



Transfer/Deed of Land

Form 1 - Land Registration Reform Act

A

FOR OFFICE USE ONLY		New Property Identifier(s) 2150		JUL 3 0 2003 11:47		CO CERTIFICATE OF RECEIPT		Niagara South/Sud (59) WELLAND Land Registrar / Registrateur		Additional: See Schedule	
Executions		Additional: See Schedule									
(1) Registry		<input type="checkbox"/>		Land Titles		<input checked="" type="checkbox"/>		(2) Page 1 of 2		pages	
(3) Property Identifier(s)		Block		Property				Additional: See Schedule		<input type="checkbox"/>	
(4) Consideration		ONE-----XX/100		Part of 64072		0374		Dollar \$		1.00	
(5) Description		This is a:		<input checked="" type="checkbox"/> Property Division		<input type="checkbox"/> Property Consolidation		<input type="checkbox"/>			
PART OF TOWNSHIP LOT 177, THOROLD BEING PART 19 on 59R-12116 TOWN OF PELHAM REGIONAL MUNICIPALITY OF NIAGARA											
(6) This Document Contains		(a) Redescription New Easement Plan/Sketch		<input type="checkbox"/>		(b) Schedule for: Description		<input type="checkbox"/>		(7) Interest/Estate Transferred Fee Simple	
(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											
Name(s)		HECTARES PROPERTIES INC.		Signature(s)		Kimberley Duffin		Date of Signature		Y M D 2003 07 21	
(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		R.R. 2, Welland, Ontario, L3B 5N5						Date of Birth		Y M D	
THE CORPORATION OF THE TOWN OF PELHAM											
(11) Transferee(s)											
(12) Transferee(s) Address for Service		20 Pelham Town Square, 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		Signature		Date of Signature		Y M D	
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				Date of Signature		Y M D	
(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				Date of Signature		Y M D	
(15) Assessment Roll Number of Property		Cty.		Mun.		Map		Sub.		Par.	
(16) Municipal Address of Property		vacant land		Pelham Street		Fonthill, Ontario		L0S 1E0		Title PLUS	
(17) Document Prepared by:		Jill C. Anthony		Barrister & Solicitor		10 Highway 20 East		Fonthill, Ontario		L0S 1E0	
(18) Fees and Tax		Registration Fee		Land Transfer Tax		Total					

Property Identifier(s) No.
64072-0374

Refer to all instructions on reverse side.

Land Transfer Tax Affidavit
Land Transfer Tax Act

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* Part Township Lot 177, Thorold, designated as Part
19 on Plan 59R-12116, Town of Pelham, Regional Municipality of Niagara

BY *(print names of all transferors in full)* HECTARES PROPERTIES INC.
TO *(print names of all transferees in full)* THE CORPORATION OF THE TOWN OF PELHAM

I/We have personal knowledge of the facts herein deposited to and MAKE OATH AND SAY THAT:

1. I am/We are *(place a clear mark within the square opposite the following paragraph(s) that describe(s) the capacity of the deponents)*:

- ☐ (a) the transferee(s) named in the above-described conveyance;
- ☒ (b) the authorized agent/er solicitor acting in this transaction for the transferee(s);
- ☐ (c) The President, Vice-President, Secretary, Treasurer, Director or Manager authorized to act for _____
(the transferee(s));
- ☐ (d) a transferee and am making this affidavit on my own behalf and on behalf of *(insert name of spouse or same-sex partner)* _____
who is my spouse or same-sex partner.
- ☐ (e) the transferor and ☐ I am tendering this document for registration and
☐ no tax is payable on registration of this document.

2. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

- (a) Monies paid or to be paid in cash \$ 1.00
- (b) Mortgages (i) Assumed *(principal and interest)* \$ Nil
- (b) Mortgages (ii) Given back to vendor \$ Nil
- (c) Property transferred in exchange *(detail below in para. 5)* \$ Nil
- (d) Other consideration subject to tax *(detail below)* \$ Nil
- (e) Fair market value of the lands *(see instruction 2)* \$ Nil
- (f) Value of land, building, fixtures and goodwill subject to
Land Transfer Tax *(Total of (a) to (e))* \$ 1.00 \$ 1.00
- (g) Value of all chattels - items of tangible personal property
which are taxable under the provisions of the
Retail Sales Tax Act \$ Nil
- (h) Other consideration for transaction not included in (f) or (g) above \$ Nil
- (i) Total Consideration \$ 1.00

3. To be completed where the value of the consideration for the conveyance exceeds \$400,000.00

- I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land conveyed in the above-described conveyance:
- ☐ does not contain a single family residence or contains more than two single family residences.
- ☐ contains at least one and not more than two single family residences.
- ☐ contains at least one and not more than two single family residences and the lands are used for other than just residential purposes. The transferee has accordingly apportioned the value of consideration on the basis that the consideration for the single family residence is \$ _____ and the remainder of the lands are used for _____ purposes.

Note: Subsection 21(1)(b) imposes an additional tax at the rate of one-half of one percent upon the value of the consideration in excess of \$400,000.00 where the conveyance contains at least one and not more than two single family residences and 2(2) allows an apportionment of the consideration where the lands are used for other than just residential purposes.

4. If consideration is nominal, is the land subject to any encumbrance? ☐ Yes ☒ No
5. Other remarks and explanations, if necessary, Transfer of lands for road widening pursuant to development agreement.

Sworn before me at the City of Welland
in the Regional Municipality of Niagara
this 22nd day of July, 2010
A Commissioner for taking Affidavits, etc. R. BRUCE SMITH
Signature(s)

Property Information Record

A. Describe nature of instrument: Transfer/Deed of Land

B. (i) Address of property being conveyed *(if available)* Vacant Land, Pelham Street, Fonthill, Ontario

(ii) Assessment Roll No. *(if available)* not assigned

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed
20 Pelham Town Square, Fonthill, Ontario, L0S 1E0

D. (i) Registration number for last conveyance of property being conveyed *(if available)* _____

(ii) Legal description of property conveyed: Same as in D.(i) above. ☐ Yes ☐ No ☐ Not known

E. Name(s) and address(es) of each transferee's solicitor:

LANCASTER BROOKS & WELCH
247 East Main Street, Welland, Ontario, L3B 3X1

For Land Registry Office Use Only	
Registration No.	
Registration Date <i>(Year/Month/Day)</i>	
Land Registry Office No.	

School Support (Voluntary Election) *(See reverse for explanation)*

- (a) Are all individual transferees Roman Catholic? ☐ Yes ☐ No
- (b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? ☐ ☐ ☐ ☐
- (c) Do all individual transferees have French Language Education Rights? ☐ ☐ ☐ ☐
- (d) If Yes, do all individual transferees wish to support the French Language School Board *(where established)*? ☐ ☐ ☐ ☐

NOTE: As to (c) and (d) the land being transferred will receive French Public School Board Election unless otherwise directed in (a) and (b).

Process Software Ltd.
Pelham/Hectares

FOR OFFICE USE ONLY									
New Property Identifiers									
CERTIFICAT DE RECEPTION									
JUL 3 0 2003									
11-47									
N									
2151									
NIAGARA SOUTH/SUD									
(59) WELLAND									
Land Registrar / Registrateur									
Additional: See Schedule									
Executions									
Additional: See Schedule									
(1) Registry									
(2) Page 1 of 5 pages									
(3) Property Identifier(s)									
Block									
Land Titles									
(4) Consideration									
ONE									
Dollars \$ 1.00									
(5) Description									
This is a: Property Division									
Property Consolidation									
Part of Township Lot 177, Town of Pelham, formerly Township of Thorold, Regional Municipality of Niagara, designated as Parts 9, 10, 16 and 18, on Plan 59R-12116, being Part of PIN 64072-0374 (LT).									
(6) This Document Contains									
(a) Redescription									
New Easement									
Plan/Sketch									
(b) Schedule for:									
Description									
Additional Parties									
Other									
(7) Interest/Estate Transferred									
Easement									
(8) Transferor(s)									
The transferor hereby transfers the land to the transferee									
Name(s)									
HECTARES PROPERTIES INC.									
Signature(s)									
Date of Signature									
Y M D									
2003 07 23									
(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									
2779 Hurricane Road, R. R. #2, Welland, Ontario, L3B 5N5									
(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									
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									
(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									
NOT ASSIGNED									
(16) Municipal Address of Property									
R. BRUCE SMITH									
LANCASTER BROOKS & WELCH									
247 East Main Street									
Welland, Ontario									
L3B 3X1									
(17) Document Prepared by:									
NOT ASSIGNED									
Fees and Tax									
Registration Fee									
Land Transfer Tax									
Total									

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 for stormwater drainage purposes 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 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.

4. Notwithstanding any rule of law or equity, all works, appurtenances, attachments, apparatus, appliances, markers, fixtures and equipment constructed and/or installed by the Transferee 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 Transferor 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.

SCHEDULE "A"

That public highway in the Town of Pelham, Regional Municipality of Niagara, known as Bacon Lane, being all of PIN 64072-0076 (LT).

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* Part of Township Lot 177, Town of Pelham, formerly Township of Thorold, Regional Municipality of Niagara, designated as Parts 9, 10, 16 and 18, on Plan 59R-12116,
being Part of PIN 64072-0374 (L.T.).

BY *(print names of all transferors in full)* HECTARES PROPERTIES INC.
TO *(print names of all transferees in full)* THE CORPORATION OF THE TOWN OF PELHAM

I/We have personal knowledge of the facts herein deposed to and MAKE OATH AND SAY THAT:

1. I am/We are *(place a clear mark within the square opposite the following paragraph(s) that describe(s) the capacity of the deponents):*

- ☐ (a) the transferee(s) named in the above-described conveyance;
- ☒ (b) the authorized-agent/er solicitor acting in this transaction for the transferee(s);
- ☐ (c) The President, Vice-President, Secretary, Treasurer, Director or Manager authorized to act for _____
(the transferee(s)):
- ☐ (d) a transferee and am making this affidavit on my own behalf and on behalf of *(insert name of spouse or same-sex partner)* _____
who is my spouse or same-sex partner.
- ☐ (e) the transferor and ☐ I am tendering this document for registration and ☐ no tax is payable on registration of this document.

2. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

- (a) Monies paid or to be paid in cash \$ 1.00
- (b) Mortgages (i) Assumed *(principal and interest)* \$ Nil
- (ii) Given back to vendor \$ Nil
- (c) Property transferred in exchange *(detail below in para. 5)* \$ Nil
- (d) Other consideration subject to tax *(detail below)* \$ Nil
- (e) Fair market value of the lands *(see Instruction 2)* \$ Nil
- (f) Value of land, building, fixtures and goodwill subject to Land Transfer Tax *(Total of (a) to (e))* \$ 1.00 \$ 1.00
- (g) Value of all chattels - items of tangible personal property which are taxable under the provisions of the *Retail Sales Tax Act* \$ Nil
- (h) Other consideration for transaction not included in (f) or (g) above \$ Nil
- (i) Total Consideration \$ 1.00

3. To be completed where the value of the consideration for the conveyance exceeds \$400,000.00

I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land conveyed in the above-described conveyance:

- ☐ does not contain a single family residence or contains more than two single family residences.
- ☐ contains at least one and not more than two single family residences.
- ☐ contains at least one and not more than two single family residences and the lands are used for other than just residential purposes. The transferee has accordingly apportioned the value of consideration on the basis that the consideration for the single family residence is \$ _____ and the remainder of the lands are used for _____ purposes.

Note: Subsection 2(1)(b) imposes an additional tax at the rate of one-half of one percent upon the value of the consideration in excess of \$400,000.00 where the conveyance contains at least one and not more than two single family residences and 2(2) allows an apportionment of the consideration where the lands are used for other than just residential purposes.

1. If consideration is nominal, is the land subject to any encumbrance? ☒ Yes ☐ No
5. Other remarks and explanations, if necessary. _____

Transfer of Easement pursuant to Development Agreement. _____

Sworn before me at the City of Weland
n the Regional Municipality of Niagara
his _____ day of July, 20 03
A Commissioner for taking Affidavits, etc. R. Bruce Smith

Property Information Record

1. Describe nature of instrument: Transfer of Easement
3. (i) Address of property being conveyed *(if available)* not assigned
- (iii) Assessment Roll No. *(if available)* not assigned
2. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed _____

For Land Registry Office Use Only	
Registration No.	
Registration Date <i>(Year/Month/Day)</i>	
Land Registry Office No.	

2. (i) Registration number for last conveyance of property being conveyed *(if available)* _____
- (ii) Legal description of property conveyed: Same as in D.(i) above. ☐ Yes ☐ No ☐ Not known
- Name(s) and address(es) of each transferee's solicitor:
LANCASTER BROOKS & WELCH
247 East Main Street, Welland, Ontario, L3B 3X1

- School Support **(Voluntary Election)** *(See reverse for explanation)*
- a) Are all individual transferees Roman Catholic? ☐ Yes ☐ No
- b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? ☐ Yes ☐ No
- c) Do all individual transferees have French Language Education Rights? ☐ Yes ☐ No
- d) If Yes, do all individual transferees wish to support the French Language School Board *(where established)*? ☐ Yes ☐ No
- NOTE: As to (c) and (d) the land being transferred will receive French Public School Board Election unless otherwise directed in (a) and (b).