODGHAM AND CASE LIMITED

Per: *W. H. Taylor*

HHT:mm  
Encs.

C.C. Mr. R. Buckenham,  
Clerk of Zone Twp.,  
2 copies sketch &  
specification.

R. P. Smith, P. Eng.  
Division Engineer  
438-4061

664 Richmond Street, North  
London 12, Ontario  
August 26, 1970

File: D-W-47.94

Mr. H. H. Todgham  
Todgham and Case Limited  
Consulting Civil Engineers  
151 Thames Street  
CHATHAM, Ontario

Dear Sir:

Your letter - August 17, 1970  
Subject - Facey Drain and Facey Drain East Branch  
Township of Zone, County of Kent  
Mlge. 47.94, Windsor Subdivision

Confirming conversation with Mr. Macredie.

The preliminary specifications and plans 68070-3 and  
68070-3A covering the two drains undercrossings by means  
of 30" dia. steel pipes are satisfactory to the Railway.


Will you please proceed with arranging a contract for the  
work on Railway property.

Yours truly,

  
Division Engineer.

JRCMacredie:sec

cc: Mr. R. Buckenham  
Clerk  
Township of Zone  
R. R. No.2  
THAMESVILLE, Ontario



THIS IS EXHIBIT "H" TO THE AFFIDAVIT OF  
BLAISE CHEVALIER , SWORN ON THE 2ND DAY OF  
APRIL, 2024.

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A COMMISSIONER, ETC.

**Linda Marie Kalp, a Commissioner, etc.  
Province of Ontario, for the  
Municipality of Chatham-Kent.  
Expires August 31, 2026.**

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POST OFFICE BOX 386  
TELEPHONE 354-0400

C. WILLIAM CASE  
M.A.SC., P.ENG.

March 23rd, 1971.

Mr. Richard Buckenham,  
Clerk of Zone Township,  
R. R. #5,  
Thamesville, Ontario.

Re: Facey Drain and  
East Branch of Facey Drain -  
Crossings under C.P.R.

Dear Richard:

We have now received from the Canadian Transport Commission copies of the approvals for these crossings and we enclose these for insertion in the Township records.

We also enclose a photocopy of an estimate we have prepared of the probable cost of the 1971 drainage program for Zone Township. This estimate is, of course, very rough but it may give you some idea of what will be involved. We hope it will be helpful.

Yours very truly,

TODGHAM AND CASE LIMITED

HHT:lo  
Encs.

Per: *Herb*



## RAILWAY TRANSPORT COMMITTEE

## COMITÉ DES TRANSPORTS PAR CHEMIN DE FER

ORDER NO. R-10835

ORDONNANCE N° R-10835

January 27, 1971  
Ottawa

Le 27 janvier 1971  
Ottawa

IN THE MATTER OF the application of the Township of Zone, herein-after called the "Applicant", for approval of the reconstruction and improvement of:

RELATIVE à la requête que le canton de Zone, ci-après dénommé "Requérant", a présentée en vue d'obtenir l'approbation de la reconstruction et de l'amélioration

(a) the Facey Drain across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.29 Windsor Subdivision, in Lots 4 and 5, Concession 3, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3A dated August 17, 1970, on file with the Commission under file No. 9473.532; and

a) de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.29 de la subdivision de Windsor, dans les lots 4 et 5, concession 3, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3A, daté du 17 août 1970, versé au dossier n° 9473.532 de la Commission; et

(b) the Facey Drain East Branch across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.94 Windsor Subdivision, in Lot 3, Concession 2, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3 dated August 17, 1970, on file with the Commission under file No. 9473.533.

b) de la branche est de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.94 de la subdivision de Windsor, dans le lot 3, concession 2, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3, daté du 17 août 1970, versé au dossier n° 9473.533 de la Commission.

Files Nos. 9473.532  
9473.533

Dossiers n°s 9473.532  
9473.533

UPON reading the submissions filed-

APRÈS lecture des pièces déposées -

IT IS ORDERED THAT:

IL EST ORDONNÉ CE QUI SUIT:

The reconstruction and improvement, by the Applicant, of:

La reconstruction et l'amélioration, par le Requérant,

(a) the Facey Drain across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.29 Windsor Subdivision, in Lots 4 and 5, Concession 3, Township of Zone, in the Province of Ontario, as shown on

a) de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.29 de la subdivision de Windsor, dans les lots 4 et 5, concession 3, canton de Zone, dans la province d'Ontario, comme

the Drawing No. 68070-3A dated August 17, 1970; and

(b) the Facey Drain East Branch across and under the right of way and track of the Canadian Pacific Railway Company at mileage 47.94 Windsor Subdivision, in Lot 3, Concession 2, Township of Zone, in the Province of Ontario, as shown on Drawing No. 68070-3 dated August 17, 1970,

are hereby approved.

il est indiqué sur le dessin n° 68070-3A daté du 17 août 1970; et

b) de la branche est de l'égout Facey sous l'emprise et la voie ferrée de la Compagnie de chemin de fer du Pacifique-Canadien, au point milliaire 47.94 de la subdivision de Windsor, dans le lot 3, concession 2, canton de Zone, dans la province d'Ontario, comme il est indiqué sur le dessin n° 68070-3 daté du 17 août 1970,

sont par les présentes approuvées.

(Signed)

(Signature)

C.W. Rump

Secretary,  
Railway Transport Committee.

Secrétaire,  
Comité des transports par chemin de fer.

LOT  
COU.

3  
2

EXCAVATE EXISTING COURSE  
TO LEVEL OF R.V.V. CULVERT  
FLOOR AND CLEAN MUD  
FROM CULVERT.

FILL IN  
EXISTING DRAIN

PROPOSED  
REALIGNMENT

30" DIA. SMOOTH WALL  
STEEL PIPE 1/2" THICK  
56' LONG

WIRE FENCE

DITCH

TOE OF SLOPE

CANADIAN

PRESENT  
CULVERT

PACIFIC

TOP BANK

TOE OF SLOPE

R.V.V.

GRAVEL  
BED

TELEGRAPH LINES  
16' ABOVE GROUND  
(30 LINES)

WIRE FENCE

RIP-RAP  
DITCH BOTTOM

PRESENT  
COURSE

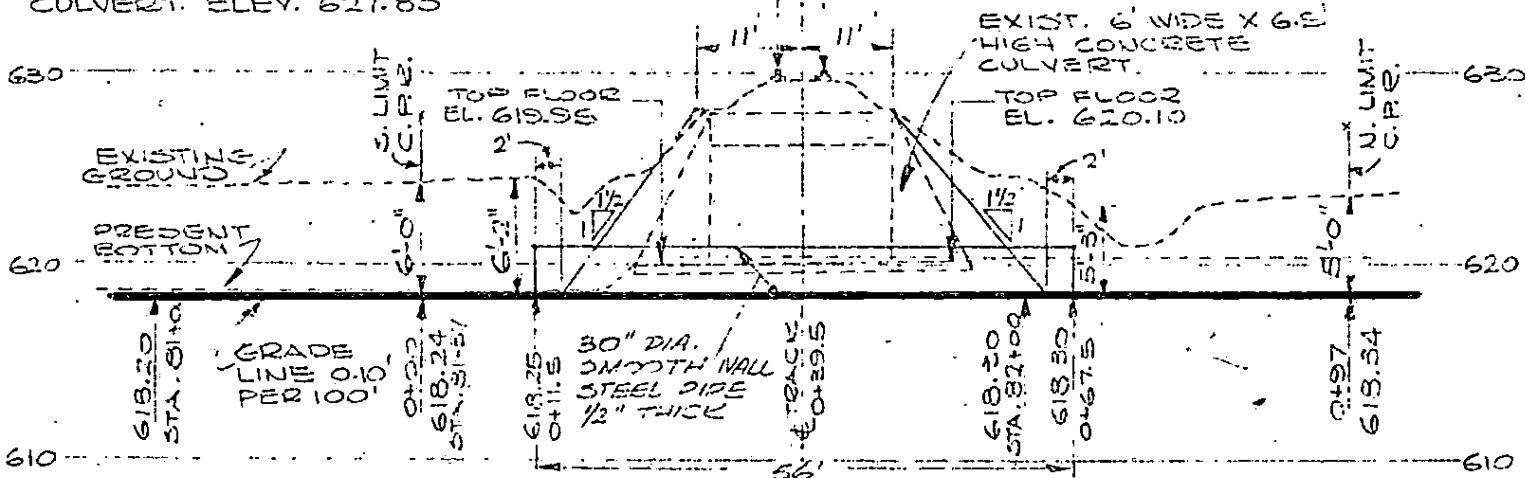
DIVERT R.V.V.  
DITCH AS SHOWN  
TO CLEAR END OF  
PIPE

PLAN  
SCALE: 1" = 50'

E.M. - TOP S.W. CORNER  
OF PRESENT R.V.V.  
CULVERT. ELEV. 627.80

TOP S'LY RAIL  
EL. 630.10

TOP N'LY RAIL  
EL. 630.05



CROSS SECTION THROUGH RAILWAY

LOOKING SOUTH WESTERLY

SCALE: HORIZ. 1" = 20', VERT. 1" = 10'

TODGHAM & CASE LIMITED  
CONSULTING CIVIL ENGINEERS  
CHATHAM ONTARIO  
AUGUST 17, 1970  
BOOK NO. 931

FACEY DRAIN  
C.P.R. CULVERT  
CROSSING DETAILS  
TOWNSHIP OF ZONE



CANADIAN TRANSPORT COMMISSION

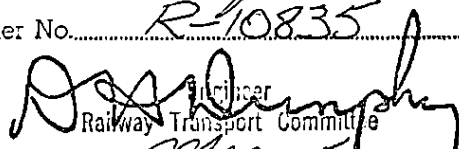
Railway Transport Committee

Certified as a copy of the original duly sanctioned by Order of the Committee under Section

..... of the Railway Act.

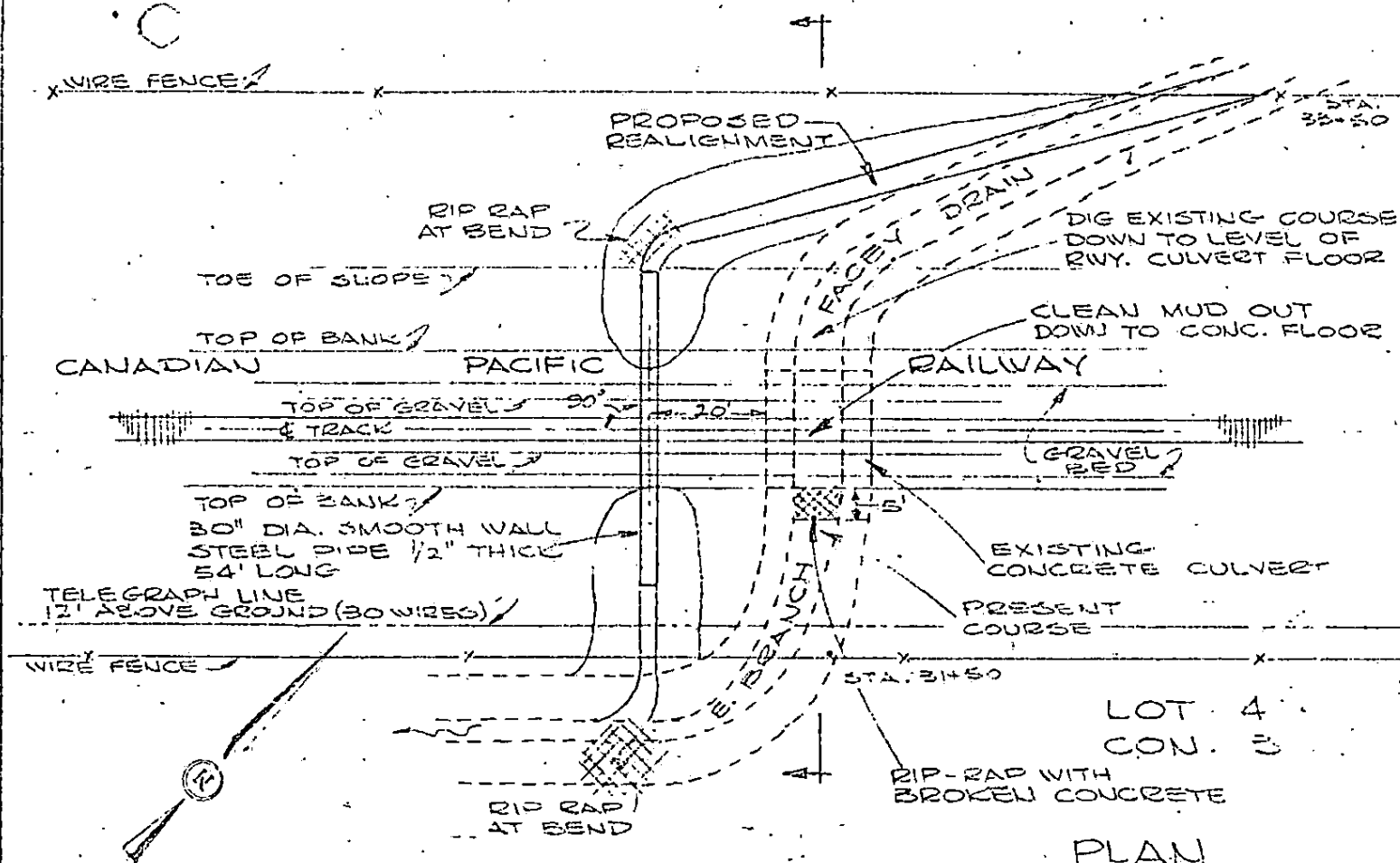
on the 27 day of Jan 1971

Order No. R-10835

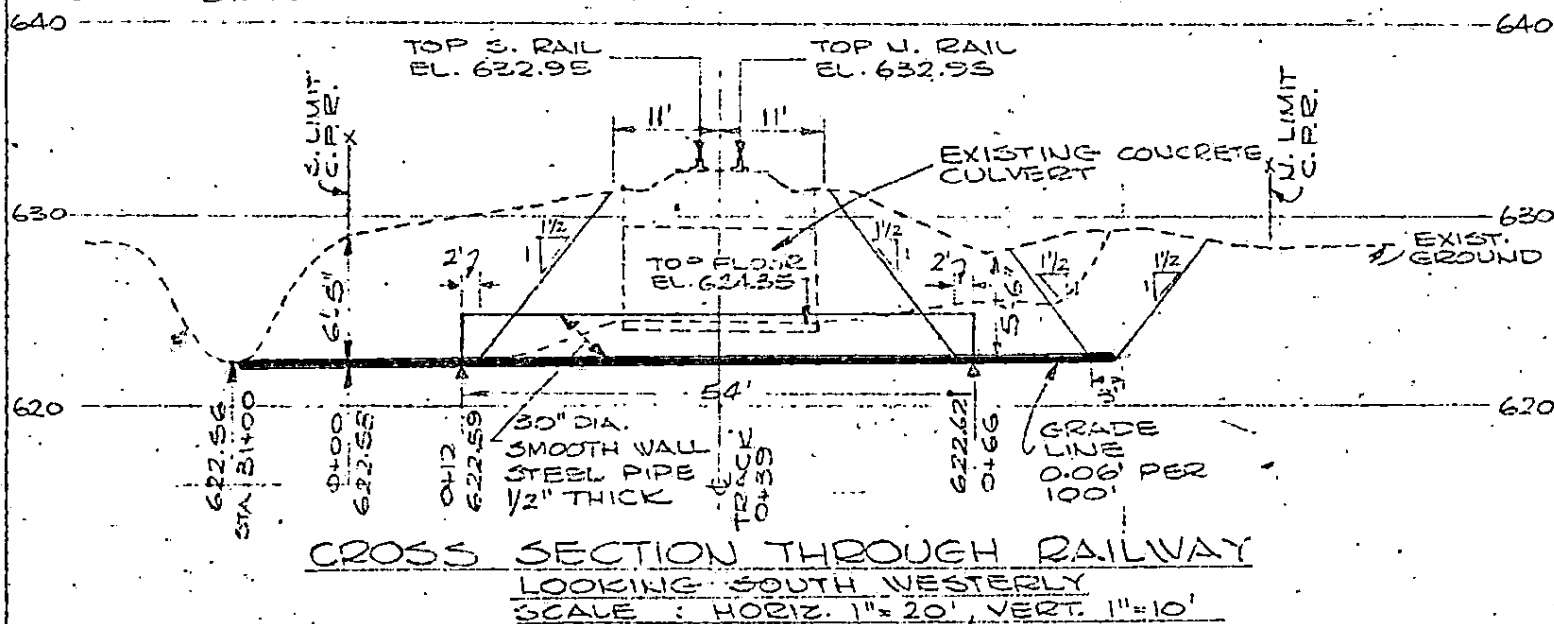
  
J. J. Murphy  
Railway Transport Committee

Ottawa, Ont. Mar 15 1971

LOT 5  
CON. 3



B.M. - TOP OF CORING OF  
SOUTH END OF EXISTING  
CONCRETE CULVERT.  
ELEV. - 631.40



TODGHAM & CASE LIMITED  
CONSULTING CIVIL ENGINEERS  
CHATHAM ONTARIO  
AUGUST 17, 1970  
BOOK NO 937

FACEY DRAIN E. BRANCH  
C. P. R. CULVERT  
CROSSING DETAILS  
TOWNSHIP OF ZONE

CANADIAN TRANSPORT COMMISSION

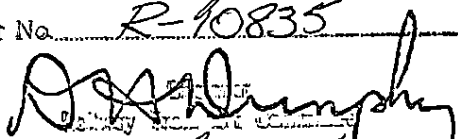
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on the 27 day of Jan 19 71

Order No. R-10835

  
R. A. Murphy  
Secretary for the Committee

Ottawa, Ont. Mar 15 19 71



September 10, 1970.

Mr. R. Buckenham  
Clerk-Treasurer  
Township of Zone  
R. R. 5  
Thamesville, Ontario.

Dear Mr. Buckenham:      Re: construction of Railway  
                                 Culvert under C.P.R. on  
                                 Facey Drain, East Branch & Main Branch

With reference to your letter of September 2nd, we  
return one copy of each contract duly signed.

Our certified cheque in the amount of \$990.00 is  
also attached.

Trusting this meets with your requirements,

Yours very truly,

GRAHAM & GRAHAM LIMITED

D. V. Carroll  
Vice-President

/ac  
encs.

MUNICIPAL  
CONTRACTORS



Thamesville, Ont.,  
September 9, 1970,

Dear Sir:

Please take notice that the Engineer appointed by the Township of Zone to make a report on the installation of a railway culvert under the Canadian Pacific Railway on the Facey Drain has filed the same with me.

The estimated cost of the work is \$ 6,000.00 which will be borne entirely by the Canadian Pacific Railway. Included in this amount is the sum of \$ 50.00 which is to be paid to the owner of the E.½ of Lot 3, Con, 2 west of the railway for damages to lands and crops.

The report will be read and considered by the Council of the Township of Zone on Monday evening September 21st 1970 at 9 P.M. at the Zone Township Community Centre.

Yours truly,  
Richard Buckenham,  
Clerk of Zone Township,

**TODGHAM AND CASE LIMITED**  
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Per: *W. H. Taylor*

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Encs.

C.C. Mr. R. Buckenham,  
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2 copies sketch &  
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R. P. Smith, P. Eng.  
Division Engineer  
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664 Richmond Street, North  
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August 26, 1970

File: D-W-47.94

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Yours truly,

  
Division Engineer.

JRCMacredie:sec

cc: Mr. R. Buckenham  
Clerk  
Township of Zone  
R. R. No.2  
THAMESVILLE, Ontario



PROPOSAL

TO: THE REEVE AND COUNCIL OF THE TOWNSHIP OF ZONE  
RE: THE CONSTRUCTION OF a Railway Culvert under Canadian Pacific  
Railway on the Facey Drain , Main Branch.

Gentlemen;-

I/we the undersigned, having carefully examined the plans, specifications and location of the work and understanding all conditions, hereby offer to enter into a contract to supply all materials and to construct the said work for the said Municipality, complete and ready for use in accordance with the plans, profiles and specifications therefore on file at the office of the Engineer, which drawings and specifications form the basis of the proposal for the following prices,

To Wit: \$ 5,040.00

A Certified Cheque for 10 % of the amount of the bid, payable to the Municipality is enclosed.

The work will begin on or before September 10, 1970

The work will be completed on or before September 25, 1970

OFFERED ON BEHALF OF THE CONTRACTOR

**GRAHAM & GRAHAM LIMITED**

Name... *D. C. Graham*.....  
Address... 764 Wharncliffe Road, South  
London 64, Ontario

Date... September 10, 1970.....

ACCEPTED ON BEHALF OF THE MUNICIPALITY

Reeve... *Douglas Meredith*.....  
Clerk... *Richard Buckingham*.....  
Date... *Sept. 2, 1970*.....  
(seal)

This proposal or Tender Form when signed and offered by the Contractor shall constitute a formal and binding Contract when accepted and signed on behalf of the Municipality.