



Transfer/Deed of Land

Form 1 — Land Registration Reform Act

A

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(1) Registry ☐Land Titles ☒

(2) Page 1 of 5 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 Parcel D-1, Section M-48
being Part of Block D, Plan M-48
designated as Part 1 on Plan 59R-9635
Town of Pelham, Regional Municipality of
Niagara.

New Property Identifiers

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 old and that
...I am not a spouse.

Name(s)

MATYSKIEWICZ, Frank

Signature(s)

Date of Signature
Y M D

1996 07 31

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Signature(s)

Date of Signature
Y M D(10) Transferor(s) Address
for Service

16 Concord Street, Fonthill, Ontario, L0S 1E0

(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

Fees and Tax

Registration Fee

Land Transfer Tax

Total

(16) Municipal Address of Property

not assigned

(17) Document Prepared by:

R. Bruce Smith
BROOKS, BIELBY & SMITH
247 E. Main Street, Box 67
Welland, Ontario
L3B 5N9

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Planning Act — OPTIONAL

Affix Statement by
Solicitor for Transferee(s)
here if necessary



Schedule

Form 5 — Land Registration Reform Act, 1984

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WHEREAS the easement was authorized by By-law No.

() 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 equipment which the Transferee may deem necessary or convenient thereto, in, on, under and through the lands described in Box 5 of the Transfer/Deed (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.

2. 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.

3. The Transferor shall have the right to use and enjoy the surface of the Easement Lands except that such use and enjoyment shall not interfere with the rights of the Transferee hereunder. The Transferor covenants to keep the Easement Lands clear of all buildings, structures, fences, brush, trees, driveways, pavement 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 Easement Lands and remove any obstruction therefrom.

Province
of
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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 Easement 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.

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

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SCHEDULE "A"

That public highway in the Town of Pelham, Regional Municipality of
Niagara, known as Concord Street and shown on Plan 59M-221.