

699222

(1) Registry ☒

Land Titles ☐

(2) Page 1 of 4 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 Lots 5 and 6 on the north side of East Canboro Street, D. D'Everardo's unregistered Plan of Fonthill, now known as Plan 716, Town of Pelham, Regional Municipality of Niagara, designated as Part 2, on Plan 59R-9336.

CERTIFICATE OF REGISTRATION
CERTIFICAT D'ENREGISTREMENT
NIAGARA SOUTH/SUD(S9)WELLAND

'95 12 13 14 52

New Property Identifiers

LAND REGISTRAR/REGISTRAR

Additional: See Schedule ☐

Executions

Additional: See Schedule ☐

(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 of age and that

Name(s)

KLOETSTRA CONSTRUCTION MANAGEMENT LIMITED

Signature(s)

PER:

I have authority to bind the corporation

Date of Signature Y M D

1995 12 03

(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

R. R. #2, Vanessa, Ontario, N0E 1V0

(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 50 of the Planning Act.

Date of Signature Y M D

Date of Signature Y M D

Signature

Signature

Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act 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

Date of Signature Y M D

Signature

(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 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor

Date of Signature Y M D

Signature

(15) Assessment Roll Number of Property

Cty. Mun. Map Sub. Par.

not assigned

(16) Municipal Address of Property not assigned

(17) Document Prepared by:

R. Bruce Smith
BROOKS, BIELBY & SMITH
Barristers and Solicitors
247 East Main Street, Box 67
Welland, Ontario, L3B 5N9

Fees and Tax

Registration Fee

Land Transfer Tax

Total

Additional Property Identifier(s) and/or Other Information

WHEREAS the Transferor obtained the benefit of this easement by virtue of a transfer of easement registered on October 11, 1995 as Instrument No. 695906 (the "Easement");

AND WHEREAS pursuant to a subdivision agreement the Transferor agreed to transfer the Easement to the Transferee;

NOW THEREFORE the Transferor hereby transfers all of its right, title and interest in the Easement to the Transferee which Easement is declared to be appurtenant to and for the benefit of the lands of the Transferee more particularly described in Schedule "A".

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part Lots 5 and 6, Plan 716, designated as Part 2 on Plan 59R-9336, Town of Pelham, Regional Municipality of Niagara

BY (print names of all transferors in full) KLOETSTRA CONSTRUCTION MANAGEMENT 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) R. BRUCE SMITH

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 ~~person~~ solicitor acting in this transaction for (insert name(s) of principal(s)) THE CORPORATION OF THE TOWN OF PELHAM

☐ 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:

(a) Monies paid or to be paid in cash \$ 1.00

(b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price) \$ nil

(ii) Given back to vendor \$ nil

(c) Property transferred in exchange (detail below) \$ nil

(d) Securities transferred to the value of (detail below) \$ nil

(e) Liens, legacies, annuities and maintenance charges to which transfer is subject \$ nil

(f) Other valuable consideration subject to land transfer tax (detail below) \$ nil

(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO

LAND TRANSFER TAX (Total of (a) to (f)) \$ 1.00 \$ 1.00

(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)

\$ nil

(i) Other consideration for transaction not included in (g) or (h) above

\$ nil

(j) TOTAL CONSIDERATION

\$ 1.00

All Blanks
Must Be
Filled In.
Insert "Nil"
Where
Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6)

Transfer of easement pursuant to subdivision agreement

6. If the consideration is nominal, is the land subject to any encumbrance? Yes

7. Other remarks and explanations, if necessary. NONE

Sworn before me at the City of Welland,
in the Regional Municipality of Niagara,
this 6th day of December, 19 95.

A Commissioner for taking Affidavits, etc.

signature(s)

Property Information Record

A. Describe nature of instrument: Transfer of Easement

B. (i) Address of property being conveyed (if available) not assessed

(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)

D. (i) Registration number for last conveyance of property being conveyed (if 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

R. Bruce Smith, Messrs. Brooks, Bielby & Smith, Barristers & Solicitors,
247 East Main Street, Welland, Ontario, L3B 5N9

For Land Registry Office Use Only

Registration No.

Registration Date

Land Registry Office No.

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 ☐

NOTE: As to (c) and (d) the land being transferred will be assigned to the French Public School Board or Sector unless otherwise directed in (a) and (b).