



The Corporation of The
TOWN OF PELHAM

FROM THE OFFICE OF THE TOWN CLERK

December 16, 2010

Mr. R. Bruce Smith
Lancaster, Brooks & Welch
P. O. Box 67, 247 East Main Street
Welland, ON L3B 5N9

Dear Mr. Smith:

Re: Estate of Daniel Whiting Lathrop
Part of Road Allowance between Lots 2 and 3, Concession 4
Part 8 on Plan 59R-6158

Enclosed please find a certified copy of Town of Pelham By-law 3162(2010) which was passed by Council on December 13th, 2010.

The by-law authorizes the Mayor and Clerk to execute all documents necessary to complete the conveyance. As such, we await the transfer documents to the Estate of Daniel Whiting Lathrop.

Yours truly,

(Mrs.) Nancy J. Bozzato
Town Clerk

Encl.
/njb

ACKNOWLEDGEMENT AND DIRECTION

TO: Robert Bruce Smith
(Insert lawyer's name)

AND TO: LANCASTER, BROOKS & WELCH (WELLAND)
(Insert firm name)

RE: Deed for closed road from Town to Estate of Daniel Whiting Lathrop (the transaction)
(Insert brief description of transaction)

This will confirm that:

- I/We have reviewed the information set out this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Upper Canada as of the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, _____, am the spouse of _____, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to bind me by my consent on all the Documents for which it is required.

DESCRIPTION OF ELECTRONIC DOCUMENTS

The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- ☒ A Transfer of the land described above.
- ☐ A Charge of the land described above.
- ☐ Other documents set out in Schedule "B" attached hereto.

Dated at Fonthill, this _____ day of March, 2011.

WITNESS

(As to all signatures, if required)

N/A

THE CORPORATION OF THE TOWN OF PELHAM

PER: Dave Augustyn
DAVE AUGUSTYN - MAYOR

PER: Nancy J. Bozzato
NANCY J. BOZZATO - CLERK
We have authority to bind the corporation.

Properties

PIN 64039 - 0204 LT **Interest/Estate** Fee Simple
Description PT RDAL BTN LT 2 & 3 CON 4 PELHAM BEING PTS 6 & 8 59R6158; TOWN OF PELHAM
Address FONTHILL

Consideration

Consideration \$ 1.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name THE CORPORATION OF THE TOWN OF PELHAM
Acting as a company
Address for Service P. O. Box 400
Fonthill, Ontario
L0S 1E0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation by DAVE AUGUSTYN-MAYOR AND NANCY J. BOZZATO-CLERK.

Transferee(s)**Capacity****Share**

Name LATHROP, ANNA **Estate Trustee With A Will**
Acting as an individual
Date of Birth
Address for Service 130 Luffman Drive
R. R. #1
Ridgeville, Ontario
L0S 1M0

This dealing by the estate trustee is consistent with the terms of the will or is permitted by legislation

Name LATHROP, GEORGE EDWARD **Estate Trustee With A Will**
Acting as an individual
Date of Birth
Address for Service 1275 Royal Maple Drive
Cumberland, Ontario
K4C 1B5

This dealing by the estate trustee is consistent with the terms of the will or is permitted by legislation

Statements

Schedule: The Transferee is the Estate Trustee With a Will in the Estate of Daniel Whiting Lathrop. The Transferee is appointed as Estate Trustee With a Will by the Ontario Superior Court of Justice, under File No. 12273/09, dated August 17, 2009 and is still in full force and effect.

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEE (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 the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Calculated Taxes

Provincial Land Transfer Tax \$0.00
Retail Sales Tax \$0.00

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 64039 - 0204 PT RDAL BTN LT 2 & 3 CON 4 PELHAM BEING PTS 6 & 8 59R6158; TOWN OF PELHAM

BY: THE CORPORATION OF THE TOWN OF PELHAM
TO: LATHROP, ANNA
LATHROP, GEORGE EDWARD
Estate Trustee With A Will
Estate Trustee With A Will
%(all PINs)
%(all PINs)

1. LATHROP, ANNA AND LATHROP, GEORGE EDWARD

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
☒ (c) A transferee named in the above-described conveyance;
☐ (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) () above.
☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) () above.
☐ (f) A transferee described in paragraph () and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph () and as such, I have personal knowledge of the facts herein deposed to.

3. 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 (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	1.00
(h) VALUE OF ALL CHATTELS - Items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	1.00

4.

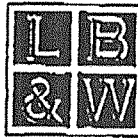
Explanation for nominal considerations:

s) other: Transfer of closed road allowance for no consideration.

5. The land is not subject to an encumbrance

PROPERTY Information Record

A. Nature of Instrument: Transfer
LRO 59 Registration No. Date:
B. Property(s): PIN 64039 - 0204 Address Assessment Roll No
FONTHILL
C. Address for Service: 130 Luffman Drive
R. R. #1
Ridgeville, Ontario
L0S 1M0
1275 Royal Maple Drive
Cumberland, Ontario
K4C 1B5
D. (i) Last Conveyance(s): PIN 64039 - 0204 Registration No.
(ii) Legal Description for Property Conveyed : Same as in last conveyance? Yes ☒ No ☐ Not known ☐



Lancaster, Brooks & Welch
BARRISTERS AND SOLICITORS

PLEASE RESPOND TO WELLAND OFFICE

DATE: March 16, 2011

TELECOPIER (FAX) TRANSMITTAL SHEET

RE:

Town deed to Estate of
Daniel Whiting Bathrop

TO: (FIRM)

Town of Pelham

ATTENTION:

Nancy Bozzato

TELECOPIER NO.:

FROM:

R Bruce Smith

MESSAGE:

Further to our fax of
Jan. 12/11 we enclose a
revised deed with the Estate
of Daniel Whiting Bathrop as
the Transferee. Please sign
acknowledgment and fax back
with original to follow in the mail.

NUMBER OF PAGES INCLUDING TRANSMITTAL SHEET:

4

Thank you

PLEASE ASK FOR

Patti

IF NOT RECEIVED

R. B. Smith

THANK YOU.

LANCASTER BROOKS & WELCH

THIS TELECOPY IS SOLICITOR-CLIENT PRIVILEGED AND CONTAINS CONFIDENTIAL INFORMATION
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A COPY.

Lancaster Brooks & Welch LLP

247 East Main Street, P. O. Box 67, Welland, Ontario, L3B 5N9

Telephone: (905) 735-5684

Facsimile: (905) 735-3340

R. BRUCE SMITH

THOMAS G. HANRAHAN

SCHEDULE "A"
TO
BY-LAW #3162 (2010)

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 and being composed of that part of the road allowance between Lots 2 and 3, Concession 4, Luffman Drive, more particularly described as part 8 on Reference Plan 59R-6158.