

CORPORATE SERVICES DEPARTMENT

LEGAL SERVICESThe Regional Municipality of Niagara 2201 St. David's Road, P.O. Box 1042 Thorold, Ontario L2V 4T7

Telephone: 905- 685-1571 Out-of-Town: 1-800-263-7215 Fax: 905- 685-7931

E-mail: stephanie.smith@regional.niagara.on.ca www.regional.niagara.on.ca./corp/legal_services.shtml

April 1, 2003

Town of Pelham 20 Pelham Town Square P.O. Box 400 Fonthill, ON LOS 1E0

Attention: Cheryl Miclette, Clerk

Dear Ms. Miclette:

Re: Region and Town of Pelham

Transfer of Right-of-way, New Ambulance

Station, Regional Road No. 20

Our File: L.04.2003.1355

Further to my facsimile dated March 24, 2003, and after discussions with the Town's solicitor, Mr. Bruce Smith, I have made some changes to the Transfer document.

I am now pleased to enclose the revised Transfer/Deed of Land for the right-of-way, in triplicate for execution by the Town.

I confirm that you will present this document to Town Council for their approval at your April 7, 2003 meeting. Once approved by Council, please forward two fully executed copies of the Transfer to me for execution by the Region and registration. I will also require a copy of the Town's by-law authorizing the Transfer.

I trust this is satisfactory and I look forward to hearing from you at your earliest convenience with respect to this matter.

Yours truly,

Stephanie Smith

Legal Services Assistant

Enclosures

Copy to:

Bruce Smith, Lancaster, Brooks & Welch

Larry Bousfield, Manager Properties & Facilities Management

Mahendra Shah, Project Manager

Transfer/Deed of Land Form 1 - Land Registration Reform Act

THE UPPER CANADA DOCUMENT COMPANY 1-877-482-3627 www.ucdocuments.com

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Schedule

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Page 2

Additional Property Identifier(s) and/or Other Information

SCHEDULE FOR RIGHT-OF-WAY

Legal Description for Right-of-way

Part of Lot 3, Concession 7, in the former Township of Pelham, now in the Town of Pelham, in the Regional Municipality of Niagara and being designated as Parts 1, 2, 3, 4, 5, 6 and 7, Plan 59R-11997.

Right-of-way

- 1. The Transferor grants to the Transferee the free, uninterrupted and unobstructed right-of-way for ingress and egress in perpetuity for persons, animals and vehicles.
- 2. The Right-of-way granted herein is declared to be through, along and over the lands described hereinabove and to be appurtenant to and for the benefit of the lands of the Transferee described as:

Part of Lot 3, Concession 7, in the former Township of Pelham, now in the Town of Pelham, in the Regional Municipality of Niagara and being designated as Part 1, Plan 59R-3960, being PIN 64035 – 0276 (R).

- 3. This Right-of-way is in common with such other parties as to whom the Transferor may grant a similar
- 4. The Transferee covenants to save harmless and keep indemnified the Transferor from all claims, costs and damages which may be incurred by reason of any entry made upon the said lands, subject to the terms of this agreement.
- 5. The Transferor may use the subject lands for parking and other uses, but shall not use the lands for the construction of buildings or structures.
- 6. This right-of-way and everything herein contained shall extend to and enure to the parties hereto and their respective successors and assigns.