

Mutual Release

THIS INDENTURE made in duplicate the day of A.D.1972.

BETWEEN: DONALD R. MASON, of the City of
 Welland, in the Regional
 Municipality of Niagara,

hereinafter called the "PARTY"

OF THE FIRST PART

- and - THE CORPORATION OF THE TOWN OF PELHAM,
 in the Regional Municipality of
 Niagara,

hereinafter called the "MUNICIPALITY"

OF THE SECOND PART

WHEREAS the Party of the First Part did on or about the 6th day of November, 1967 offer to purchase approximately one-third acre of land in Part Lot 161, of the then Township of Thorold for the sum of \$450.00 at a tax sale held by the Municipality for the purpose of disposing of tax sale lands pursuant to the Provisions of the Assessment Act

AND WHEREAS the said Party of the First Part did, at that time, pay to the Treasurer of the Township of Thorold the sum of \$450.00 and did receive a Treasurer's Certificate of Sale addressed to D.R. Mason (in trust) in which it was stated that a conveyance would be delivered after the expiration of one year from the date of the sale if the said lands have not been previously redeemed in accordance with the said Assessment Act

AND WHEREAS no conveyance has ever been delivered to the said D.R. Mason, in trust, due to difficulties in obtaining an accurate description of the subject lands and differences between the said D.R. Mason and the then Township of Thorold with respect to the responsibility for the payment of the surveyors costs

AND WHEREAS part of the Township of Thorold in which the subject lands are said to be situate became part of the Town of Pelham on the first day of January, 1970 by virtue of the Regional Municipality of Niagara Act 1968-69

AND WHEREAS the said lands have been assessed for taxes since 1967 and there are now substantial tax arrears assessed against the said lands

AND WHEREAS it has been agreed between the Parties that the Municipality will refund to the Party of the First Part the amount of the purchase price (\$450.00) without interest and will withdraw any and all claims for tax arrears against the said Party of the First Part and release the said Party of the First Part from all claims for arrears of taxes, survey^{costs} or otherwise against the said Party and the said lands in return for the consideration.

WITNESS THEREFOR that in consideration of the sum of -----

-----FOUR HUNDRED AND FIFTY (\$450.00)-----Dollars, the receipt whereof is hereby acknowledged, the said Donald R. Mason personally, and as Trustee, does hereby demise, release and forever discharge the Corporation of the Town of Pelham, its successors and assigns of and from all manner of actions,

AND WITNESSETH FURTHER that the Town of Pelham in consideration of the terms, covenants and conditions set out in this Agreement and the execution of this Release by the Party of the First Part doth hereby demise, release and forever discharge Donald R. Mason personally and D.R.Mason, as Trustee, his heirs, executors, administrators of and from all manner of actions, claims and demands whatsoever and more particularly claims for arrears of taxes and survey costs attached to the lands and premises described in Schedule "A" hereto which have been assessed, and/or incurred against the said lands or paid by a said Municipality or any other demands whatsoever the Municipality may have for, or any reason, cause, matter of things whatsoever existing at the present time.

SIGNED, SEALED AND DELIVERED

In the Presence of

)
)
)
)
)
)
)

Donald R. Mason, personally

D.R. MASON, as Trustee

THE CORPORATION OF THE TOWN OF PELHAM

A. Black

H. Cheney

Schedule "A"

All And Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Thorold, now Town of Pelham in the Regional Municipality of Niagara, formerly County of Welland, and being composed of Part of Lot 161 in the said Township containing by admeasurement an area of 0.265 of an acre more or less, shown outlined in red on the whiteprint of the Plan of Survey dated February 27, 1968 signed by Thomas G. Cahill, O.L.S. and attached hereto, and which said parcel or tract of land may be more particularly described as follows: PREMISING that the northerly limit of the Canboro Road being also The King's Highway No. 20 has an astronomical bearing of N 63° 41' E. according to Parcel "A" on a plan registered in the Registry Office for the Registry Division of the said County as No. 276 and relating all bearings herein thereto;

COMMENCING where a standard iron bar has been planted defining the southeast corner of the said Lot;

THENCE N 1° 56' 30" W in the easterly limit of the said Lot 103.18 feet to the southerly limit of the said Canboro Road as shown on said Plan No. 276;

THENCE S 63° 33' W in the last mentioned woutherly limit 245.93 feet to a survey post planted therein at the intersection thereof with the southerly limit of the said Lot;

THENCE N 88° 22' 30" E in the last mentioned southerly limit 223.79 feet to the Point of Commencement.

SCALE 1:4=100

1968



Margaret J. Stewart
Benjamin O. Stewart
Joint Tenants
Inst. No. 11246

ROAD ALLOWANCE

(UNOPENED)

ROAD ALLOWANCE

LOT-160

Nº 20

16

LOT

An aerial photograph showing a road intersection. The road is labeled 'ROAD' and 'HIGHWAY'. A label 'PARC' is also visible. The image is rotated 90 degrees clockwise.

ROAD / ALLOWANCE
(UNOPENED)

RICE

ROAD

CLARKE AND LANE

WELLAND ONTARIO

DATE FEB 27 1968

FILE # 68-3

Affidavit as to Legal Age and Marital Status

PROVINCE OF ONTARIO
COUNTY OF REGIONAL
OF NIAGARA

MUNICIPALITY

Strike out
words and
parts not
applicable
and initial.

I/WE
~~XXX~~
of the
To Wit: } in the

DONALD R. MASON
City of Welland
Regional Municipality of Niagara
in the within instrument named, make oath and say that at the time of the execution of the
within instrument,

If Attorney
see footnote.

1. I was of the full age of ~~fourteen~~ ^{Eighteen} years;

2. ~~And that~~

~~who also executed the within instrument~~ ~~of the full age of twenty-one years~~

3. ~~I was legally married to the person named therein as my wife/husband~~

4. I was ~~unmarried/divorced/widower~~

SWORN before me at the City

of Welland

in the Regional Municipality
of Niagara

this

day of

19 72

A Commissioner for taking Affidavits, etc.

NOTE: If Attorney, substitute in space provided, "I am Attorney for.....(State name).....,
one of the parties named therein and he/she was of the full age of twenty-one years."

Affidavit as to Legal Age and Marital Status

PROVINCE OF ONTARIO
COUNTY OF

To Wit: } I/WE
of the
in the

of

in the within instrument named, make oath and say that at the time of the execution of the
within instrument,

Strike out
words and
parts not
applicable
and initial.

1. I was of the full age of twenty-one years;

2. And that

who also executed the within instrument of the full age of twenty-one years

3. I was legally married to the person named therein as my wife/husband;

4. I was unmarried/divorced/widower.

SWORN before me at the

of

in the

this

day of

19

A Commissioner for taking Affidavits, etc.

NOTE: If Attorney, substitute in space provided, "I am Attorney for.....(State name).....,
one of the parties named therein and he/she was of the full age of twenty-one years."

CANADA
PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY
OF NIAGARA

of

I, THOMAS HERBERT BAKER
of the City of Welland
in the Regional Municipality of Niagara

To Wit:

Solicitor

make oath and say:

1. THAT I was personally present and did see the within Instrument and a duplicate duly signed, sealed and executed by

DONALD R. MASON, personally and
D.R. MASON, as Trustee,

the party thereto.

2. THAT the said Instrument and duplicate were executed by the said party
at the City of Welland
in the Regional Municipality of Niagara

3. THAT I know the said party

4. THAT I am a subscribing witness to the said Instrument and duplicate.

5. THAT DONALD R. MASON, and D.R. MASON are one and the same person
SWORN before me at the City

of Welland

in the Regional Municipality
of Niagara

this

day of

19 72

A Commissioner for taking Affidavits, &c.

CANADA
PROVINCE OF ONTARIO

of

I,
of the of
in the of

To Wit:

make oath and say:

1. THAT I was personally present and did see the within Instrument and a duplicate duly signed, sealed and executed by

the part thereto.

2. THAT the said Instrument and duplicate were executed by the said part
at the of
in the of

3. THAT I know the said part

4. THAT I am a subscribing witness to the said Instrument and duplicate.

SWORN before me at the

of

in the

this

day of

19

A Commissioner for taking Affidavits, &c.