

Document General

Form 4 — Land Registration Reform Act, 1984

DYE & DURHAM CO. LIMITED  
Form No. 985

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|                                                   |  |                                                                                                                                                                                                                                   |                                                                  |
|---------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| FOR OFFICE USE ONLY                               |  | (1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/> (2) Page 1 of 3 pages                                                                                                                       |                                                                  |
| New Property Identifiers                          |  | (3) Property Identifier(s)                                                                                                                                                                                                        | Block Property Additional: See Schedule <input type="checkbox"/> |
| Executions                                        |  | (4) Nature of Document Application for Inhibiting Order and Inhibiting Order                                                                                                                                                      |                                                                  |
| Additional: See Schedule <input type="checkbox"/> |  | (5) Consideration nil Dollars \$                                                                                                                                                                                                  |                                                                  |
| Additional: See Schedule <input type="checkbox"/> |  | (6) Description Town of Pelham, Regional Municipality of Niagara, being Parcel Plan 1, Section 59M - 147                                                                                                                          |                                                                  |
| Additional: See Schedule <input type="checkbox"/> |  | (7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input type="checkbox"/> Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/> |                                                                  |

(8) This Document provides as follows:

In the matter of a Plan of Subdivision of the above-described lands an Application for Inhibiting Order by the Corporation of the Town of Pelham is attached hereto.

Continued on Schedule ☐

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

|                                                                    |              |                         |
|--------------------------------------------------------------------|--------------|-------------------------|
| (10) Party(ies) (Set out Status or Interest)                       | Signature(s) | Date of Signature Y M D |
| THE CORPORATION OF THE TOWN OF PELHAM by its CLERK, Murray Hackett |              | 1988 09 26              |
| (11) Address for Service P.O. Box 400, Fonthill, Ontario, L0S 1E0  |              |                         |

|                                              |              |                         |
|----------------------------------------------|--------------|-------------------------|
| (12) Party(ies) (Set out Status or Interest) | Signature(s) | Date of Signature Y M D |
|                                              |              |                         |
| (13) Address for Service                     |              |                         |

|                                             |                                                                                             |
|---------------------------------------------|---------------------------------------------------------------------------------------------|
| (14) Municipal Address of Property multiple | (15) Document Prepared by: Robert Reilly 92 Charlotte Street Port Colborne, Ontario L3K 3E1 |
| FOR OFFICE USE ONLY                         |                                                                                             |
| Fees and Tax                                |                                                                                             |
| Registration Fee                            | 2000                                                                                        |
| Total                                       |                                                                                             |

ial Property Identifier(s) and/or Other Information

LAND TITLES

TO THE REGISTRAR FOR THE LAND TITLES  
DIVISION OF NIAGARA SOUTH

I, MURRAY HACKETT, Clerk Administrator of the Corporation of the Town of Pelham, certify that LANDCO DEVELOPMENTS LTD., the registered owner of the land being in the Town of Pelham in the Regional Municipality of Niagara and being composed of:

Lots 1 to 68 both inclusive and Blocks 69 to 82 both inclusive all in Plan 59M-147 being the land laid out by a Plan of Subdivision dated 29th Aug. 1988 prepared by C.J. Clarke, an Ontario Land Surveyor, has not executed and is not under any obligation to execute any transfer of land or transfer of easement or any agreement affecting the title to the above lands in favour of the Corporation of the Town of Pelham, which has not been registered at the date hereof except the following:

| LOTS AFFECTED                    | INSTRUMENT                                        | IN FAVOUR OF                          |
|----------------------------------|---------------------------------------------------|---------------------------------------|
| Lots 1 to 68 both inclusive      |                                                   | The Corporation of                    |
| Blocks 69 to 82 both inclusive   | Subdividers Agreement                             | the Town of Pelham                    |
| Blocks 70, & 71, 78, 79, 81 & 82 | Transfer of Easment for Storm and Sanitary Sewers | The Corporation of the Town of Pelham |
| Blocks 73, 74, & 75 & 80         | Transfer for Park Purposes and walkway            | The Corporation of the Town of Pelham |
| Lots 21 to 25 both inclusive     | Addendum to Subdividers Agreement                 | The Corporation of the Town of Pelham |
| Lots 35 to 68 both inclusive     |                                                   |                                       |
| Blocks 76 & 77                   | Transfer                                          | The Corporation of the Town of Pelham |
| Blocks 69, 70 & 72               | Site Plan Agreement                               | The Corporation of the Town of Pelham |

As to the Blocks and Lots above enumerated, I hereby request you to issue ~~xxx~~ an Order or make an entry pursuant to Section 23 inhibiting any dealing with the said lands until the necessary instruments have been registered.

DATED at Pelham this 6<sup>TH</sup> day of SEPTEMBER, 1988.

THE CORPORATION OF THE TOWN OF PELHAM  
per:

  
MURRAY HACKETT  
Clerk

Legal Property Identifier(s) and/or Other Information

THE LAND TITLES ACT

Under and by Virtue of the provisions of Section 23  
of the Land Titles Act, R.S.O. 1980, c. 230

ORDER

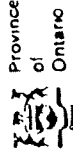
I HEREBY ORDER that no dealing with the whole or any part of the hereinafter  
described lands on the Plan M59- /47 may be accepted for registration until  
the following instruments in favour of the Corporation of the Town of Pelham  
and the Regional Municipality of Niagara are registered:

| LOTS AFFECTED                                                 | INSTRUMENT                                             | IN FAVOUR OF                             |
|---------------------------------------------------------------|--------------------------------------------------------|------------------------------------------|
| Lots 1 to 68 both inclusive<br>Blocks 69 to 82 both inclusive | Subdividers Agreement                                  | The Corporation of<br>the Town of Pelham |
| Blocks 70, & 71, 78, 79, 81 &<br>82                           | Transfer of Easement<br>for Storm & Sanitary<br>Sewers | The Corporation of<br>the Town of Pelham |
| Blocks 73, 74, & 75 & 80                                      | Transfer for Park<br>purposes & walkway                | The Corporation of<br>the Town of Pelham |
| Lots 21 to 25 both inclusive<br>Lots 35 to 68 both inclusive  | Addendum to Subdividers<br>Agreement                   | The Corporation of<br>the Town of Pelham |
| Blocks 76 & 77                                                | Transfer                                               | The Corporation of<br>the Town of Pelham |
| Blocks 69, 70 & 72                                            | Site Plan Agreement                                    | The Corporation of<br>the Town of Pelham |

AND I FURTHER ORDER that an entry to this effect be entered in the Register.

DATED at Welland this 27 day of September 1988.

*R. G. L. Lawrence*  
Deputy LAND REGISTRAR



Province  
of  
Ontario

# Transfer/Deed of Land

Form 1 — Land Registration Reform Act, 1984

(FOR OFFICE USE ONLY)

00000  
A

Number/Numéro LT- 55990  
Certificate of Receipt  
88 SEP 27 P2:00  
Niagara South  
SUD (59)  
Land Registrar  
Sous-Registreur Adjoint

New Property/Propriété

Additional:  
See  
Schedule

Executions

Additional:  
See  
Schedule

(1) Registry ☐ (2) Page 1 of 2 pages

(3) Property Identifier(s) Block Property

Additional:  
See  
Schedule

(4) Consideration  
-----One----- Dollars \$ 1.00

(5) Description This is a: Property Division ☐ Property Consolidation ☐

Blocks 73, 74 & 75, and 76 & 77, and 80  
Plan 59M-147  
Town of Pelham, Regional Municipality of Niagara  
Part of Parts of Plan - 1, Section 59M-147

(7) Interest/Estate Transferred  
Fee Simple

(b) Schedule for:  
Description ☐ Additional Parties ☐ Other ☐

(6) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐

(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.  
Jack G. Berkhout, President

Signature  
I have authority to bind  
the company.

Date of Signature  
Y M D  
1988 07 02

(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

(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.

Date of Signature  
Y M D

Date of Signature  
Y M D

Signature. 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.

Signature.

(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

Date of Signature  
Y M D

Signature.

(15) Assessment Roll Number of Property

Par. not assigned

Fees and Tax

Registration Fee

Land Transfer Tax

(16) Municipal Address of Property vacant land

(17) Document Prepared by:  
Robert Reilly  
92 Charlotte Street  
Port Colborne, Ontario  
L3K 3E1

Total

Aff. of Residence and of Value of the Co. jeration

Refer to all instructions on reverse side.

and 76 x 77, and 80

Plan 59M-

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Blocks 73, 74 & 75, Part of Parts of Plan -1, Town of Pelham, Regional Municipality of Niagara, Part of Parts of Plan -1, Section 59M- / 4 7

BY (print names of all transferees in full) LANDCO DEVELOPMENTS LTD.

TO (see instruction 1 and print names of all transferees in full) THE CORPORATION OF THE TOWN OF PELHAM

1. (see instruction 2 and print name(s) in full) Murray Hackett

MAKE OATH AND SAY THAT:

1. I am (place a check 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 ~~President, Director, Manager, Clerk or other officer or authorized agent~~ of the Corporation of the Town of Pelham 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 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 am making this affidavit on my own behalf and 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)

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)(a) of the Act. The land conveyed in the above-described conveyance contains at least one and not more than two single family residences. 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.

☐ 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)

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 \$ 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) \$ 1.00
- (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f)) \$ 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 \$ 1.00

(j) TOTAL CONSIDERATION \$ 1.00

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 - complying with Subdivis: Agreement

Sworn before me at the Town of Pelham in the Regional Municipality of Niagara this 16th day of Sept 1988

A Commissioner for taking Affidavits, etc.

  
MURRAY HACKETT

Property Information Record

A. Describe nature of instrument: deed of land

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

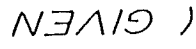
D. (i) Registration number for last conveyance of property being conveyed (if available) not known

(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

1-5



THE CORPORATION OF THE  
T O W N   O F   P E L H A M

BY-LAW NO. 1208 (1988)

Being a by-law to amend Subdivision Agreements with R.O.A.D. Holdings Limited with regard to the development of the Quaker Road Plan No. 1 Subdivision and with Landco Developments Ltd. with regard to the development of the Forest Heights Subdivision.

WHEREAS the Council of the Corporation of the Town of Pelham entered into a Subdivision Agreement with R.O.A.D. Holdings Limited on June 20th, 1988 and with Landco Developments Ltd. on April 18th, 1988;

AND WHEREAS the Ministry of Natural Resources have requested that the abovenoted subdivision agreements be amended to include a provision to require the carrying out of works required by the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to amend the subdivisions to include the proposed changes;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

- (1) THAT the changes as set out below be made to the Subdivision Agreement dated June 6th, 1988 between the Corporation of the Town of Pelham and R.O.A.D. Holdings Ltd.
- (i) Clause (44) be renumbered (44a)
  - (ii) Clause (44b) "The Owner agrees to carry out or cause to be carried out works required in the fulfillment of the requirements in Clause (44a)" be added to the Agreement.

- (2) THAT the changes as set out below be made to the Subdivision Agreement dated July 25th, 1988 between the Corporation of the Town of Pelham and Landco Developments Ltd.:
- (i) Clause (41) be renumbered (41a)
  - (ii) Clause (41b) "the Owner agrees to carry out or cause to be carried out works required in the fulfillment of the requirements in Clause (41a)" be added to the Agreement.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
3RD DAY OF AUGUST, 1988 A.D.

E.S. Bergen Stein  
MAYOR

M. May  
CLERK