

THIS AGREEMENT made in triplicate this 16th. day of September, 1985 A.D. and authorized by By-law #1024 (1985) for the Corporation of the Town of Pelham.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"

- and -

GORDON WOODLAND & DIANE WOODLAND

Hereinafter called the "Owner"

WHEREAS the predecessors in title, Alfred Melville Allen and Maureen Frances Allen and the Corporation of the Town of Pelham, as the Town, entered into a site plan agreement, dated the 9th. day of June, 1983, and registered in the Registry Office for the Registry Division of Niagara South on the 9th. day of June, 1983 as Instrument No. 410641, where the owner did covenant and agree, to perform certain works on the premises herein described in Schedule "A" annexed hereto, upon terms and conditions therein contained, hereinafter called the said agreement;

AND WHEREAS it is the intention of the Owner and the Town, that the Owner will assume all the terms and conditions in the said agreement registered as aforementioned;

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:

(1) THAT every covenant, condition, proviso and stipulation contained in the said agreement, registered as Instrument No. 410641, will apply and bind the Owner in the same manner and with the same effect as if the Owner had been a party to the said agreement, and the Owner covenants and agrees with the Town to do, observe, keep and perform every such covenant, condition, proviso and stipulation.

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(2) THIS Agreement and everything contained herein shall extend to and bind and enure to the benefit of the respective administrators, successors and assigns of the Parties hereto.

IN WITNESS WHEREOF THE CORPORATION OF THE TOWN OF PELHAM HAS HEREUNTO AFFIXED ITS CORPORATE SEAL DULY ATTESTED TO BY THE HANDS OF ITS PROPER OFFICERS IN THAT BEHALF AND IN WITNESS WHEREOF THE OWNERS HAVE HEREUNTO SET THEIR HANDS AND SEAL.

SIGNED, SEALED AND DELIVERED

- In the Presence Of -

(THE CORPORATION OF THE TOWN OF PELHAM

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(E.S. Bergenstem

(MAYOR

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(Mary H. Hitt

(CLERK

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(Gordon Woodland

(GORDON WOODLAND

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(Diane Woodland

(DIANE WOODLAND

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S C H E D U L E

" A "

THOSE lands and premises located in the Town of Pelham, in the Regional Municipality of Niagara, and being composed of Lots 47 and 48 on the south side of Emmett Avenue, according to Registered Plan 24 for the Township of Thorold, now known as Plan 658.

