

The applicant(s) hereby applies to the Land Registrar.

Properties

PIN	64947 - 0001 LT
Description	UNIT 1, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0002 LT
Description	UNIT 2, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0003 LT
Description	UNIT 3, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0004 LT
Description	UNIT 4, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0005 LT
Description	UNIT 5, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0006 LT
Description	UNIT 6, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0007 LT
Description	UNIT 7, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0008 LT
Description	UNIT 8, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0009 LT
Description	UNIT 9, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0010 LT
Description	UNIT 10, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0011 LT
Description	UNIT 11, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL

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Properties

PIN	64947 - 0012 LT
Description	UNIT 12, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0013 LT
Description	UNIT 13, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0014 LT
Description	UNIT 14, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0015 LT
Description	UNIT 15, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0016 LT
Description	UNIT 16, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0017 LT
Description	UNIT 17, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0018 LT
Description	UNIT 18, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0019 LT
Description	UNIT 19, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0020 LT
Description	UNIT 20, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0021 LT
Description	UNIT 21, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0022 LT
Description	UNIT 22, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM

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Properties

Address	FONTHILL
PIN	64947 - 0023 LT
Description	UNIT 23, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0024 LT
Description	UNIT 24, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0025 LT
Description	UNIT 25, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0026 LT
Description	UNIT 26, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0027 LT
Description	UNIT 27, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0028 LT
Description	UNIT 28, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0029 LT
Description	UNIT 29, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0030 LT
Description	UNIT 30, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0031 LT
Description	UNIT 31, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0032 LT
Description	UNIT 32, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM
Address	FONTHILL
PIN	64947 - 0033 LT
Description	UNIT 33, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN

The applicant(s) hereby applies to the Land Registrar.

Properties

EASEMENT AS IN SN577753; TOWN OF PELHAM

Address FONTHILL

PIN 64947 - 0034 LT

Description UNIT 34, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM

Address FONTHILL

PIN 64947 - 0035 LT

Description UNIT 35, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM

Address FONTHILL

PIN 64947 - 0036 LT

Description UNIT 36, LEVEL 1, NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN NO. 147 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN SN577614; SUBJECT TO AN EASEMENT AS IN SN577753; TOWN OF PELHAM

Address FONTHILL

Consideration

Consideration \$1.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name THE CORPORATION OF THE TOWN OF PELHAM

Address for Service P. O. Box 400
20 Pelham Town Square
Fonthill, ON L0S 1E0

I, Mayor Marvin Junkin and I, Clerk Nancy J. Bozzato, have the authority to bind the corporation.
This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

The land registrar is authorized to delete the notice on the consent of the following party(ies) The Corporation of the Town of Pelham

Schedule: See Schedules

This document relates to registration number(s)SN466299

Signed By

Monica Evelyn Wolfe

39 Queen St. P.O. Box 24022 acting for Signed 2019 03 01
St. Catharines Applicant(s)
L2R 7P7

Tel 905-688-1125

Fax 905-688-5725

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

DANIEL & PARTNERS LLP

39 Queen St. P.O. Box 24022 2019 03 01
St. Catharines
L2R 7P7

Tel 905-688-1125

Fax 905-688-5725

Fees/Taxes/Payment

Statutory Registration Fee

\$64.40

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 5 of 11

Fees/Taxes/Payment

Total Paid

\$64.40

File Number

Applicant Client File Number :

43029

THIS AGREEMENT made this 25TH day of FEBRUARY, 2019

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

hereinafter called the

"Town"

-AND-

NIAGARA SOUTH VACAND LAND CONDOMINIUM PLAN NO. 147

hereinafter called the

"Condominium"

WHEREAS the Corporation proposed to develop, under the Condominium Act, S.O. 1998, C19, as amended and Section 51 of the Planning Act, R.S.O. 1990 lands it owns;

WHEREAS by agreement, dated the 4th day of April, 2016, and registered in the Registry Office for the Land Titles Division of Niagara South on the 21st day of April, 2016, as Instrument No. SN466299 (the "Site Plan Agreement"), U. Lucchetta Construction Ltd. did covenant and agree with the Town to perform certain works on the lands and premises therein described upon the terms and conditions therein contained;

AND WHEREAS buildings are to be constructed on the said lands in accordance with Schedule "B", "C", "D", "E and "F" of the said Site Plan Agreement, and in accordance with site plans filed in the office of the Town;

AND WHEREAS by registration of a declaration and description on the 14th day of January, 2019, as Instrument No. SN577614 in the Land Registry Office for the Land Titles Division of Niagara South, the Condominium was established;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the sum of one dollar (\$1.00) now paid by each of the parties to each other (the receipt of which is hereby acknowledged), the parties hereto mutually covenant and agree as follows:

1. That every covenant, condition, provisio and stipulation contained in the Site Plan Agreement will apply and bind the Condominium in the same manner and with the same effect as if the Condominium had been a party to the said Site Plan Agreement and the Condominium covenants and agrees with the Town to do, observe, keep and perform every such covenant, condition, provisio and stipulation.

2. The Condominium agrees that no condominium unit shall be conveyed and that no transfer of such unit shall be registered unless and until such time as this Agreement has been registered on title.
3. The Condominium shall pay the Town's costs in connection with this Agreement for the preparation, processing, administration and supervision including, but not limited to, all administrative, legal, inspection and consulting expenses.
4. The Condominium consents to the registration of this Agreement against the title to the lands described in Schedule "A".
5. The Condominium consents to pay the applicable development charges and parkland dedication fees in place at the time of building permit issuance.
6. The Condominium agrees that such land transfers/conveyances and easements as may be required shall be designated to the satisfaction of, and granted to the appropriate agencies and authorities, free and clear of encumbrances, save and except such encumbrances as may be permitted by the Town, in its sole discretion, to the satisfaction of the Town.
7. The Condominium agrees to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements. The Condominium agrees to include a clause within all offers of purchase and sale advising prospective purchasers that private roadways are subject to a Condominium Corporation and agreements for maintenance, snow removal and garbage pick-up. The Condominium further agrees that all laneways are to be kept free and clear of vehicles to ensure that emergency service, snow removal and waste collection vehicles have continued access and that failure to comply with this clause will result in ticketing and potentially towing.
8. Purchasers/Tenants are advised that due to the site layout, units 1-4 and 25 will be required to bring all waste to the designated collection pads in order to be eligible to receive Regional Waste Collection pick up.
9. The Condominium consents to the following special provisions relating to Units 35 and 36 upon which an American Chestnut tree (the "tree") is located.

The Condominium Corporation shall lease from the Condominium Units 35 and 36 at an annual rent of \$1.00. The Condominium Corporation shall, at its own expense, establish a park on Units

35 and 36 for use by the unit owners. The Condominium Corporation shall be obligated to maintain the park to a standard satisfactory to the Town of Pelham.

The lease shall terminate on the earlier of:

- (a) The date the Ministry of Natural Resources consents to the removal of the tree and the Condominium Corporation consents to terminating the lease, or
- (b) The date it is established that the American Chestnut tree is dying and the Ministry of Natural Resources consents to the removal of the tree.

BUILDER, U. LUCCIAETTA CONSTRUCTION L.
Upon the termination of the lease, the ~~Condominium~~ shall be entitled to build townhouses on

the units in accordance with the terms of declaration and the by-laws of the Condominium Corporation.

During the terms of the lease, the Condominium Corporation shall be obligated to:

- (i) Procure and maintain comprehensive public liability insurance in respect to the units so leased from the Condominium, throughout the duration of the lease term, noting the interests of the Condominium as a named insured or co-insured party, and to pay all insurance premiums in connection therewith;
- (ii) Pay all realty taxes and common expenses assessed against said units, pending the construction and completion of the townhouses thereon by the Condominium and the occupancy of said townhouse dwellings by any purchasers and/or tenants thereof; and
- (iii) Fully and unconditionally indemnify and save the Condominium harmless, from and against all costs, claims, damages and/or liabilities which the Condominium may hereafter suffer or incur as a result of (or in connection with) the Condominium Corporation's failure to pay all of the foregoing amounts contemplated in subparagraphs (i) and (ii) hereof, as and when due.

10. This Agreement and everything herein contained shall enure to the benefit of and be binding upon the parties hereto and their successors and assigns and upon those persons or corporations hereafter acquiring title to all or any part of the lands described in Schedule "A".

IN WITNESS WHEREOF the parties hereunto have executed this Agreement as of the date and year first
above written.

WITNESS

NIAGARA SOUTH VACANT LAND CONDOMINIUM PLAN
NO. 147

Shannon Larocque
(printed name)

Robert Lucette
(printed name)

S. Larocque
(signature)

[Signature]
(signature)

February 25, 2019
(date)

February 25, 2010
(date)

☐ I have the authority to bind the Corporation

THE CORPORATION OF THE TOWN OF PELHAM

[Signature]
Mayor Marvin Junkin

[Signature]
Clerk Nancy J. Bozzato

SCHEDULE "A"

LEGAL DESCRIPTION

PIN 64065-0315 LT

LEVEL 1 UNITS 1 to 36 (INCLUSIVE), CONDOMINIUM PLAN 147; PART OF BLOCKS P, Q,
AND R, PLAN 717; TOWN OF PELHAM, REGIONAL MUNICIPALITY OF NIAGARA.