

Transfer/Deed of Land

Form 1 — Land Registration Reform Act, 1984

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|--|--|--|--|---|---|
| FOR OFFICE USE ONLY | Number/Numéro LT# 55989 CERTIFICATE OF RECEIPT Certificat de Réception '88 SEP 27 P2:00 NIAGARA SOUTH- SUD (59) WELLAND Assn't Dep. Land Registrar Sous-Registraire Adjoint | (1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/> | (2) Page 1 of 4 pages | | |
| | | (3) Property Identifier(s) | Block | Property | Additional: See Schedule <input type="checkbox"/> |
| | | (4) Consideration -----One-----Dollars \$ 1.00 | | | |
| | | (5) Description This is a: Property Division <input type="checkbox"/> Property Consolidation <input type="checkbox"/> Blocks 70, & 71, Plan 59M- Town of Pelham, Regional Municipality of Niagara Part of Parcel Plan - 1, Section 59M- 147 | | | |
| | | Executions Additional: See Schedule <input type="checkbox"/> | | | |
| (6) This Document Contains | | (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> | (b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/> | (7) Interest/Estate Transferred Fee Simple Easement | |
| (8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that Name(s) LANDCO DEVELOPMENTS LTD. Signature(s) Jack G. Berkhout, President I have authority to bind the company Date of Signature Y M D 1988 07 12 | | | | | |
| (9) Spouse(s) of Transferor(s) I hereby consent to this transaction Name(s) Signature(s) Date of Signature Y M D | | | | | |
| (10) Transferor(s) Address for Service 72 East Main Street, Suite 205, Welland, Ontario, L3B 3W3 | | | | | |
| (11) Transferee(s) THE CORPORATION OF THE TOWN OF PELHAM Date of Birth Y M D | | | | | |
| (12) Transferee(s) Address for Service P.O. Box 400, Fonthill, Ontario, L0S 1E0 | | | | | |
| FOR OFFICE USE ONLY — OPTIONAL | (13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 49 of the Planning Act, 1983. Signature Date of Signature Y M D Solicitor for Transferor(s) I have explained the effect of section 49 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing. Name and Address of Solicitor Signature Date of Signature Y M D | | | | |
| | (14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (21a) (c) (ii) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing. Name and Address of Solicitor Signature Date of Signature Y M D | | | | |
| | (15) Assessment Roll Number of Property City Mun. Map Sub. Par. not assigned | | | | |
| (16) Municipal Address of Property vacant land | | (17) Document Prepared by: Robert Reilly 92 Charlotte Street Port Colborne, Ontario L3K 3E1 | | Fees and Tax Registration Fee 2000 Land Transfer Tax Total | |

TRANSFER OF EASEMENT

LAND TITLES ACT

We, LANDCO DEVELOPMENTS LTD., a company incorporated under the laws of the Province of Ontario,

the registered owner of the freehold land registered in the Land Registry Office for the Land Titles Division of Niagara South as Parcel Plan - 1, in the register for Section 59M- 147 in consideration of the sum of -----one-----(\$1.00)-DOLLAR paid to them TRANSFER AND APPOINT to

THE CORPORATION OF THE TOWN OF PELHAM

its successors and assigns, the permanent easement or right in the nature of an easement to construct, keep, have and maintain at all times storm and sanitary sewers with appurtenances in, along, upon, over and under the lands being described as follows, according to Plan 59M- 147 registered in the Land Registry Office for the Land Titles Division of Niagara South and designated as follows on Reference Plan 59R- for the benefit of the transferee, its servants, agents, contractors and workmen, the owner or owners for the time being of Blocks 73, 74 & 75 as shown on said Plan 59M- 147 and the said transfer shall run with and be binding upon the lands hereinafter described and their owners for the time being:

Blocks 70 & 71, 78, 79, 81, & 82

The Transferor shall not without the prior consent of the Transferee, excavate, drill, install, erect or permit to be excavated, drilled, installed or erected on or under the lands any pit, well, foundation, pavement or other structure or installation, but otherwise the Transferor shall have the right to use and enjoy the said strip of land, subject always to and so as not to interfere with the easements, or the rights and privileges hereby transferred and conferred upon the Transferee.

Following completion of any work on the said sewers, the Transferee shall restore the lands to their former condition as nearly as may be reasonably practicable.

Notwithstanding any rule of law or equity, the said storm and sanitary sewers and appurtenances shall at all times remain the property of the transferees, notwithstanding that the same may be annexed or affixed to the freehold.

This Transfer shall enure to the benefit of and be binding upon the parties hereto and their successors and assigns.

being part of the said Parcel

This Transfer and Appointment is made pursuant to Section 96 of the Land Titles Act.

DATED this 6TH day of SEPTEMBER, 1988.

LANDCO DEVELOPMENTS LTD.

per: 

Jack G. Berkhout, President

THE CORPORATION OF THE TOWN OF PELHAM

per: 

Mayor

per: 

Clerk

Form 1 - Land Transfer Tax Act
Affidavit of Residence and of Value of the Consideration

DYE & DURHAM CO. LIMITED
Form No. 500
(Amended Aug. 1, 1986)

Refer to all instructions on reverse side.

78, 79, 81 & 82

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Blocks 70, & 71, Plan 59M- 147
Town of Pelham, Regional Municipality of Niagara,
Part of Parcel Plan - 1, Section 59M-
BY (print names of all transferors in full) LANDCO DEVELOPMENTS LTD.

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 or solicitor acting in this transaction for (insert name(s) of principal(s)) _____

☒ (e) The Clerk described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)
~~The President, Vice-President, Mayor, Secretary, or other officer of the Corporation of the Town of Pelham~~ authorized to act for (insert name(s) of corporation(s)) _____

☐ (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 deposited to.

2. (To be completed where the value of the consideration for the conveyance exceeds \$250,000).

I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance
☐ contains at least one and not more than two single family residences.
☐ does not contain a single family residence.
☐ contains more than two single family residences. (see instruction 3)

Note: Clause 2(1) (d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$250,000 where the conveyance contains at least one and not more than two single family residences.

3. 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 and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5) none

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

| | | |
|---|----------------|----------------|
| (a) Monies paid or to be paid in cash | \$ <u>1.00</u> | |
| (b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price) | \$ <u>nil</u> | |
| (ii) Given back to vendor | \$ <u>nil</u> | |
| (c) Property transferred in exchange (detail below) | \$ <u>nil</u> | |
| (d) Securities transferred to the value of (detail below) | \$ <u>nil</u> | |
| (e) Liens, legacies, annuities and maintenance charges to which transfer is subject | \$ <u>nil</u> | |
| (f) Other valuable consideration subject to land transfer tax (detail below) | \$ <u>nil</u> | |
| (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f)) | \$ <u>1.00</u> | \$ <u>1.00</u> |
| (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) | \$ <u>nil</u> | |
| (i) Other consideration for transaction not included in (g) or (h) above | \$ <u>nil</u> | |
| (j) TOTAL CONSIDERATION | \$ <u>1.00</u> | |

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 6) n/a

6. If the consideration is nominal, is the land subject to any encumbrance? no

7. Other remarks and explanations, if necessary. no consideration passing - storm & sanitary sewer easement

Sworn before me at the Town of Pelham
in the Regional Municipality of Niagara
this 6 day of Sept 19 88

A Commissioner for taking Affidavits, etc.

MURRAY HACKETT

Property Information Record

A. Describe nature of instrument: Storm & Sanitary Easement

B. (i) Address of property being conveyed (if available) none

(ii) Assessment Roll No. (if available) not assessed

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) P.O. Box 400, Fonthill, Ontario, L0S 1E0

D. (i) Registration number for last conveyance of property being conveyed (if available) not known

(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

Robert Reilly
92 Charlotte Street
Port Colborne, Ontario
L3K 3E1

For Land Registry Office use only

REGISTRATION NO.

Land Registry Office No.

Registration Date