

## CORPORATE SERVICES DEPARTMENT

### LEGAL SERVICES

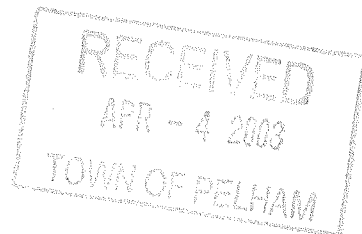
The Regional Municipality of Niagara  
2201 St. David's Road, P.O. Box 1042  
Thorold, Ontario L2V 4T7

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[www.regional.niagara.on.ca/corp/legal\\_services.shtml](http://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 L0S 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**

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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

FOR OFFICE USE ONLY	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>		(2) Page 1 of 3 pages			
	(3) Property Identifier(s)		Block Part 64035 - 0277 (R)	Property Additional: See Schedule <input type="checkbox"/>		
	(4) Consideration ONE ----- ----- 00/100 Dollars \$ 1.00					
	(5) Description This is a: Property <input type="checkbox"/> Division <input type="checkbox"/> Property Consolidation <input type="checkbox"/> Part of Lot 3, Concession 7, in the former Township of Pelham, now the Town of Pelham, in the Regional Municipality of Niagara and being shown as Parts 1, 2, 3, 4, 5, 6 and 7, Plan 59R-11997					
	New Property Identifiers Additional: See Schedule <input type="checkbox"/>		Executions Additional: See Schedule <input type="checkbox"/>			
(6) This Document Contains		(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>		(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>	(7) Interest/Estate Transferred RIGHT-OF-WAY	
(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 a right-of-way						
Name(s) THE CORPORATION OF THE TOWN OF PELHAM		Signature(s) Per: <i>R. Beamer</i> Ralph Beamer, Mayor		Date of Signature Y M D 2003 04 10		
We are authorized to bind the corporation		<i>Cheryl Mickle</i> Cheryl Mickle, Clerk		2003 04 10		
(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 P.O. Box 400, 20 Pelham Town Square, Fonthill, ON L0S 1E0						
(11) Transferee(s) THE REGIONAL MUNICIPALITY OF NIAGARA Ian Neville, Commissioner of Public Works I have authority to bind the corporation						
(12) Transferee(s) Address for Service 2201 St. David's Road, P.O. Box 1042, Thorold, ON L2V 4T7						
Planning Act - OPTIONAL	(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.					
	Signature		Date of Signature Y M D		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		Signature			
Affix Statement by Solicitor for Transferee(s) here if necessary	(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		Signature			
(15) Assessment Roll Number of Property		Ctv. Not assigned	Mun. Map	Sub. Par.	Fees and Tax	
(16) Municipal Address of Property Not assigned		(17) Document Prepared by: Legal Services The Regional Municipality of Niagara 2201 St. David's Road P.O. Box 1042 Thorold, ON L2V 4T7 L04.2003.1355				Registration Fee
						Land Transfer Tax
						Total

## 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 right.

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.