

FOR OFFICE USE ONLY	<div>'85 NOV -5 P2:46</div> <div>LT-36635</div> <div>New Property Identifiers</div> <div>Executions</div>	(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>	(2) Page 1 of 3 pages		
		(3) Property Identifier(s)	Block	Property	Additional: See Schedule <input type="checkbox"/>
		(4) Nature of Document Notice of Agreement			
		(5) Consideration Dollars \$			
		(6) Description Parcel 422-1 Section M-19 for the Town of Pelham, being one foot reserve at the end of Meadowvale Road. Town of Pelham, Regional Municipality of Niagara.			
		(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input checked="" type="checkbox"/> Other <input type="checkbox"/>	

(8) This Document provides as follows:

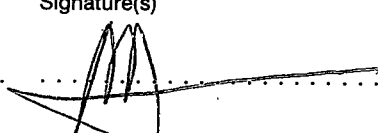
I, Margaret Rose Milburn, have an unregistered estate, right, interest or equity in:
The land registered in the name of The Corporation of the Town of Pelham, and hereby apply under Section 74 of the Land Titles Act for the entry of a Notice of Agreement in the register for the said parcel.

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
THE CORPORATION OF THE TOWN OF PELHAM		

(11) Address for Service P. O. Box 400, Fonthill, Ont. L0S 1E0

(12) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
MILBURN, Margaret Rose		
by her solicitor, Anthony D'Amico		1985 10 30

(13) Address for Service 190 Division St., P. O. Box 340, Welland, Ont. L3B 5P9

FOR OFFICE USE ONLY	(14) Municipal Address of Property	(15) Document Prepared by:	Fees and Tax	
		FLETT, BECCARIO, 190 Division St., Box 340, Welland, Ont. L3B 5P9	Registration Fee	16.00
			Total	

THIS AGREEMENT made in duplicate the 16th day of October, 1985, and authorized by By-law No.1022 /85 for the Corporation of the Town of Pelham.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"

- and -

MARGARET ROSE MILBURN

Hereinafter called the "Applicant"

WHEREAS the Applicant made application to the Land Division Committee for the Regional Municipality of Niagara to sever a portion of land shown as Part 1 on Reference Plan 2729 59R-2927, registered in the Registry Office for the Registry Division of Niagara South, a copy of which is attached hereto and being Part of Lot 1, Concession 10 in the former Township of Pelham, now in the Town of Pelham;

AND WHEREAS the Land Division Committee granted the said application, subject to conditions;

AND WHEREAS one of the conditions is that the Applicant is to enter into an agreement with the Town to control development on the remnant parcel, ~~shown as Part 1 on the plan of survey attached~~ described on Schedule "A" attached ~~of survey attached~~, and to provide access to the remnant parcel across the unopened road allowance to the north of the remnant parcel onto Meadowvale Road;

AND WHEREAS both parties wish to complete all conditions as set out in the Land Division Committee decision granted on the 26th day of April, 1983.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00), the receipt of which is hereby acknowledged, and the mutual covenants and agreements herein contained, and subject to the terms and conditions hereinafter set out, the parties hereto hereby agree as follows:

- 2 -

1. The applicant covenants and agrees not to construct, build or place any building or structure of any kind whatsoever in those lands and premises shown ~~xxxxxx~~ on Schedule "A" ~~xxxxxx~~ being Part of Lot 1, Concession 10 in the former Township of Pelham, now in the Town of Pelham, until the said lands are subject to an approved plan of subdivision.
2. The Town covenants and agrees to allow the Applicant access to the aforementioned lands across the one foot reserve separating Meadowvale Road from the unopened road allowance between Concessions 9 and 10 and across the unopened road allowance between Concessions 9 and 10 pending the approval of plan of subdivision.
3. This agreement and everything herein contained shall extend to and include the parties hereto and be binding upon their successors, heirs, executors and assigns.

IN WITNESS WHEREOF The Corporation of the Town of Pelham has hereunto affixed its corporate seal under the hands of its officers duly authorized in that behalf, and Margaret Rose Milburn has hereunto set her hand and seal.

SIGNED, SEALED AND DELIVERED)

In the presence of;

THE CORPORATION OF THE TOWN OF
PELHAM

PER:

ES. Bergerstein

Mary Hackett

Margaret Rose Milburn
MARGARET ROSE MILBURN

[Signature]

SCHEDULE "A"

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 and being composed of Part of Lot No. 1, in the 10th Concession of the Township of Pelham, more particularly described as follows: -

COMMENCING at the north-east corner of Lot No. 1, Concession No. 10; THENCE westerly along the northerly limit of Lot No. 1, 20.0 feet; THENCE south 00 degrees 00 minutes 30 seconds east along the road between the former Townships of Pelham and Thorold as widened by Instrument No. 20865B. 1071.13 feet;

THENCE south 44 degrees 46 minutes west, 71.20 feet to the northerly limit of Quaker Road as established by Instrument No. 66515B;

THENCE south 89 degrees 18 minutes 30 seconds west along said northerly limit 1108.05 feet to the point of commencement of the herein described lands;

THENCE continuing south 89 degrees 18 minutes 30 seconds west along said northerly limit 146.5 feet to a point on the westerly limit of Lot 1, Concession 10;

THENCE north 0 degrees 07 minutes east 1114.71 feet to a point which point is also the north-westerly angle of said Lot 1, Concession 10;

THENCE north 89 degrees 01 minutes 40 seconds east along the northerly limit of said Lot 1, Concession 10, 285 feet to a point;

THENCE south 0 degrees 07 minutes east 837.60 feet to an iron bar planted;

THENCE south 57 degrees 50 minutes west 193 feet to an iron bar planted on the northerly limit of the Quaker Road, which is also the place of beginning said lands being more particularly described in a mortgage registered as Instrument Number 254872 in the Registry Division of Niagara South.

SAVE AND ACCEPT 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, and being composed of Part of Lot No. 1, in the 10th Concession of the Township of Pelham, and being designated as Part 1 on Plan 59R-2729.

DATED: , 1985

THE CORPORATION OF THE TOWN
OF PELHAM

and

MARGARET ROSE MILBURN

A G R E E M E N T

BROOKS, MACFARLANE & BIELBY
Barristers and Solicitors
76 Division Street
Welland, Ontario

TAB:bd

LAND TRANSFER TAX ACT

Revised October, 1981.
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) Parcel 422-1 Section M-19
One foot reserve at the end of Meadowvale Road, in the Town of Pelham,
in the Regional Municipality of Niagara.
BY (print names of all transferors in full) THE CORPORATION OF THE TOWN OF PELHAM
TO (see instruction 1 and print names of all transferees in full) MARGARET ROSE MILBURN
I, (see instruction 2 and print name(s) in full) ANTHONY D'AMICO

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 or solicitor acting in this transaction for MARGARET ROSE MILBURN
(insert name(s) of principal(s))
described in paragraph(s) ~~(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 | \$ 1.00 | |
| (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)) | \$ 1.00 | \$ 1.00 |
| (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 | \$ 1.00 | |
5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 5)
none
6. If the consideration is nominal, is the land subject to any encumbrance? no
Other remarks and explanations, if necessary this instrument conveys only a right-of-way
The total consideration therefore is set out above

ALL BLANKS
MUST BE
FILLED IN.
INSERT "NIL"
WHERE
APPLICABLE.

(signature(s))

PROPERTY INFORMATION RECORD

- A. Describe nature of instrument grant of right-of-way
- B. (i) Address of property being conveyed (if 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)
c/o 190 Division St., Welland, Ont. L3B 5P9
- 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
FLETT, BECCARIO,
190 Division St.,
P. O. Box 340,
WELLAND, Ont. L3B 5P9

For Land Registry Office use only

REGISTRATION NO.

LAND REGISTRY OFFICE NO.

REGISTRATION DATE