

THIS AGREEMENT made in duplicate this day of February, 1974.

BETWEEN:

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

hereinafter called the "TOWN" OF THE FIRST PART

- and -

WOODSTREAM ESTATES LIMITED, of the
Town of Pelham, in the Regional
Municipality of Niagara,

hereinafter called the "PARTY" OF THE SECOND PART

WHEREAS the Party of the second part represents itself to be the owners of those parts of Lots 1 and 2, Concession 9, formerly in the Township of Pelham County of Welland, now in the Town of Pelham in the Regional Municipality of Niagara, as outlined in red on the attached Plan prepared by A.F. Atherton & Associates Ltd. and dated November 1973.

AND WHEREAS the said Plan in its exact present form and lot layout and dimensions is acceptable to Council and on this premise Council is prepared to approve and initiate such procedures as may be required to rezone those lands or part of the lands in the said Plan in accordance with the Application for rezoning submitted to Council by the Party of the Second Part on the 15th day of November, 1973

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the representations, conditions and covenants herein contained the Parties hereto mutually agree as follows:-

1.- The Town will initiate such procedures as may be necessary incumbent upon it so to do to rezone those parts of Lots 1 and 2, Concession 9, Town of Pelham, within the area outlined in red on the Plan hereto attached and made a part of this Agreement in accordance with the rezoning Application submitted by the Party of the Second Part on the 15th day of November 1973, upon the understanding that the final Plan will be submitted to Council for approval, prior to registration, by the Party of the Second Part and said Plan will not deviate from or be amended or changed in any respect, subject only to the following;

- (a) Minor frontage changes by the surveyor when completing calculations for final plan.
- (b) Minor changes that may be required to obtain final departmental draft plan approval.

2. The Party of the Second Part will not permit or cause the Plan to be altered except as aforesaid.

3. It is HEREBY DECLARED AND AGREED that this Agreement shall enure to the benefit of and be binding upon the Parties hereto, their successors and assigns respectively.

IN WITNESS WHEREOF the Parties hereto have hereunto set their Corporate Seals respectively this 18th. day of February A.D. 1974.

SEALED, DELIVERED AND ATTESTED to by the Mayor and Clerk of the Town of Pelham and by the proper officers of Woodstream Estates Limited

THE CORPORATION OF THE TOWN OF PELHAM


Mayor


Clerk

WOODSTREAM ESTATES LIMITED


President

Secretary

DATED: 18th. FEBRUARY, 1974.

THE CORPORATION OF THE TOWN OF
PELHAM

and

WOODSTREAM ESTATES LIMITED

AGREEMENT

T.H. BAKER, Q.C.
Barrister & Solicitor
163 Division Street
Welland, Ontario.
THB:vk