

THIS AGREEMENT made this 29<sup>th</sup> day of December, 1972.

B E T W E N :-

JOSEPH J. RYBIAK, of the Town of Pelham, in the Regional Municipality of Niagara, and SOPHIA RYBIAK, his wife, of the same place, as Joint Tenants and not as Tenants in Common,

Hereinafter called the OWNERS OF THE FIRST PART;

- and -

THE CORPORATION OF THE TOWN OF PELHAM,

Hereinafter called the TOWN OF THE SECOND PART;

WHEREAS the Owners represent that they own the lands described in Schedule "A" annexed hereto hereinafter called the said land, and have applied to the Townfor an amendment to restricted land use by-law 113 (1971) to change the designated use of the said lands from A-1 to RM to permit the conversion of an existing single family dwelling house on the said lands to a two-family dwelling house in accordance with the plot plan and elevation annexed to this agreement as Schedule "B".

AND WHEREAS the Town has agreed to amend the said by-law upon the terms and conditions hereinafter set out.

NOW THEREFORE IN CONSIDERATION of the mutual covenants and agreements hereinafter set out the parties hereto agree as follows:

1. The Town will amend its restricted land use by-law 113 (1971) by changing the designated use of the lands described in Schedule "A" annexed hereto from A-1 to RM.
2. The Owners agree to renovate the existing dwelling house on the lands described in Schedule "A" in substantial accordance with the plot plan and elevation annexed hereto.
3. Until such time as the lands described in Schedule "A" are approved for more than two dwelling units, not more than two dwelling units shall be erected thereon.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their hands and seals or Corporate Seal duly attested to by their proper officers in their behalf.

SIGNED, SEALED AND DELIVERED  
in the presence of

James J. Kelly

Joseph J. Rybiak  
JOSEPH J. RYBIAK

Sophia Rybiak  
SOPHIA RYBIAK

THE CORPORATION OF THE TOWN  
OF PELHAM  
Per:

Edith Carroll  
MAYOR

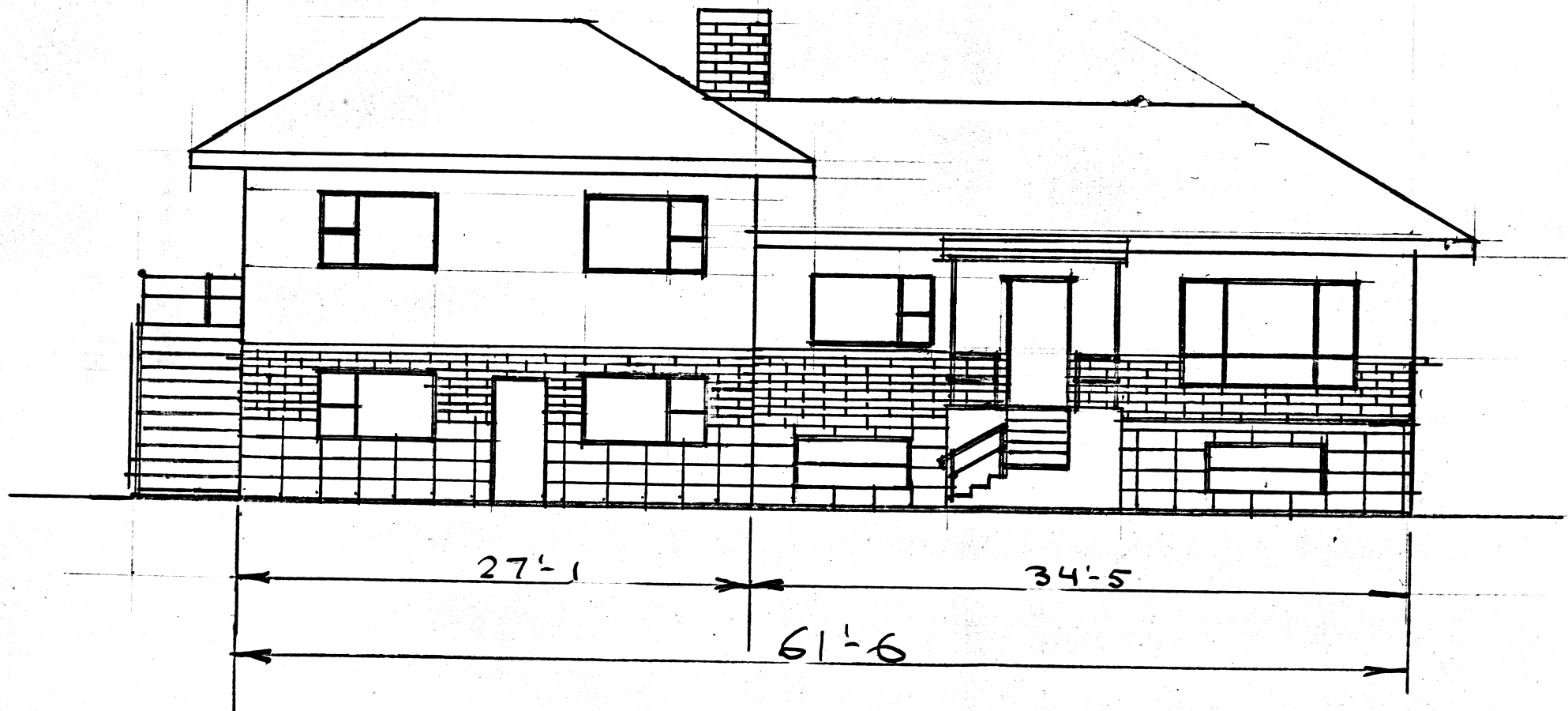
M. Cherny Deputy  
CLERK

N3- see by-laws passed  
by Council June 18/73

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the Township of Pelham, in the County of Welland and being composed of part of Lot 19 according to registered Plan No. 16 for the Township of Pelham and being more particularly described as follows:

COMMENCING at the southwest angle of said Lot 19; THENCE easterly in and along the south limit of said Lot, 200 feet to an iron stake marking the place of beginning; THENCE continuing easterly in and along the south limit of said Lot, 328 feet to an iron stake; THENCE westerly parallel to the west limit of said Lot, 165 feet to an iron stake; THENCE westerly and parallel to the south limit of said Lot, 328 feet to an iron stake; THENCE southerly and parallel to the west limit of said Lot, 165 feet to the place of beginning.



ELEVATION LOOKING NORTH

|                        |      |       |
|------------------------|------|-------|
| THE RYBIAK APARTMENTS  |      |       |
| FOSS ROAD FENWICK ONT. |      |       |
| ELEVATION              |      |       |
| SCALE                  | DATE | DRWG. |

SCHEDULE "B"

