

THE LAND TITLES ACT

RICENBERG DEVELOPMENTS LIMITED, a company incorporated under the laws of the Province of Ontario, having its head office in the City of Toronto, in the Municipality of Metropolitan Toronto,

the registered owner of the freehold land registered in the office of Land Titles at Welland as Parcel Plan-1, in the register for Section 59M-

In consideration of other good and valuable consideration and the sum of Two Dollars (\$2.00) paid to it, transfers to

THE CORPORATION OF THE TOWN OF PELHAM,

its successors and assigns, easements and rights:-

(a) To enter, maintain, inspect, alter and repair a storm sewer including all appurtenances thereto on and under the lands described in Schedule "A";

(b) For the servants, agents, contractors and workmen of The Corporation of the Town of Pelham, to enter with machinery, materials, vehicles and equipment necessary for the use of the easement herein granted.

The transferee covenants, as far as is practicable, to restore the surface of the lands described in Schedule "A" to the same condition as they were in, prior to entry thereon, after each entry thereon.

The transferor covenants to keep the said lands clear of all brush, trees and other obstructions as may, in the opinion of the transferee, obstruct the use of the easements herein granted.

This agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

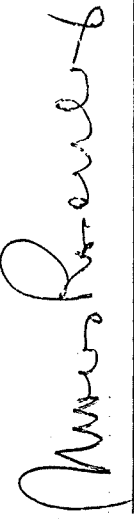
And The Toronto-Dominion Bank, the registered owner of charge number 348576 , hereby consents to the registration of this transfer of easement and postpones and subordinates the said charge to the easements herein created and transferred.

IN WITNESS WHEREOF the parties hereto have hereunto

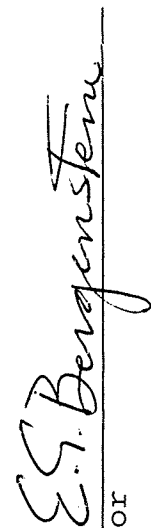
affixed their corporate seals under the hands of their proper signing officers duly authorized in that behalf.

DATED this 24th day of April, 1985.

RICENBERG DEVELOPMENTS LIMITED

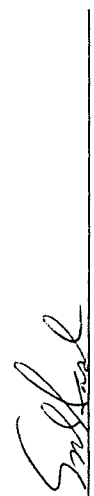
Per: 
Secretary-Treasurer

THE CORPORATION OF THE TOWN OF PELHAM

Per: 
Mayor


Clerk

THE TORONTO-DOMINION BANK

Per: 
GENERAL MANAGER



APPROVED
J. A. R.


SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of lands and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the Township of Pelham, County of Welland, and being composed of parts of Lots 5, 6, 9, 10, 15, 16, 18, 19, 23, 24, 27 and 28, as shown on a Plan registered in the Land Titles Office for the Land Titles Division of Niagara South as Plan 59M- and designated as parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, according to a Plan deposited in the said Land Titles Office as Plan 59R-

SCHEDULE "B"

THAT public highway in the Town of Pelham, in the Regional Municipality of Niagara, known as Fern Gate as shown on a Plan of Subdivision registered in the Land Titles Office at Welland as 59M-