

THIS GRANT made December 4th, 1984.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT:

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM,

"PELHAM"

- and -

306303 ONTARIO LIMITED, a corporation incorporated pursuant to the laws of the Province of Ontario,

"ONTARIO"

**WHEREAS** Pelham is the owner of ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara (formerly in the Village of Fonthill) and being composed of Part of Lot 34, Registered Plan 25, N.K.A. Plan 717 and designated as Part 8, on Plan of survey of record filed in the Registry Office for the Registry Division of Niagara South (No. 59) as Plan 59R-3509;

**AND WHEREAS** Ontario is the owner of ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara (formerly Village of Fonthill) and being composed of Part of Lot 34, Registered Plan 25, N.K.A. Plan 717 and designated as Part 9, on Plan of survey of record filed in the Registry Office for the Registry Division of Niagara South (No. 59) as Plan 59R-3509;

**AND WHEREAS** Pelham has agreed to grant to Ontario the right and easement hereinafter set out for the price of \$1.00;

**NOW THIS INDENTURE WITNESSETH** that in consideration of the premises and of the sum of \$1.00, now paid by Ontario to Pelham, the receipt whereof is hereby acknowledged, Pelham hereby grants to Ontario, its successors and assigns, to be used and enjoyed as appurtenant to the said lands of Ontario heretofore described, the free, uninterrupted and unobstructed easement and right-of-way, in perpetuity, for persons and vehicles for all purposes for their own use and for the use of their tenants, employees, agents, workmen, invitees and licencees, over the following lands:

**ALL AND SINGULAR** that certain parcel or tract of land and premises situate, lying and being in the Town of Pelham (formerly Village of Fonthill), in the Regional Municipality of Niagara, and being composed

of Part of Lot 34, Registered Plan No. 25, N.K.A. Plan 717, designated as Part 1 on Plan of survey of record filed in the Registry Office for the Registry Division of Niagara South (No. 59) as Plan 59R-4401.

Ontario, its successors and assigns, hereby covenants and agrees by the acceptance of this grant to maintain the right-of-way, in its present condition in the year 1984, at its own expense.

This indenture and everything herein contained shall extend to and include the parties hereto, their and each of their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have affixed their respective corporate seals under the hands of their proper officers duly authorized in that behalf.

THE CORPORATION OF THE TOWN OF  
PELHAM,

E.G. Bergenstein (Corp.  
Mayor Seal)

Murray Haskitt  
Clerk

306303 ONTARIO LIMITED,

Raymond Brubaker (Corp.  
President and Secretary Seal)

