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254



CORPORATION OF THE TOWN OF KINGSVILLE

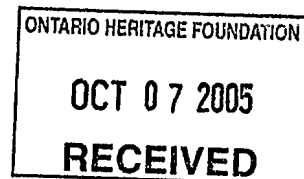
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

Phone: (519) 733-2305

FAX: (519) 733-8108

October 4, 2005

Ontario Heritage Trust
3rd Floor
10 Adelaide St. East
TORONTO, ON M5C 1J3




Dear Sirs:

**RE: Ontario Heritage Act
 Heritage Designation—Negro Cemetery, Kingsville**

In accordance with the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, enclosed please find certified copy of By-law 83-2005 of the Town of Kingsville, which is being served upon you in accordance with Section 29(6) of the said Act.

Yours truly,


Linda Burling, Clerk
LB/sjk

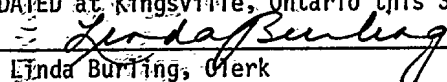
Encl.

BY REGISTERED MAIL

✓

CERTIFICATE

I hereby certify the following to be a true and correct copy of By-law 83-2005 of The Corporation of the Town of Kingsville, the same having been compared by me with the original.
DATED at Kingsville, Ontario this 30th day of September, 2005.


Linda Burling, Clerk
The Corporation of the Town of Kingsville

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 83 - 2005

*Being a by-law to designate a certain property,
known as the Negro Cemetery, as being of
cultural heritage value or interest under the
provisions of the Ontario Heritage Act, R.S.O.
1990, c.O.18 as amended*

WHEREAS Section 29 of the *Ontario Heritage Act* authorizes the council of a municipality to enact by-laws to designate real property, including all the buildings and structures located thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council for The Corporation of the Town of Kingsville has consulted with the Kingsville Municipal Heritage Advisory Committee with respect to the designation of the Negro Cemetery as being of cultural heritage value or interest;

AND WHEREAS authority was granted by Council to designate such property;

AND WHEREAS the Council for The Corporation of the Town of Kingsville has caused to be served upon the owners of the lands known as the Negro Cemetery and upon the Ontario Heritage Foundation, Notice of Intention to designate the property and has caused the Notice of Intention to be published in a newspaper having general circulation in the municipality as required by the *Ontario Heritage Act*;

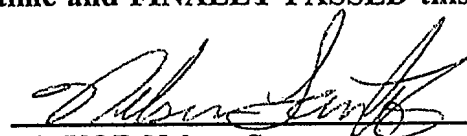
AND WHEREAS the reasons for designation are set out in Schedule "A" to this By-law;

AND WHEREAS no notice of objection to the proposed designation has been served on the Clerk for The Corporation of the Town of Kingsville.

NOW THEREFORE the Council for The Corporation of the Town of Kingsville enacts as follows:

1. That the property known as the Negro Cemetery, more particularly described in Schedule "B" and shown on Schedule "C" attached to this by-law is hereby designated as being of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended.
2. That the municipality's solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "B" to this by-law in the proper Land Registry Office;
3. That the Clerk of The Corporation of the Town of Kingsville is hereby authorized to cause a copy of this by-law to be served upon the owners of the aforesaid property and upon the Ontario Heritage Foundation, and to cause notice of this by-law to be published in a newspaper having general circulation in The Corporation of the Town of Kingsville as required by the *Ontario Heritage Act*.
4. That Schedules "A", "B" and "C" form an integral part of this by-law.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 12th day of September, 2005.


MAYOR Nelson Santos


CLERK Linda Burling

**Schedule "A" to By-law 83-2005 of
The Corporation of the Town of Kingsville**

Reasons for Designation

**Negro Cemetery
Division Road North, Town of Kingsville**

The property described as Part of Lot L, Concession 3, Town of Kingsville, being a physical remnant of the early Black community, is the only known African-Canadian Cemetery in the Town of Kingsville. Typical of Ontario farm pioneer burial grounds, the Negro Cemetery is associated with the defunct Shiloh Baptist Church on Concession 3 West of Division Road North. This cemetery has historical significance internationally in that it was associated with the underground railroad that brought fugitive slaves from the southern United States to freedom in Canada.

Among the Black pioneers interred here is George Ryers, who died in 1901 at age 80. He came to Canada from the Southern United States slave states. His son, Joseph, who died in 1924 is also buried here. Other Black pioneers, including members of the Williams, Henderson, Lyons, Dennis and Chapman families, are also buried here.

In 1837, the land was purchased by John W. Williams, the first Black landowner in Gosfield, as the area now encompassed by the Town of Kingsville was known. Williams purchased the property in 1837 from Reverend Richard Herrington, a preacher who founded the Baptist faith in the local area.

Abutting landowners have always been careful not to work the land, but oral history has it that pigs from a neighbouring farm got loose one day and toppled the headstones that once marked the graves.

The heritage attributes of the property consist of:

The 35-foot x 59-foot cemetery site nestled between tracts of farmland has fieldstone placed around its perimeter to delineate it from surrounding lands. The cemetery site, the headstones belonging to the cemetery and the remains of those headstones located thereon, the newly-placed granite monument marker identifying the known burials, the existing wood fence posts and/or holes of removed fence posts, and the fieldstone, all should remain protected and undisturbed in their current location, disinterments should be strictly prohibited, and the maintenance of the grounds should serve to forever document the historical significance of this important site. The laneway making the cemetery accessible from Division Road North was restored in June 2005.

**Schedule "B" to By-law 83-2005 of
The Corporation of the Town of Kingsville**

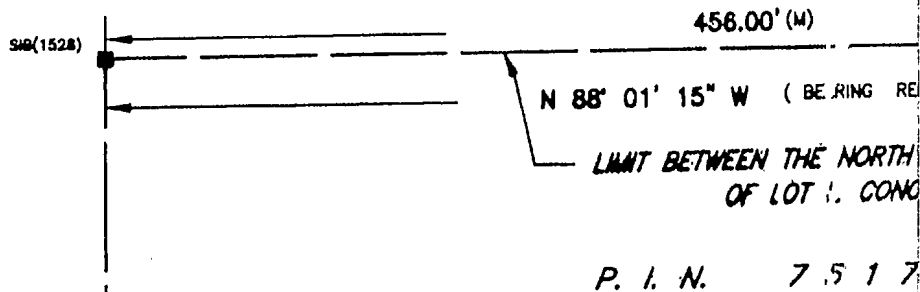
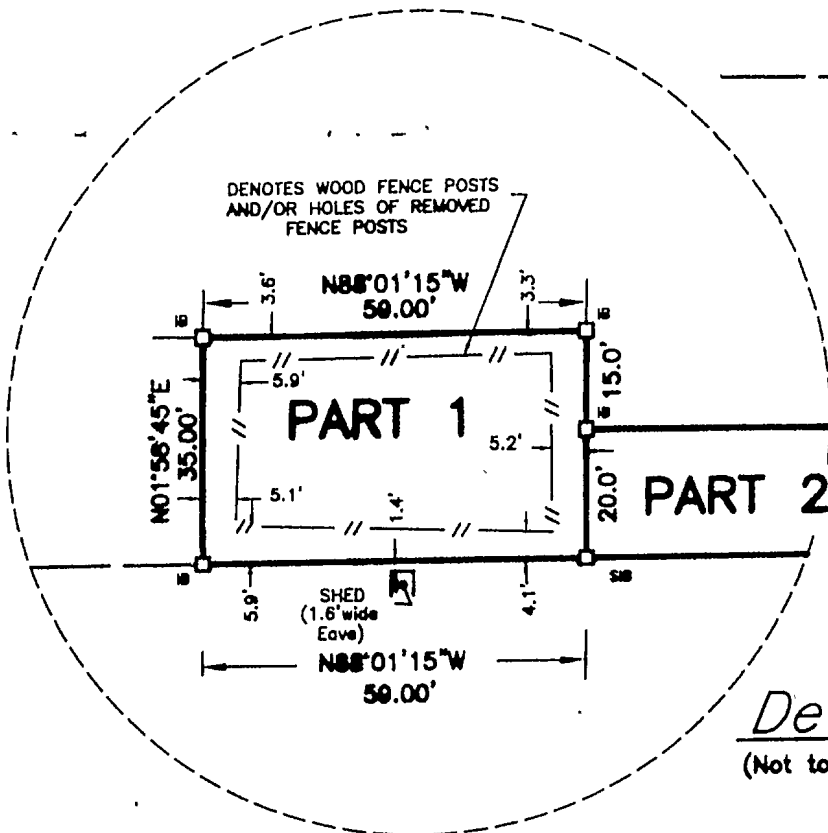
Description:

Part of Lot L, Concession 3, Western Division, Geographic Township of Gosfield South, now in the Town of Kingsville, in the County of Essex and Province of Ontario and now designated as Part 1 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Essex (12) as Plan 12R-22076.



BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LANDS DESIGNATED AS PART 1 AS SHOWN ON PLAN 12R-410 AND BEARING OF N 88° 01' 15" W.



"IMPERIAL" DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

ESSEX COUNTY
(ROAD ALLOWANCE BETWEEN)

HERN LIMIT OF
AND HAVING A

Southern Limit of Essex County
as widened by Instrument

Concession 3, Western

Lot L

Lot

P. I. N. 75170 - 0050 (LT)

Part 1, Plan 12R - 14356

PART 1

REFERENCE)

TH HALF AND SOUTH HALF
CONCESSION 3

70 - 0086 (LT)

565.00' (P&M)

See Detail

N01°58'45"E
15.00'

N88°01'15"W

59.00'

N01°58'45"E
35.00'

N87°34'40"W

76.00'

50.00'

WT. 1.0' South

N87°31'30"W (M)
N87°34'00"W (P)

P. I. N. 7

Part 1, Plan 12R - 8410

ROAD 18
ONCESSIONS 3 & 4)

Northeast Corner of
Lot M, Concession 3

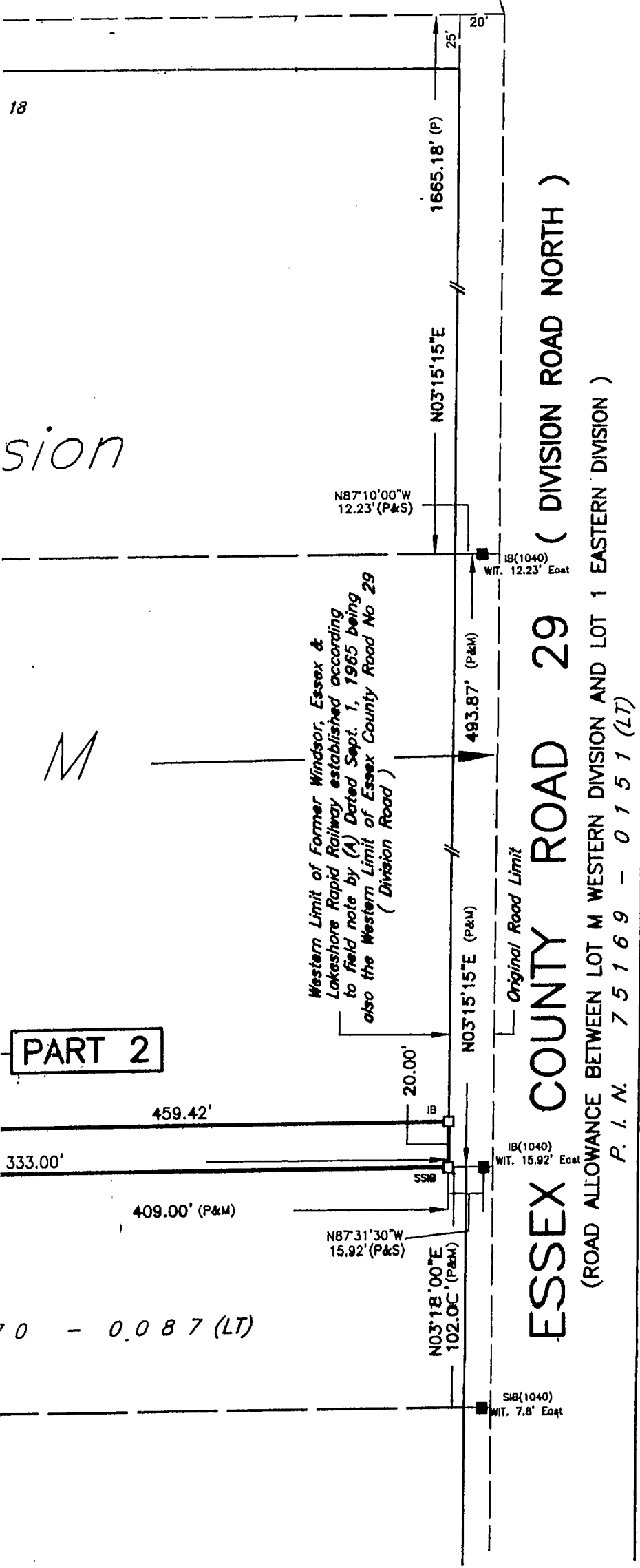
18

sion

M

PART 2

0 - 0.087 (LT)



ESSEX COUNTY ROAD 29 (DIVISION ROAD NORTH)

(ROAD ALLOWANCE BETWEEN LOT M WESTERN DIVISION AND LOT 1 EASTERN DIVISION)
P. I. N. 75169 - 0151 (LT)

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
LAND TITLES ACT.

DATE

June 1, 2005

Andrew S. Mantha

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

PLAN 12R-22076

RECEIVED AND DEPOSITED

DATE

2005-06-15

Robert Barichello

AN ASSISTANT DEPUTY LAND
REGISTRAR FOR THE LAND TITLES
DIVISION OF ESSEX (12)

PARTS SCHEDULE

PART	AREA	DESCRIPTION	P.I.N.
1	0.047 Acres	PART OF LOT L, CONCESSION 3, WESTERN DIVISION) (Geographic Township of Gosfield South)	PART OF 75170-0050
2	0.210 Acres	PART OF LOTS L AND M, CONCESSION 3, WESTERN DIVISION) (Geographic Township of Gosfield South)	

PLAN OF SURVEY OF PART OF LOTS L and M, CONCESSION 3, WESTERN DIVISION GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH

NOW IN THE

TOWN OF KINGSVILLE

COUNTY OF ESSEX, ONTARIO

VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE : 1"=60'



LEGEND

SIB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR
SSIB DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR
IB DENOTES 5/8" X 5/8" X 2'-0" IRON BAR
IB Ø DENOTES 3/4" diameter X 2'-0" ROUND IRON BAR
CC DENOTES CUT-CROSS
N/W DENOTES SURVEY NAIL WITH WASHER MARKED (1528)
MAG N DENOTES SURVEY MAGNETIC NAIL - NO WASHER
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED 1528
WIT. DENOTES WITNESS (M) DENOTES MEASURED (D) DENOTES DEED
(S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN
(P) DENOTES PLAN 12R-14356
(1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
(1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 19th DAY OF MAY, 2005

DATE MAY 31, 2005

Andrew S. Mantha

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY
BREWER • BEZAIRE INC.

WINDSOR

475 Devonshire Road, Suite 200
N8Y 2L5
Ph: (519)258-1772
Fax: (519)258-1791



VERHAEGEN
STUBBERFIELD
HARTLEY
BREWER

BEZAIRE
INC.

LEAMINGTON

187 Talbot Street East
N8H 1L8
Ph: (519)322-2375
Fax: (519)322-2675

ONTARIO LAND SURVEYORS

www.vshbbsurveys.com

DRAWN BY: N.M.G.
CHECKED BY: A.S.M.

CAD DATE: JUN/15/2005 9:06AM
CAD FILE NO.: K:\5100\51009800.DWG

WORK ORDER:

5-1062L

FILE NO.:

5-GOS. SOUTH-3.00

PLAN FILE NO.:

2-230A

19cm x 36cm (0.3 m²)
35.0" x 14.0" (3.4 ft²)