

Transfer/Deed of Land

1232

A

Form 1 — Land Registration Reform Act, 1984

<div>FOR OFFICE USE ONLY</div> <div>Number/Numéro LT-59569</div> <div>CERTIFICATE OF RECEIPT</div> <div>Certificat de Récépisse</div> <div>*89 FEB 28 A9:38</div> <div>NIAGARA SOUTH SUD (59)</div> <div>WELLAND Land Registrar/Registraire</div> <div>Additional: See Schedule <input type="checkbox"/></div> <div>Executions</div> <div>Additional: See Schedule <input type="checkbox"/></div>		(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>		(2) Page 1 of 7 pages		
		(3) Property Identifier(s)		Block	Property	Additional: See Schedule <input type="checkbox"/>
		(4) Consideration NIL - Transfer of Easement to a Municipality Dollars \$				
		(5) Description This is a: Property Division <input type="checkbox"/> Property Consolidation <input type="checkbox"/> Part Block 43, Plan 59M-149, Town of Pelham, Regional Municipality of Niagara, designated as Part 1 on Reference Plan 59R-6133, and being part of Parcel Plan-1, in the Register for Section 59M-149.				
		(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"/>
(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) R.O.A.D. HOLDINGS LIMITED Signature(s) <i>Morris Rosenberg</i> Date of Signature Y M D 1988 12 Morris Rosenberg President I have authority to bind the Corporation.						
(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 1110 Sheppard Avenue East, Suite 507, Willowdale, Ontario. M2K 2W2						
(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. Signature Date of Signature Y M D 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 not assessed						
(16) Municipal Address of Property not assigned						
(17) Document Prepared by: Messrs. Chown, Cairns, 80 King Street, P. O. Box 760, St. Catharines, Ontario. L2R 6Y8 RG:nc						
Fees and Tax Registration Fee 2000 Land Transfer Tax Total						

THIS AGREEMENT made this 6th day of December, 1988.

B E T W E E N:

R.O.A.D. HOLDINGS LIMITED,

(hereinafter called the "Grantor")

OF THE FIRST PART:

- and -

THE CORPORATION OF THE TOWN OF PELHAM,

(hereinafter called the "Grantee")

OF THE SECOND PART:

- and -

THE TORONTO-DOMINION BANK,

(hereinafter called the "Mortgagee")

OF THE THIRD PART:

WHEREAS:-

1. The Grantor is the registered owner in fee simple of the lands described in Schedule "A" hereto annexed.
2. The Grantee is the registered owner of those public highways more particularly described in Schedule "B" hereto annexed.
3. The Grantor has agreed to grant a permanent easement for sanitary storm sewer purposes over the lands described in Schedule "A" to the Grantee for the benefit of the Grantee's lands as described in Schedule "B".

NOW THEREFORE THIS INDENTURE WITNESSETH THAT in consideration of the premises and of the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the Grantee to the Grantor (the receipt whereof is hereby acknowledged):

1. The Grantor doth grant and convey and transfer unto the Grantee, and its servants, contractors and workmen, the right, licence, liberty, privilege and easement to lay,


6. The easements herein are declared to be appurtenant to and for the benefit of the lands of the Grantee, more particularly described in Schedule "B".

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


8. And the Mortgagee hereby consents to the registration of the Easement Agreement and postpones and subordinates its mortgage to the easement 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.

R.O.A.D. HOLDINGS LIMITED

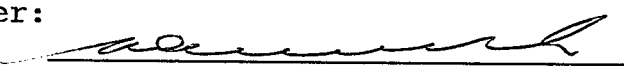
Per: 
Morris Rosenberg -
President

THE CORPORATION OF THE TOWN
OF PELHAM

Per: 
Mayor - ~~XXXXXX Bergenstein~~ M. D. Collins

Per: 
Clerk - Murray Hackett

THE TORONTO-DOMINION BANK

Per: 
GENERAL MANAGER
A. Denmark

The Toronto-Dominion Bank (the "Bank") has caused this Agreement to be signed by this duly authorized attorney pursuant to a Power of Attorney registered in the Registry Office for the Land Titles Division of Niagara South (No. 59) on the 21st day of October, 1983, as No. LT-28759.

I am attorney for the Bank under the above-mentioned Power of Attorney. to the best of my knowledge and belief the Power of Attorney is still in full force and effect.

This document is in compliance of inhibiting Order
LT-56415 re: Block 43.

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 Block 43, as shown on a Plan registered in the Land Titles Office for the Land Titles Division of Niagara South as Plan 59M-149, and being designated as Part 1 on Reference Plan 59R-6133, and being part of Parcel Plan-1, in the Register for Section 59M-149.

SCHEDULE "B"

THOSE public highways in the Town of Pelham, in the Regional Municipality of Niagara, known as Woodside Square and Welland Road, as shown on a Plan of Subdivision registered in the Land Titles Office at Welland as Plan 59M-149.

Affidavit of Residence and of Value of the Consideration

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part Block 43, Plan 59M-149, Town of Pelham, Regional Municipality of Niagara, designated as Part 1 on Reference Plan 59R-6133.

BY (print names of all transferors in full) R.O.A.D. HOLDINGS LIMITED

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

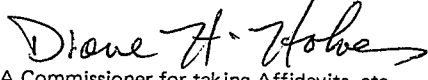
I, (see instruction 2 and print name(s) in full) RONALD GREENSPAN, Q.C., of the City of St. Catharines, in the Regional Municipality of Niagara

MAKE OATH AND SAY THAT:

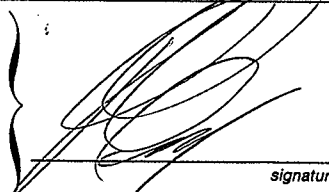
1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)
- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described 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)) THE CORPORATION OF THE TOWN OF PELHAM
- described in paragraph(s) ~~XXXXX~~ (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. (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>nil</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>nil</u> | \$ <u>nil</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>nil</u> | |
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? N/A
7. Other remarks and explanations, if necessary. Transfer of Easement to a Municipality pursuant to the terms of a Subdivision Agreement for which no valuable consideration is paid.

Sworn before me at the City of St. Catharines
in the Regional Municipality of Niagara
this 27th day of February 1989


A Commissioner for taking Affidavits, etc.

DIANE HELEN HOLMES, a Commissioner for taking Affidavits, Judicial District of Niagara North, for Chown, Cairns, Barristers and Solicitors.
Expires May 23, 1989.


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 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 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 Messrs. Chown, Cairns, 80 King Street, P.O. Box 760, St. Catharines, Ontario. L2R 6Y8

For Land Registry Office use only

REGISTRATION NO.

Land Registry Office No.

Registration Date