

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #282 (1974)

Being a by-law to authorize a Quit Claim Deed of Lot 35, Plan N.S. 23 and Block A Plan N.S. 33 to Group #2 Development Limited.

WHEREAS an amending subdivider's agreement, registered in the Registry Office for the Registry Division of Niagara South as number 202572, inadvertently contained an error in Schedule "B" thereto, which made it appear Block A, Plan N.S. 33 and Lot 35, Plan N.S. 33 were being conveyed to the Town of Pelham;

AND WHEREAS the property actually and properly conveyed to the Town of Pelham was Block A, according to Plan N.S. 23;

AND WHEREAS the Owner of Block A, Plan N.S. 33 and Lot 35, Plan N.S. 33 has requested a Quit Claim Deed to perfect his title, and Council deems it proper to grant same herewith;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) THAT the Mayor and Clerk be and they are hereby authorized and directed to sign and affix the Corporate Seal to a Quit Claim Deed in favour of Group #2 Development Limited for Block A, Plan N.S. 33 and Lot 35, Plan N.S. 23 and to deliver the same to the Grantees or to whom they shall direct.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED IN COUNCIL THIS
4th. DAY OF November, 1974


MAYOR


CLERK

This Indenture

made in duplicate the 4th day of July 19 74

Between :- THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the PARTY of the FIRST PART,

-- and --

GROUP 2 DEVELOPMENT LIMITED, a Company incorporated under the laws of the Province of Ontario,

Hereinafter called the PARTY of the SECOND PART,

RECEIVED

1974 - 74

TOWN OF PELHAM

~~Witnesseth~~ that the said party of the first part for and in consideration of OTHER GOOD AND VALUABLE CONSIDERATION AND THE SUM OF ONE (\$1.00) Dollars of lawful money of Canada, to ^{it} in hand paid by the said party of the second part, at or before the sealing and delivery of these presents (the receipt whereof is hereby acknowledged) has granted, released and quitted claim and by these presents Do th Grant Release and ~~Quit Claim~~ ^{Quit Claim} unto the said party of the second part ^{its} ~~their~~ ^{successors} and assigns forever,

All the estate, right, title, interest, claim and demand or expectancy of ^{it} the said party of the first part of land and premises situate, lying and being in the Township of Pelham in the County of Municipality of Niagara, formerly in the Township of Pelham in the County of Welland, and being composed of Block A, Plan NS-33, and Lot 35, Plan NS-23.///

Together with the appurtenances thereunto belonging or appertaining TO HAVE and TO HOLD the aforesaid lands and premises with All and Singular the appurtenances thereto belonging or appertaining unto and to the use of the said part y of the second part its ~~sub~~ ^{sub} ~~jects and~~ assigns forever subject nevertheless to the reservations, limitations, provisos and conditions expressed in the original Grant thereof from the Crown.

In Witness Whereof
their hands and seals seal,
in that behalf constituted,

Signed, Sealed and Delivered
IN THE PRESENCE OF

the said Company has hereunto affixed its Corporate
~~the said parties, hereto have hereunto setz~~

duly attested to by its proper signing officers

THE CORPORATION OF THE TOWN OF PELHAM

Per: [Signature]
MAYOR

Per: [Signature]
CLERK

IN THE MATTER OF THE PLANNING ACT (as amended)

AND IN THE MATTER OF THE TITLE TO Block A, Plan NS-33, and Lot 35, Plan NS-23,
for the Town of Pelham in the Regional Municipality of Niagara,

Deed, Mortgage,
Agreement of
Sale, Lease, etc.

AND IN THE MATTER OF AQuit-Claim Deed
THEREOF, FROM the Corporation of the Town of Pelham
TO Group 2 Development Limited

DATED July 4th 1974

I, Len Hunt
of the Town of Pelham in the Regional Municipality
of Niagara

MAKE OATH AND SAY AS FOLLOWS:

1. I am the Clerk of the above mentioned Instrument, and have knowledge of the matters hereinafter sworn.

2. The said Instrument, and the conveyance or other dealing with land affected thereby, do not contravene the provisions of The Planning Act, as amended, because

Delete if not applicable

~~THE SAID INSTRUMENT AND THE CONVEYANCE OR OTHER DEALING WITH LAND AFFECTED THEREBY, DO NOT CONTRAVENE THE PROVISIONS OF THE PLANNING ACT, AS AMENDED, BECAUSE~~

State other reason if any

(b) The land is conveyed by a Municipality

SWORN before me

at the Town of Pelham
in the Regional Municipality of Niagara
this 8th

day of November

19 74

A. Cleary

Len Hunt
LEN HUNT

IN THE MATTER OF SUBSECTION 3 OF SECTION 5 OF
THE LAND SPECULATION TAX ACT, 1974

Affidavit

I, LEN HUNT of Town Hall,
(print name)
Town of Pelham, Fonthill, Ontario
(print address)

MAKE OATH AND SAY THAT:

1. I verily believe that the disposition of designated land evidenced in the attached instrument or writing is exempt from the tax imposed by subsection 1 of section 2 of the above Act by virtue of the disposition being:

a disposition of property by a Municipality

describe nature
of disposition

as provided for by section 4, clause (j), subclause _____ of the above Act.

Clerk

delete this
paragraph if
inapplicable

2. I am ~~the~~ transferor ~~making~~ Corporation the disposition referred to in paragraph 1 hereof.

delete this
paragraph if
inapplicable

3. ~~I am the transferor of the property described in the above instrument and I am not a party to the disposition referred to in paragraph 1 hereof.~~

Sworn before me

in the Town

of Pelham

this 8th

day of November 19 74

H. Cheney

A Commissioner, etc.

I,
of the
in the

*See footnote
I am a subscribing witness to the attached instrument and I was present and saw it executed
at _____ by _____
make oath and say:

*See footnote
I verily believe that each person whose signature I witnessed is the party of the same name referred
to in the instrument.

SWORN before me at the

this _____ day of _____ 19 _____

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after instrument had been read to him and he appeared fully to understand it". Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for neat clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

Revised for
October/73

Affidavit, The Land Transfer Tax Act

IN THE MATTER OF THE LAND TRANSFER TAX ACT

Insert
County, Dis-
trict, Regional
Municipality
etc. and name
of same.

PROVINCE OF ONTARIO
REGIONAL MUNICIPALITY
OF NIAGARA

I, Len Hunt
of the Town of Pelham
in the Regional Municipality of Niagara

To Wit: Clerk, named in the within (or annexed) transfer make oath and say:

This affidavit
may be made
by the
purchaser or
vendor or by
any one acting
for them under
power of
attorney or
by an agent
accredited in
writing by
the purchaser,
the vendor or by
either or by
some other
person
approved by
the Minister
of Revenue.

- I am Clerk of the Party of the First Part
named in the within (or annexed) transfer.
- I have a personal knowledge of the facts stated in this affidavit.
- (1) The total consideration for this transaction has been allocated as follows:

(a) Land, buildings, fixtures and goodwill	\$ 1.00
(b) Chattels—items of tangible personal property—See Note	\$ nil
TOTAL CONSIDERATION	\$ 1.00
- (2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:

(a) Monies paid in cash	\$ 1.00
(b) Property transferred in exchange (Detail Below)	\$ nil
(c) Securities transferred to the value of (Detail Below)	\$ nil
(d) Balances of existing encumbrances with interest owing at date of transfer	\$ nil
(e) Monies secured by mortgage under this transaction	\$ nil
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ nil
(g) Other (Detail Below)	\$ nil
TOTAL CONSIDERATION (should agree with 3(1)(a) above)	\$ 1.00
- If consideration is nominal, is the transfer for natural love and affection?
no
- If so, what is the relationship between Grantor and Grantee?
strangers
- Other remarks and explanations, if necessary This conveyance is given to correct an error in instrument #202572.

All
blanks
must be
filled in.

SWORN before me at the Town
of Pelham
in the Regional Municipality
of Niagara
this _____ day of July 194. _____

A. Chorney

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

NOTE TO PARAGRAPH 3(1)(b): Chattels: Retail sales tax is payable on the valuation of items shown in 3(1)(b) unless otherwise exempted under the provisions of The Retail Sales Tax Act. For the purpose of this affidavit insert above only the value of chattels the total value of which in the opinion of the deponent exceeds \$100.00. This does not exonerate a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction with a value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.