

THIS AGREEMENT dated this 25th day of August, 2005

BETWEEN:

JANICE KLASSEN

OF THE FIRST PART

Hereinafter called the "Owner",

- and -

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town",

OF THE SECOND PART

WHEREAS the Owner is the owner of the lands being part of Lot 12, Concession 9 Township of Pelham shown as Part 1 on attached Schedule A and part of Lot 12, Concession 9 Township of Pelham shown as Part 2 on Schedule A known municipally as 612 Memorial Drive.

AND WHEREAS the Town requires the Owner agree to certain terms and conditions for the development of the Lands.

NOW THEREFORE THIS AGREEMENT WITNESSETH and in consideration for the Town approving the proposed development of the Lands and other good and valuable consideration (the receipt whereof is hereby acknowledged), the Parties hereto mutually covenant and agree as follows:

1. The Owner covenants and agrees to register this Agreement against the Lands.
2. The Owner covenants and agrees that they have no objections to any future extension of a municipal watermain easterly on Memorial Drive and such owner will agree to pay any new watermain frontage assessment charges against the properties under the Municipal Act. All costs associated with such agreement are to be borne by the applicant.
3. This agreement shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

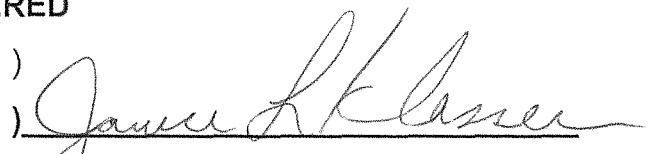
IN WITNESS WHEREOF the Parties of the First Part have hereunto set their hands and seals and the Party of the Second Part has hereto affixed its Corporation Seal attested by the hands of its duly authorized officers.

IN WITNESS WHEREOF the Parties of the First Part have hereunto set their hands and seals and the Party of the Second Part has hereto affixed its Corporation Seal attested by the hands of its duly authorized officers.

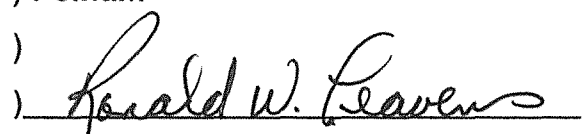
SIGNED, SEALED AND DELIVERED

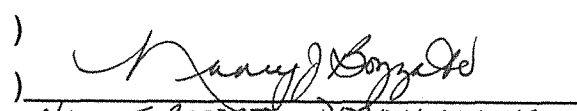
In the presence of:



) 
) Janice Klassen
)

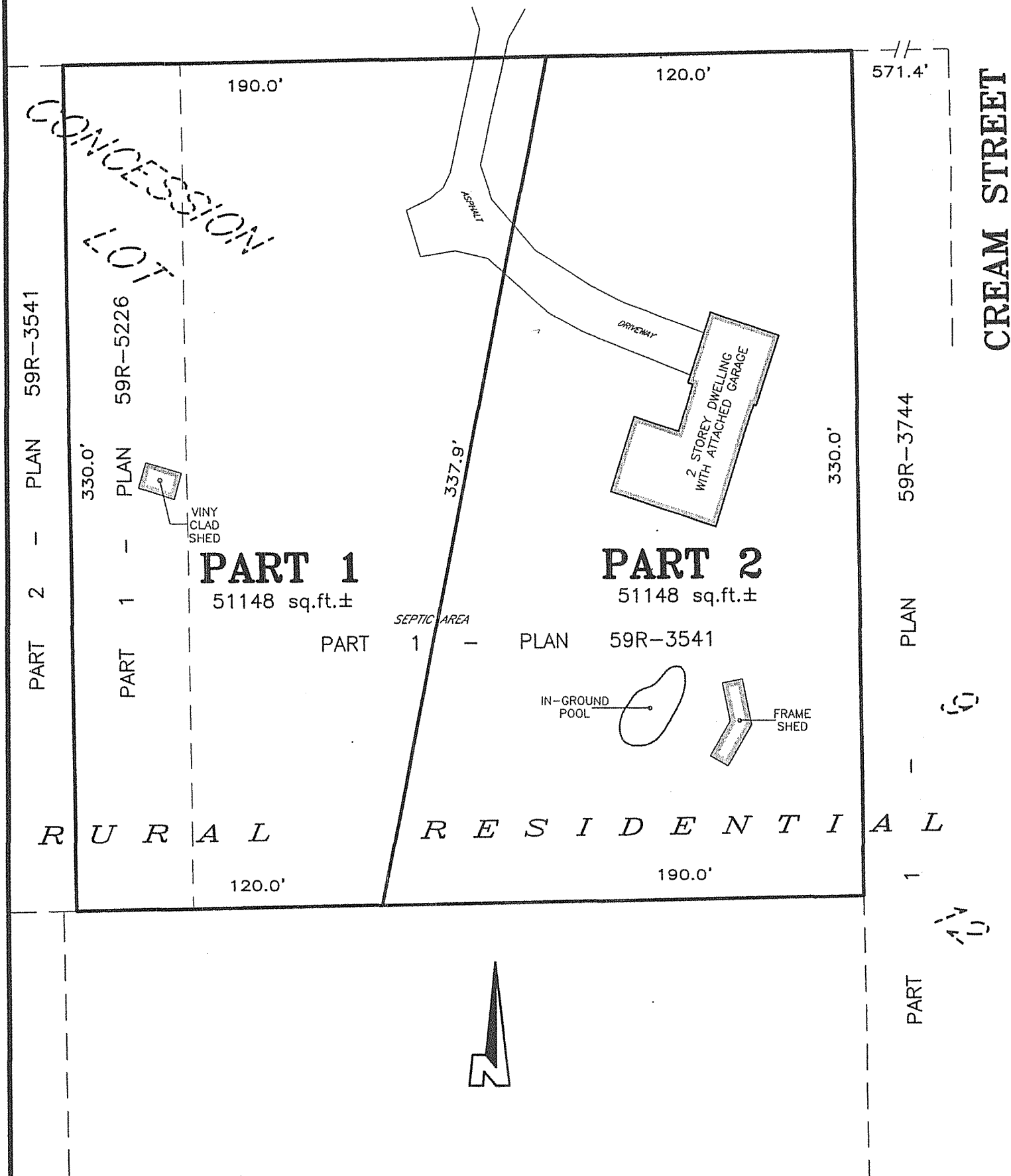
) The Corporation of the Town of
) Pelham

) 
) Per: Mayor Ronald Leavens

) 
) Nancy J. Bozzato DEPUTY CLERK
) Per: Clerk Cheryl Miclette

(66' WIDE)

MEMORIAL ROAD ALLOWANCE BETWEEN CONCESSION 8 AND 9 ROAD



SKETCH
PREPARED FOR SEVERANCE APPLICATION
PART OF LOT 12
CONCESSION 9
TOWNSHIP OF PELHAM
IN THE
TOWN OF PELHAM
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1" = 50'

© COPYRIGHT 2003

THE REPRODUCTION, ALTERATION OR USE OF THIS SKETCH, IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF P. D. REITSMA SURVEYING LTD., IS STRICTLY PROHIBITED.

NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY. ALL MEASUREMENTS ARE +/- MEASUREMENTS. DO NOT SCALE FROM THIS DRAWING.

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

P. Douglas Reitsma
P. DOUGLAS REITSMA, B. Sc., O.L.S.

P. D. REITSMA SURVEYING LTD.

203 EAST MAIN STREET (Upper)
WELLAND ONTARIO L3B-3W7
(905) 735-7841

DATE JUNE 24, 2004 FILE No 03-110 (03110SK.DWG)