Transfer/Deed of Land

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Form 1 — Land Registration Reform Act

47 4070110	(1) Registry Land Titles	X (2) Page 1 of (3 page	es
LT 107242	(3) Property Block Identifier(s)	Property	Additional: See Schedule
CERTIFICATE OF RECEIPT RECEPTIONS NIAGRA SOUTH / SUDJECT AND	(4) Consideration PURSUANT TO A SUBDIVISION THE SUM OF TWO DOLLARS	AGREEMENT AND Dollars \$ 2.00	\longrightarrow
"95 10 31 13 13 New Property Identifiers Additional: See Schedule Executions Additional:	(5) Description This is a: Property Polivision Part of Parcels 10-1, 1 59-1, 60-1, 68-1, 69-1, 85-1, 88 1, 89-1, 106-1 131-1 and 132-1, Section Lots 10, 11, 28, 38, 39 79, 80, 84, 85, 88, 89, 132 Plan 59M-220 in the Town of Pelham, and being more particul	Consolidation L 1-1, 28-1, 38-1, 39-1, -74-1, 75-1, 79-1, 80-1, 109-1, 110-1, 124-1, n 59M-220 being , 48, 49, 59, 60, 68, 6, 106, 109, 110, 124, 12 Regional Municipality (125 17 g part of 59, 74, 75, 25, 131 and
(6) This (a) Redescription (b) Schedule for Document New Easement Contains Plan/Sketch Description	Additional Fe	nterest/Estate Transferred ee Simple ORM SEWER EASEMENT	
(8) Transferor(s) The transferor hereby transfers the land			and that
Name(s) . 729 CANBORO ROAD PROPERTY INC	Signature(s) Per;	Pingue (President)	Date of Signature D D D D D D D D D D D D D D D D D D D
. "We have authority to bind the Co			995 40 25
	Dino DiCi	ienzo (Secretary)	
(9) Spouse(s) of Transferor(s) I hereby consent to this	transaction		Date of Signature
Name(s)	Signature(s)		
(10) Transferor(s) Address C/O Reid McNaugl for Service 63 Optario Street	hton Barristers & Solicitonet, Box 577, St. Catharines	rs s, Ontario L2R 6W8	
(11) Transferee(s)			Date of Birth Y M D
THE CORPORATION OF THE TOWN OF P	ELHAM		
		·	
(12) Transferee(s) Address for Service P.O. Box 400 F	onthill, Ontario LOS 1E0		
(13) Transferor(s) The transferor verifies that to the best		transfer does not contravene section 50	Date of Signature
Signature	ct of section 50 of the Planning Act to the tra	ansferor and I have made inquiries of the doubt the transferor, to the best of my the transferor, to the best of my the transferor.	he transferor to
Address of Solicitor	Signature		
(14) Solicitor for Transferee(s) I have investing the contravention as set out in subcontravention as set out in subcontravene section 50 of the Planning of the contravene section 50 of the con	igated the title to this land and to abutting lar clause 50 (22) (c) (ii) of the Planning Act and ing Act. I act independently of the solicitor for the	that to the hest of my knowledge and	or in good standing.
Name and Address of Solicitor Solicitor Solicitor Address of Solicitor	Signature		Date of Signatur
(15) Assessment Roll Number Cty. Mun. Ma		Fees a	nd Tax
of Property NOT ASSE	SSED 17) Document Prepared by:	Z Registration Fee	
1 (10)	· ·	Land Transfer Tax	
Not Assigned	REID, McNAUGHTON Barristers & Solicitors 63 Ontario Street, Box 577	Land Transfer Tax	

JUZ:tn



Form 5 — Land Registration Reform Act

Page 2

Additional Property Identifier(s) and/or Other Information

SCHEDULE A

Page 2

6(a) Description

Parcel 10-1, Section 59M-220, being part of Lot 10, Plan 59M-220, designated as Part 1 on Plan 59R-9302.

Parcel 11-1, Section 59M-220, being part of Lot 11, Plan 59M-220, designated as Part 2 on Plan 59R-9302.

Parcel 28-1, Section 59M-220, being part of Lot, 3, Plan 59M-220, designated as Part 3 on Plan 59R-9302.

Parcel 26-1, Section 59M-220, being part of Lot, Plan 59M-220, designated as Part 6 on Plan 59R-9302.

Parcel 39-1, Section 59M-220, being part of Lot 7, Plan 59M-220, designated as Part 7 on Plan 59R-9302.

Parcel 48-1, Section 59M-220, being part of Lot 48, Plan 59M-220, designated as Part 8 on Plan 59R-9302.

And Plan-1

A Parcel 49-1, Section 59M-220, being part of Lot49, Plan 59M-220, designated as Part 9 on Plan 59R-9302.

A Parcel 59-1, Section 59M-220, being part of Lot 10, Plan 59M-220, designated as Part 10 on Plan 59R-9302.

Parcel 60-1, Section 59M-220, being part of Lot 21, Plan 59M-220, designated as Part 11 on Plan 59R-9302.

Parcel 68-1, Section 59M-220, being part of Lot 12, Plan 59M-220, designated as Part 12 on Plan 59R-9302.

And Mon. 69
A Parcel 69-1, Section 59M-220, being part of Lot 23, Plan 59M-220, designated as Part 13 on Plan 59R-9302.

Parcel 74-1, Section 59M-220, being part of Lot 74, Plan 59M-220, designated as Part 14 on Plan 59R-9302.

γω⁴ ρω Λ Parcel 75-1, Section 59M-220, being part of Lot **1**5, Plan 59M-220, designated as Part 15 on Plan 59R-9302.

Plan 59M-220, being part of Lot 16, Plan 59M-220, designated as Part 16 on Plan 59R-9302.

Parcel 20-1, Section 59M-220, being part of Lot 47, Plan 59M-220, designated as Part 17 on Plan 59R-9302.

Parcel 34-1, Section 59M-220, being part of Lot 18, Plan 59M-220, designated as Part 18 on Plan 59R-9302.

Parcel 25-1, Section 59M-220, being part of Lot 29, Plan 59M-220, designated as Part 19 on Plan 59R-9302.

Form 5 — Land Registration Reform Act

DYE & DURHAM CO. INC.—Form No. 990 Amended NOV. 1992

Additional Property Identifier(s) and/or Other Information

Page-3

Boy of You'd ol' 96 1 Parcel 28-1, Section 59M-220, being part of Lot 20, Plan 59M-220, designated as Part 20 on Plan 59R-9302.

And Vb, 89-1, Section 59M-220, being part of Lot 21, Plan 59M-220, designated as Part 21 on Plan 59R-9302.

Plan Plan Plan Plan Parcel 106-1, Section 59M-220, being part of Lot 22, Plan 59M-220, designated as Part 22 on Plan 59R-9302.

Parcel 169-1, Section 59M-220, being part of Lot 23, Plan 59M-220, designated as Part 23 on Plan 59R-9302.

Bud Md Plan

Parcel 120-1, Section 59M-220, being part of Lot 24, Plan 59M-220, designated as Part 24 on Plan 59R-9302.

Parcel 182-1, Section 59M-220, being part of Lot 25, Plan 59M-220 designated as Bort 25 220, designated as Part 25 on Plan 59R-9302.

For of Plan

Parcel 131-1, Section 59M-220, being part of Lot 28, Plan 59M-220, designated as Part 26 on Plan 59R-9302.

Buld A Parcel 125-1, Section 59M-220, being part of Lot 27, Plan 59M-220, designated as Part 27 on Plan 59R-9302.

Mof Plan A Parcel 124-1, Section 59M-220, being part of Lot 28, Plan 59M-220, designated as Part 28 on Plan 59R-9302.

Form 5 — Land Registration Reform Act

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Additional Property Identifier(s) and/or Other Information		Page 4		
		3		
PARTIES			Date	
(Interest and Status)		<u>Signature</u>	Signa	ture
				1_
VED Edgar Androv	f	× Folgon O Harl	1005	02
KER, Edgar Andrew	,	Quegas a. Pres	1995	1.
KER, Anne Marget	5	t (man) Do Her	1995	10 02 10 02
(Mortgagees in	,	grow of the	1775	-05 <u></u> -
Instrument No. 576430)				
,				
ALSOP, George			1995	09
ALSOP, Berniece			1995	09
(Mortgagees in				
Instrument No. 560927)				
BOUWERS, Frank			1995	09
BOUWERS, Mary			1995	0.0
(Mortgagees in			1990	09
Instrument No. 576433)				
Instrumente no. 3701337				
KOZAR, Steve			1995	09
·				
DINO'S T.V. LIMITED	Per:		1995	09
		Dino DiCienzo, Secretary		
		I have authority to bind		
		the Corporation.		
APARTMENT CENTRE (NIAGARA REGION) INC.	Dor.		1995	0.0
(NIAGANA REGION) INC.	LCT:	Sabatino Pingue, Jr.	1333	09
		President		
	Per:		1995	09
		Sabatino Pingue		
		(Chairman of the Board)		
(Mortgagees in				
Instrument No. LT-104212)				
CANAD TANA TANADA				
CANADIAN IMPERIAL BANK	T)		100=	0.0
	rer:		1995	U9
(Mortgagee in Instrument No. LT-105283)				
1 THE CT UNC. 111-103203)				

Form 5 — Land Registration Reform Act

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Page _	5	
5		

Additional Property Identifier(s) and/or Other Information		Page 4	
PARTIES			Date of
(Interest and Status)		<u>Signature</u>	<u>Signature</u>
VED Edgen Andrew			1995 09
KER, Edgar Andrew			1995 09
KER, Anne Marget			1995 09
(Mortgagees in			1999 09
Instrument No. 576430)		0	•
ALSOP, George		Herry Muso	1995 09 <u>84</u>
		George Mass	
ALSOP, Berniece		Berneier (Plant)	1995 09 09
(Mortgagees in			
Instrument No. 560927)			
BOUWERS, Frank			1995 09
BOUWERS, Mary			1995 09
(Mortgagees in			
Instrument No. 576433)			
KOZAR, Steve			1995 09
ROZIAC, BEEVE			1000 00
DINO'S T.V. LIMITED	Per:		1995 09
		Dino DiCienzo, Secretary	
		I have authority to bind	
		the Corporation.	
APARTMENT CENTRE			
(NIAGARA REGION) INC.	Per:		1995 09
		Sabatino Pingue, Jr.	
		President	
	D		1005 00
	Per:	Calabia Diama	1995 09
		Sabatino Pingue	
(Mortgagees in		(Chairman of the Board)	
Instrument No. LT-104212)			
1112 01 among 110. HI 10±212/			
CANADIAN IMPERIAL BANK			
OF COMMERCE	Per:		1995 09
(Mortgagee in			
Instrument No. LT-105283))		

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Schedule

Form 5 — Land Registration Reform Act

Page 6

Additional Property Identifier(s) and/or Other Information	~~~	Page 4	
PARTIES (Interest and Status)		<u>Signature</u>	Date of <u>Signature</u>
KER, Edgar Andrew			1995 09
KER, Anne Marget (Mortgagees in Instrument No. 576430)			1995 09
ALSOP, George		**************************************	1995 09
ALSOP, Berniece (Mortgagees in Instrument No. 560927)			1995 09
BOUWERS, Frank	4	Jank) ouwer	1995 09 26
BOUWERS, Mary (Mortgagees in Instrument No. 576433)		Many Bouwer.	1995 09 16
KOZAR, Steve			1995 09
DINO'S T.V. LIMITED	Per:	Dino DiCienzo, Secretary I have authority to bind the Corporation.	1995 09
APARTMENT CENTRE (NIAGARA REGION) INC.	Per:	Sabatino Pingue, Jr. President	1995 09
	Per:	Sabatino Pingue (Chairman of the Board)	1995 09
(Mortgagees in Instrument No. LT-104212)			
CANADIAN IMPERIAL BANK OF COMMERCE (Mortgagee in Instrument No. LT-105283)			1995 09

Form 5 — Land Registration Reform Act

Page .	7	S

Iditional Pro	perty Identifier(s) and/or Other Information			
			P age 2	
	PARTIES			Date of
	(Interest and Status)		Signature	Signature
	MED Education			1005 00
	KER, Edgar Andrew			1995 09
	KER, Anne Margaret			1995 09
	(Mortgagees in Instrument			
	No. 576430)			
	ALSOP, George			1995 09
	ALSOP, Berniece			1995 09
	(Mortgagees in Instrument			1990 09 _
	No. 560927)			
	BOUWERS, Frank			1995 09
	DOUBLE G. Marris			1005 00
	BOUWERS, Mary (Mortgagees in Instrument			1995 09
	No. 576433)			
	1101 010100)	1		
	KOZAR, Steve	\	Assolf all the	1995 09
			17 XX UT	1005.00
	DINO'S T.V. LIMITED PO	er:	Dino DiCienzo, President	1995 09
			I have authority to bind	
			the Corporation.	
			$\overline{}$	
	APARTMENT CENTRE	<	J Burch of	
	(NIAGARA REGION) INC. Pe	er:	July	1995 09
			Sabatino Pingue, Jr. President	
			President	
	Pe	er:	(Yabinal)	1995 09
			Sabatino Pingue	
			(Chairman of the Board)	
	(Mortgagees in Instrument			
	No. LT-104212)			
	CANADIAN IMPERIAL BANK			
		er:		1995 09
	(Chargee in Instrument	-		-
	No. LT-105283)			



Form 5 — Land Registration Reform Act

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Property Identifier(s) and/or Other Information		Page 4	
PARTIES			Date of
(Interest and Status)		<u>Signature</u>	Signatu
KER, Edgar Andrew			1995 09
KER, Anne Marget			1995 09
(Mortgagees in			
Instrument No. 576430)			
ALSOP, George			1995 09
ALSOP, Berniece			1005 00
(Mortgagees in			1995 09
Instrument No. 560927)			
BOUWERS, Frank			1995 09
•			
BOUWERS, Mary		70 Part 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	1995 09
(Mortgagees in Instrument No. 576433)			
institutent No. 370433)			
KOZAR, Steve			1995 09
DINO'S T.V. LIMITED	Per:		1995 09
		Dino DiCienzo, Secretary	
		I have authority to bind	
		the Corporation.	
APARTMENT CENTRE			
(NIAGARA REGION) INC.	Per:		1995 09
		Sabatino Pingue, Jr. President	
•		President	
	Per:		1995 09
		Sabatino Pingue	
(Mortgagees in		(Chairman of the Board)	
Instrument No. LT-104212	<u>:</u>)		
CANADIAN IMPERIAL BANK	_ 7	1)///	
OF COMMERCE	Per	D. J. HODGSON	1995 10
(Mortgagee in Instrument No. LT-105283		ASSISTANT SENERAL MANAGER	
	(
	\	Jim Antonio	7
		General Manage	r
	Per: _		T1995 10
	We has	we authority to hind the t	
	MC IIG.	ve anthority to bind the bank	

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Form 5 — Land Registration Reform Act

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ane		

Additional Property Identifier(s) and/or Other Information

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WHEREAS the Easement was authorized by By-Law No. 1725 (1995) of The Corporation of the Town of Pelham.

- 1. The Transferor grants to the Transferee, its successors and assigns, to be used and enjoyed as appurtenant to the transferee's lands, the free, uninterrupted and unobstructed right and easement in perpetuity to enter, survey, lay, construct, operate, use, inspect, remove, renew, replace, alter, enlarge, reconstruct, repair, expand and maintain a storm sewer and all works, appurtenances, attachments, apparatus, appliances, markers, fixtures and equipments which the Transferee may deem necessary or convenient thereto, in, on, under and through the lands described in herein (called "the Easement Lands") for the servants, agents, contractors and workmen of the Transferee to enter with machinery, material, vehicles and equipment necessary or incidental to the exercise and enjoyment of the easement hereby granted.
- The Transferee covenants.to fill in all excavations, remove all surplus soil and debris, and as far as practicable restore the surface to the same condition as prior to the commencement of construction or of any subsequent work thereto.
- The Transferor shall have the right to use and enjoy the surface of the lands except that such use and enjoyment shall not interfere with the rights of the Transferee hereunder. Transferor covenants to keep the land clear of all buildings, structures, fences, brush, trees and other obstructions as may be necessary for the use of the easement and the Transferor shall not excavate, alter the grading, drill or install thereon any pit, well, foundation or pavement which will obstruct or prevent the exercise and enjoyment by the Transferee of its rights hereunder. The Transferee shall have the right to remove or control the growth of any roots, trees, stumps, brush or other vegetation on or under the lands and remove any obstruction therefrom.



Schedule Form 5 — Land Registration Reform Act

Page C

Additional Property Identifier(s) and/or Other Information

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- 4. Notwithstanding any rule of law or equity, all works, appurtenances, attachments, apparatus, appliances, markers, fixtures and equipment shall be deemed to be the property of the Transferee notwithstanding the same may have become annexed or affixed to the lands.
- 5. The easement herein is declared to be appurtenant to and for the benefit of the lands of the Transferee more particularly described in Schedule "A" attached hereto.
- The Transferor hereby agrees that all provisions herein are reasonable and valid and if any provision herein is determined to be unenforceable, in whole or in part, it shall be severable from all other provisions and shall not effect or impair the validity of all other provisions.
- 7. The Transferee further covenants that it will at all times hereafter 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 works performed on the lands subject to the terms of this Agreement.
- 8. Edgar Andrew Ker and Anne Margaret Ker, Mortgagees of a Mortgage/Charge registered as Instrument No. 576430 in the Land Registry Office for the Town of Pelham, George Alsop and Berniece Alsop Mortgagees of a Mortgage/Charge registered as Instrument No. 560927 in the Land Registry Office for the Town of Pelham, Frank Bouwers and Mary Bouwers, Mortgagees of a Mortgage/Charge registered as Instrument No. 576433 in the Land Registry Office for the Town of Pelham, Steve Kozar, Dino's T.V. Limited and Apartment Centre (Niagara Region) Inc., Mortgagees of a Mortgage/Charge registered as Instrument No. LT-104212 in the Land Registry Office for the Town of Pelham and Canadian Imperial Bank of Commerce, Chargee of a Mortgage/Charge registered as Instrument No. LT-105283 in the Land Registry Office for the Town of Pelham hereby consent to the registration of the within Grant of Easement in favour of The Corporation of the Town of Pelham

Form 5 — Land Registration Reform Act

DYE & DURHAM CO. INC.—Form No. 990 Amended NOV. 1992

Additional Property Identifier(s) and/or Other Information

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and postpone and subordinate the said mortgages/charges against the right and easement herein created and granted.

The Transfer of Easement and everything herein 9. contained shall enure to and include the parties hereto and their respective heirs, administrators, successors and assigns.

Form 5 — Land Registration Reform Act

DYE	8	DURHAM CO.	INCF	orm	No.	990
		Amended	NOV. 1	992		

Additional Property Identifier(s) and/or Other Information

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SCHEDULE "A"

DOMINANT TENEMENT

In the Town of Pelham, in the Regional Municipality of Niagara and known as being those public highways known as Ker Crescent, Sordra Drive, Alsop Avenue and Cherry Riego Boulevard

DYE & DURHAM CO. INC Form No. 500 Amended 1991	Affidavit of Hesidence and of Value of the Considerali					
Relet to all instructions on reverse side. IN THE MATTER OF THE CONVEYANCE OF (Insert brief describ	iplion of landy Part of	Parcels	10-0, 11	4 , 28 4 ,	38📵.	
88 4 , 89 4 , 106 4 , 109 4 , 110 4 , 124	1,125 Q 1, 131 Q	1,132		59M-220 c		
as Parts 1-3, 6-28 on Plan 59R-9.			Regional	Municipal	Niaga	
729 CANBORO ROAD TO (see instruction 1 and print names of all transferees in full) THE COR			OF PELHAM	1		
I, (see Instruction 2 and print name(s) in full) R - BRUCE SMITH						
1, (see histoculon 2 and phili hamels) in ton						
MAKE OATH AND SAY THAT: 1. I am (place a clear mark within the square opposite that one of the following part (a) A person in trust for whom the land conveyed in the about (b) A trustee named in the above-described conveyance to which (c) A transferee named in the above-described conveyance; (d) The authorized supply of solicitor acting in this transaction.	ove-described conveyance in whom the land is being con	is being conveye veyed;	d;	ON OF THE		
TOWN OF PELHAM describ	ped in paragraph(s) XAXX	XXX, (c) abov	/e; (strike out referenc	ces to inapplicable par	ragraphs)	
(e) The President, Vice-President, Manager, Secretary; Direct	tor, or Treasurer authorize	ed to act for (Inse	rt name(s) of corporation	on(s))		
	ed in paragraph(s) (a), paragraph (a), (b) or (c) above, as		am making this aff		n behalf and	
in paragraph () (Insert only one of paragraph (a), (b) or (c) ab 2. (To be completed where the value of the consideration for the conveyed I have read and considered the definition of "single family residence contains at least one and not more than two single family residence. does not contain a single family residence. contains more than two single family residences. (see Instruction 1. I have read and considered the definitions of "non-resident corporations".	ance exceeds \$400,000). "set out in clause 1(1)(ja) clauses. Note: Clause 2 cent upon the vance contains a station" and "non-resident parties."	of the Act. The I 2(1)(d) imposes a value of consider at least one and r person" set out r	and conveyed in to an additional tax a sation in excess of ot more than two sespectively in clau	he above-describe t the rate of one- \$400,000 where single family resi	ed conveyand half of one p the convey- idences. g) of the Act	
and each of the following persons to whom or in trust for whom the or a "non-resident person" as set out in the Act. (see Instructions 4 and	he land is being conveyed i	in the above-desc	ribed conveyance	is a "non-residen	t corporatio	
(f) Other valuable consideration subject to land transfer tax (detail be (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWI LAND TRANSFER TAX (Total of (a) to (f))	perty ove and transferee and state preudon according to the subdivision	\$1.00	\$ N.L. \$ <u>1.</u> /ance. (see Instructio]] 0 0		
2 signer.	or Ruth Boudreau, a Commi	qi /		3)	
ammissioner for taking Affidavits, etc.	a, for Brooks, Macfarlane, Biel h, Barristers and Solicitors. • October 24, 1997."	by Z	signatu	re(s)		
perty Information Record			For Land Registr	y Office Use On	ly	
Describe nature of Instrument: Transfer of easemen (i) Address of property being conveyed (II available)	nt sessed	Reg	istration No.			
(ii) Assessment Roll No. (II available)notassessed						
Mailing address(es) for future Notices of Assessment under the Asses conveyed (see Instruction 7)			tration Date	Land Regis	stry Office No.	
i) Registration number for last conveyance of property being conve ii) Legal description of property conveyed: Same as in D.(i) above. Name(s) and address(es) of each transferee's solicitor 2. Bruce Smith, Messrs. Brooks 47 East Main Street, Welland, Ont	Yes□ No□ , Bielby & Sm		risters	; & Solicit	cors,	
ol Tax Support (Voluntary Election) See reverse for explanation	on	 	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -			