

631036

L.R.T. 150

MAY 6 1992

New Property Identifiers

Additional: See Schedule ☐

Executions

Additional: See Schedule ☐

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 3 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 ☐

Part of Block C, and Part of Lot 26, Plan 25, now known as Plan 717 in the former Village of Fonthill, and Part of Lot 168, geographic Township of Thorold, now the Town of Pelham, Regional Municipality of Niagara, being Parts 1, 2 and 5 on Reference Plan 59R-7985

(6) This Document Contains (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☐ Additional Parties ☐ Other ☐ (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 grants an easement

Name(s) THE CORPORATION OF THE TOWN OF PELHAM Signature(s) (M. D. Collins, Mayor) (Murray Hackett, Clerk) Date of Signature Y M D 1992 04 22 1992 04 22

We are authorized 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 P. O. Box 400, Fonthill, Ontario, L0S 1E0

(11) Transferee(s) THE REGIONAL MUNICIPALITY OF NIAGARA APPROVED AS TO FORM (Brian E. Merrett, Regional Chair) (Carla Cavasin, Regional Clerk) Date of Birth Y M D 1992 04 29 1992 04 29

REG. REGIONAL SOLICITOR We are authorized to bind the Corporation.

(12) Transferee(s) Address for Service 2201 St. David's Road, Box 1042, Thorold, Ontario, L2V 4T7

(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 Signature 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 assigned

(16) Municipal Address of Property not assigned (17) Document Prepared by: Office of the Regional Solicitor, Box 1042, Thorold, Ontario. (EL-03-153, 157, 156)

Fees and Tax

Registration Fee	
Land Transfer Tax	
Total	

Additional Property Identifier(s) and/or Other Information

WHEREAS this Easement was authorized by By-Law No. 6680-92 of The Regional Municipality of Niagara and By-Law No 1475 (1992) of the Corporation of the Town of Pelham.

1. The Transferor grants to the Transferee the free, uninterrupted and unobstructed right and easement in perpetuity for the Transferee and its servants, employees, agents, contractors and workers to enter, construct, operate and maintain a 250 mm diameter sanitary forcemain, including all appurtenances thereto, in and under the herein lands with necessary machinery, materials, vehicles and equipment.
2. The easement granted herein is declared to be on, under and in respect of the lands described in Box (5) on page 1 hereof, and to be appurtenant to and for the benefit of the lands of the Transferee described as the Hurricane Road Sewage Pumping Station in the Town of Pelham.
3. The Transferor covenants to keep the lands clear of all brush, buildings, structures, trees and other obstructions as may be necessary for the use of the easement by the Transferee.
4. The Transferee covenants to fill in all excavations and as far as practicable to restore the lands to the same condition as existed prior to the commencement of any construction or maintenance work.
5. The Transferee further covenants to save harmless and keep indemnified the Transferor from all claims, costs and damages which may be incurred by reason of any entry made upon or work performed on the said lands, subject to the terms of this agreement.
6. This easement and everything herein contained shall extend to and enure to the parties hereto and their respective successors and assigns.

Refer to all instructions on reverse side.
IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part Block C, & Part Lot 26, Plan 25, nka Plan 717, former Village of Fonthill, & Part Lot 168, geographic Township of Thorold, now Town of Pelham, Regional Municipality of Niagara, being Parts 1, 2 & 5 on Reference Plan 59R-7985

BY (print names of all transferors in full) THE CORPORATION OF THE TOWN OF PELHAM
TO (see instruction 1 and print names of all transferees in full) THE REGIONAL MUNICIPALITY OF NIAGARA
I, (see instruction 2 and print name(s) in full) BRUCE WILLIAM BANTING

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 REGIONAL MUNICIPALITY OF NIAGARA
described in paragraph(s) ~~XXXXXX~~ (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 \$400,000).
- 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 \$400,000 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:				All Blanks Must Be Filled In. Insert "Nil" Where Applicable.
(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>		
5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6)				
<u>conveyance is for easement purposes</u>				
6. If the consideration is nominal, is the land subject to any encumbrance? <u>no</u>				
7. Other remarks and explanations, if necessary.				

Sworn before me at the City of Thorold
in the Regional Municipality of Niagara
this 5th day of May 19 92.

Sandra McDougall
A Commissioner for taking Affidavits, etc.

Bruce William Banting
signature(s)

Property Information Record	For Land Registry Office Use Only
A. Describe nature of instrument: <u>Transfer</u>	Registration No.
B. (i) Address of property being conveyed (if available) <u>not available</u>	
(ii) Assessment Roll No. (if available) <u>not available</u>	
C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) <u>Regional Municipality of Niagara</u> <u>Box 1042, Thorold, Ontario. L2V 4T7</u>	Registration Date
D. (i) Registration number for last conveyance of property being conveyed (if available) <u>not available</u>	Land Registry Office No.
(ii) Legal description of property conveyed: Same as in D.(i) above. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not known <input type="checkbox"/>	
E. Name(s) and address(es) of each transferee's solicitor <u>Office of the Regional Solicitor, Box 1042, Thorold, Ontario L2V 4T7</u>	

School Tax Support (Voluntary Election) See reverse for explanation

(a) Are all individual transferees Roman Catholic? Yes ☐ No ☐

(b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes ☐ No ☐

(c) Do all individual transferees have French Language Education Rights? Yes ☐ No ☐

(d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes ☐ No ☐