

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-102.

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
watermain 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 2nd day of April, 1985.

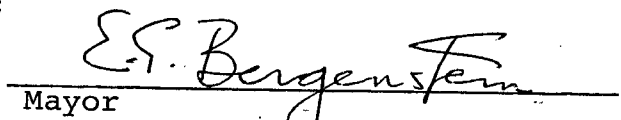
RICENBERG DEVELOPMENTS LIMITED

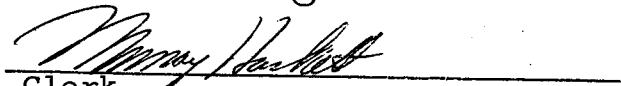
Per:


Secretary-Treasurer

THE CORPORATION OF THE TOWN OF PELHAM


Per:


Mayor


Clerk

THE TORONTO-DOMINION BANK

Per:



GENERAL MANAGER


APPROVED

J. A. B.

A

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 10, 11, 14 and 15, as shown on a Plan registered in the Land Titles Office for the Land Titles Division of Niagara South as Plan 59M-102 and designated as Parts 1, 2, 3 and 4, 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 Cynthia Court as shown on a Plan of Subdivision registered in the Land Titles Office at Welland as 59M-102.

Form 1
Land Transfer Tax Act

REFER to all instructions
on reverse side

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part of Lots 10, 11, 14 & 15, Plan 59M-102, designated as Parts 1, 2, 3 & 4, Plan 59R- , in the Town of Pelham Regional Municipality of Niagara

BY (print names of all transferors in full) Rickenberg Developments Limited

TO (see instruction 1 and print names of all transferees in full) The Corporation of the Town of Pelham

I, (see instruction 2 and print name(s) in full) MURRAY HACKETT

MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)):

(see instruction 2)

- ☐ (a) A person in trust for whom the land conveyed in the above - described conveyance is being conveyed;
☐ (b) A trustee named in the above - described conveyance to whom the land is being conveyed;
☐ (c) A transferee named in the above - described conveyance;

☒ (d) The authorized agent ~~XXXXXX~~ acting in this transaction for THE CORPORATION OF THE TOWN OF PELHAM (insert name(s) of principal(s))

described in paragraph(s) ~~XXXX~~ (a), (b), (c) above; (strike out references to inapplicable paragraphs)

☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (insert name(s) of corporation(s))

described in paragraph(s) (a), (b), (c) above. (strike out references to inapplicable paragraphs)

☐ (f) A transferee described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of.

(insert name of spouse)

who is my spouse described in paragraph (). (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.

2. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1 (1)(f) and (g) of the Act. (see instruction 3)

3. The following persons to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed are non-resident persons within the meaning of the Act. (see instruction 4) NONE

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

- | | | | |
|---|----|-----|--------|
| (a) Monies paid or to be paid in cash | \$ | nil | |
| (b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price) | \$ | nil | |
| (ii) Given back to vendor | \$ | nil | |
| (c) Property transferred in exchange (detail below) | \$ | nil | |
| (d) Securities transferred to the value of (detail below) | \$ | nil | |
| (e) Liens, legacies, annuities and maintenance charges to which transfer is subject | \$ | nil | |
| (f) Other valuable consideration subject to land transfer tax (detail below) | \$ | nil | |
| (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (total of (a) to (f)) | \$ | nil | \$ nil |
| (h) VALUE OF ALL CHATTELS - items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the Retail Sales Tax Act, R.S.O. 1980, c.454, as amended) | | | \$ nil |
| (i) Other consideration for transaction not included in (g) or (h) above | \$ | nil | |
| (j) TOTAL CONSIDERATION | \$ | nil | |

ALL BLANKS
MUST BE
FILLED IN.

INSERT "NIL"
WHERE
APPLICABLE

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 5) n/a

6. If the consideration is nominal, is the land subject to any encumbrance? n/a

7. Other remarks and explanations, if necessary Transfer of Easement to a municipality pursuant to a Subdivision Agreement for which valuable consideration is not paid.

SWORN before me at the Town of Pelham

in the Regional Municipality of Niagara

this 27th day of MAY 1985. E. D. Wagg, A.M.C.T.

A Commissioner for taking Affidavits, etc. Deputy Clerk

(signature(s))

PROPERTY INFORMATION RECORD

- A. Describe nature of instrument... Transfer of Easement
- B. (i) Address of property being conveyed (if available) not available
- (ii) Assessment Roll # (if available) not available
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 6). P. O. Box 400, Fonthill, Ontario. L0S 1E0

- D. (i) Registration number for last conveyance of property being conveyed (if available) not available
- (ii) Legal description of property conveyed: Same as in D. (i) above. ☐ Yes ☐ No ☒ Not Known
- E. Name(s) and address(es) of each transferee's solicitor... THE CORPORATION OF THE TOWN OF PELHAM

P. O. Box 400,
Fonthill, Ontario

For Land Registry Office use only

REGISTRATION NO.