

# This Indenture

made in duplicate the 10th day of OCTOBER  
one thousand nine hundred and Seventy-Two

In Pursuance of the Short Forms of Conveyances Act:

Between

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

hereinafter called the "GRANTOR"

OF THE FIRST PART

- and -

TELEPHONE CITY GRAVEL COMPANY LIMITED,  
a Company incorporated under the laws  
of the Province of Ontario and having  
its Head Office in the City of Brantford,  
in the County of Brant,

hereinafter called the "GRANTEE"

OF THE SECOND PART

WHEREAS the lands hereinafter described were acquired by the Corporation of the Town of Pelham in 1949

AND WHEREAS the Corporation of the Township of Pelham and the Corporation of the Village of Fonthill and a portion of the Township of Thorold were amalgamated as a Town Municipality bearing the name of the Corporation of the Town of Pelham according to the provisions of the Regional Municipality of Niagara Act - 1968-69 of the Statutes of Ontario.

Witnesseth that in consideration of other good and valuable consideration and  
the sum of -----TWO (\$2.00)-----

lawful money of Canada now paid by the said grantee to the said grantor (the receipt  
whereof is hereby by it acknowledged) he is the said grantor DO th  
GRANT unto the said grantee in fee simple

ALL and Singular that certain parcel or tract of land and premises, situate, lying and  
being in the Town of Pelham, Regional Municipality of Niagara, formerly

Township of Pelham in the County of Welland containing by admeasurement Five  
Acres (5) be the same more or less being composed of a part of Lot Number nine  
in the seventh Concession of the Township of Pelham described as follows:

COMMENCING in the western limits of said Lot at the south  
west corner of other lands in said Lot conveyed to one Burton Beamer, said  
point of commencement being the northwest angle of the south half of the west  
half of said Lot;

THENCE East along the southern limits of said Beamer's lands, Six Hundred and  
Sixty feet (660) more or less to the southeast angle thereof;

THENCE south parallel with the western limits of said Lot Three Hundred and  
Thirty feet (330) more or less to a stake;

TWENCE west parallel with the northern limits of the south half of said Lot, Six Hundred and Sixty feet (660) more or less to a stake in the western limits of said Lot;

TWENCE north along the Western limits of said Lot, Three Hundred and Thirty feet (330) more or less to the Place of Beginning.

TO HAVE AND TO HOLD unto the said grantee ~~its~~ <sup>successors</sup> ~~and~~ and assigns to and for ~~its and~~ their sole and only use forever,

SUBJECT NEVERTHELESS to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown.

The said grantor COVENANT<sup>s</sup> with the said grantee THAT ~~it~~ ha<sup>s</sup> the right to convey the said lands to the said grantee notwithstanding any act of the said grantor

AND that the said grantee shall have quiet possession of the said lands free from all encumbrances.

AND the said grantor COVENANT<sup>s</sup> with the said grantee that ~~it~~ will execute such further assurances of the said lands as may be requisite.

AND the said grantor COVENANT<sup>s</sup> with the said grantee that ~~it~~ ha<sup>s</sup> done no act to encumber the said lands.

AND the said grantor RELEASE<sup>s</sup> to the said grantee ALL ~~its~~ claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered  
IN THE PRESENCE OF

THE CORPORATION OF THE TOWN OF PELHAM

  
Mayor

  
Clerk

Inherit County, District, Regional Municipality etc. and name of same.

REGIONAL MUNICIPALITY OF NIAGARA

I/WE of the of

To Wit: in the

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

1. I was of the full age of eighteen years;

2. And that

who also execute the within instrument of the full age of eighteen 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

of

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 eighteen years, at the time of execution of the power of attorney."

Revised For Oct./71

## Affidavit, The Land Transfer Tax Act

IN THE MATTER OF THE LAND TRANSFER TAX ACT

PROVINCE OF ONTARIO

REGIONAL MUNICIPALITY OF NIAGARA

I, THOMAS HERBERT BAKER

of the City of Welland

in the

Regional Municipality of Niagara, Solicitor for

To Wit: the Grantor named in the within (or annexed) transfer make oath and say:

Solicitor for the Grantor

- I am named in the within (or annexed) transfer.
- I have a personal knowledge of the facts stated in this affidavit.
- (1) The total consideration for this transaction has been allocated as follows:
 

(a) Land, buildings, fixtures and goodwill	\$
(b) Chattels—items of tangible personal property	\$
TOTAL CONSIDERATION	\$
- (2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:
 

(a) Monies paid in cash	\$
(b) Property transferred in exchange (Detail Below)	\$
(c) Securities transferred to the value of (Detail Below)	\$
(d) Balances of existing encumbrances with interest owing at date of transfer	\$
(e) Monies secured by mortgage under this transaction	\$
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$
(g) Other (Detail Below)	\$
TOTAL CONSIDERATION (should agree with 3(1) (a) above)	\$
- If consideration is nominal, is the transfer for natural love and affection?
- If so, what is the relationship between Grantor and Grantee?
 

(If other than husband and wife, complete 3(2) (d))
- Other remarks and explanations, if necessary

All blanks must be filled in.

SWORN before me at the City of Welland of the Regional Municipality of Niagara this day of 1972

A Commissioner, etc.

Retail sales tax is payable on the valuation of items shown in 3(1) (b) unless otherwise exempted under the provisions of The Retail Sales Tax Act

Inherit County, District, Regional Municipality etc. and name of same.

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser, or vendor or by the solicitor of either of them or by some other person approved by the Minister of Revenue.