

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #301 (1975)

Being a by-law to authorize the Mayor and Clerk to execute a deed from the Corporation of the Town of Pelham to Mr. Ralph Haun.


WHEREAS Council deems it desirable to issue a deed to Mr. R. Haun for a parcel of land on Effingham Street,

AND WHEREAS the original deed issued under By-law #144 (1972) of the Corporation was found to be in error,

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

- (1) THAT the deed attached hereto and made part of this by-law be and the same is hereby approved.
- (2) THAT the Mayor and Clerk be and each of them is hereby authorized and instructed on behalf of the Corporation to execute the said deed, and the Clerk is hereby authorized to affix the Corporate Seal thereto.
- (3) THAT By-law #144 (1972) of the Corporation be hereby repealed.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED IN COUNCIL THIS  
10th. DAY OF March, 1975 A.D.

  
MAYOR

  
CLERK

# This Indenture

made in duplicate the twenty-fourth day of February  
one thousand nine hundred and seventy-five  
in pursuance of the Short Forms of Conveyances Act:  
**Pelham**

THE CORPORATION OF THE TOWN OF PELHAM,

Hereinafter called the "GRANTOR" of the FIRST PART;

- and -

RALPH HAUN, of the Town of Pelham, in  
the Regional Municipality of Niagara,

Hereinafter called the "GRANTEE" of the SECOND PART;

~~Witnesseth~~ that in consideration of other good and valuable considera-  
tion and the sum of ONE -----

----- (\$1.00) ----- dollar of  
lawful money of Canada now paid by the said grantee to the said grantor (the receipt  
whereof is hereby by it acknowledged) ~~it~~ the said grantor DOTH  
GRANT  
unto the said grantee in fee simple

ALL and Singular that certain parcel or tract of land and premises, situate, lying and  
being in the Town of Pelham, in the Regional Municipality of

Niagara, formerly in the Township of Pelham in the County of  
Lincoln, and Province of Ontario and being composed of an  
easterly part of Lot No. 6 in the 7th Concession of the said  
Town and being more particularly described as follows:

COMMENCING at a point in the eastern limit of said Lot distant

1,104 feet from the south-east angle of said Lot;

THENCE westerly parallel to the south limit of said Lot 200 feet  
to a point;

.....continued

TO HAVE AND TO HOLD unto the said grantee his heirs and assigns to and for their sole and only use forever,

SUBJECT NEVERTHELESS to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown.

The said grantor COVENANTS with the said grantee THAT it has the right to convey the said lands to the said grantee notwithstanding any act of the said grantor

AND that the said grantee shall have quiet possession of the said lands free from all encumbrances.

AND the said grantor COVENANTS with the said grantee that it will execute such further assurances of the said lands as may be requisite.

AND the said grantor COVENANTS with the said grantee that it has done no act to encumber the said lands.

AND the said grantor RELEASES to the said grantee ALL its claims upon the said lands.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered  
IN THE PRESENCE OF

THE CORPORATION OF THE TOWN OF PELHAM

  
MAYOR

  
CLERK-TREASURER

THE LAND TRANSFER TAX ACT, 1974  
Affidavit of Residence

IN THE MATTER OF THE CONVEYANCE OF an easterly part of Lot No. 6 in the 7th Concession, in the Town of Pelham, in the Regional Municipality of Niagara, on the west side of Effingham Street in the Town of Pelham,  
(insert brief description of land)

To Ralph Haun  
(insert names of all transferees)

I, Norman Young of 18 Albert St., East, Thorold,  
(print name and address) Ontario.

MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent):
- (a) A person to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed;
  - (b) One of the trustees named in the above-described conveyance to whom the land is being conveyed;
  - (c) A transferee named in the above-described conveyance;
  - (d) An agent authorized in writing to act for \_\_\_\_\_ who is a person described in paragraph \_\_\_\_\_ above (insert name of principal)
  - (e) The solicitor acting in this matter for Ralph Haun who is a person described in paragraph C above (insert name of client)
- and as such, I have personal knowledge of the facts herein deposed to.

2. None of the transferees to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed is, within the meaning of the Act, a non-resident person (strike out this paragraph if inapplicable).

3. ~~The following persons are non-resident persons within the meaning of the Act:~~  
~~\_\_\_\_\_~~

(insert the name and place of residence — or in the case of a corporation, the place of incorporation — of any transferee who is a non-resident person. If space is insufficient, attach a list of those transferees who are non-resident persons.)

4. I have read over and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clause f and g of subsection 1 of section 1 of the Act.

Sworn before me at the Town  
of Thorold  
in the Regional Municipality  
of Niagara  
this  
Norman Young

day of February 1975

A Commissioner, etc.

of the  
in the

make oath and say:  
I am a subscribing witness to the attached instrument and I was present and saw it executed  
at \_\_\_\_\_ by \_\_\_\_\_

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 next 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

PROVINCE OF ONTARIO }  
I, \_\_\_\_\_ }  
of the \_\_\_\_\_ }  
in the \_\_\_\_\_ }  
To Wit: \_\_\_\_\_ }  
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 authorized in writing by the purchaser, or vendor or by either of them or by some other person approved by the Minister of Revenue.

named in the within (or annexed) transfer make oath and say:

- I am 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 \$ \_\_\_\_\_
  - (b) Chattels—items of tangible personal property—See Note \$ \_\_\_\_\_

TOTAL CONSIDERATION \$ \_\_\_\_\_
- (2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:
  - (a) Monies paid in cash \$ \_\_\_\_\_
  - (b) Property transferred in exchange (Detail Below) \$ \_\_\_\_\_
  - (c) Securities transferred to the value of (Detail Below) \$ \_\_\_\_\_
  - (d) Balances of existing encumbrances with interest owing at date of transfer \$ \_\_\_\_\_
  - (e) Monies secured by mortgage under this transaction \$ \_\_\_\_\_
  - (f) Liens, legacies, annuities and maintenance charges to which transfer is subject \$ \_\_\_\_\_
  - (g) Other (Detail Below) \$ \_\_\_\_\_

TOTAL CONSIDERATION (should agree with 3(1)(a) above) \$ \_\_\_\_\_

All blanks must be filled in.

- If consideration is nominal, is the transfer for natural love and affection?
- If so, what is the relationship between Grantor and Grantee?
- Other remarks and explanations, if necessary

SWORN before me at the \_\_\_\_\_  
of \_\_\_\_\_  
in the \_\_\_\_\_  
of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

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 valuation of the dependent exceeds \$100.00. This does not exempt 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 Ministry of Revenue.