

FILE

This Indenture

made in duplicate the Ninth day of March,
one thousand nine hundred and seventy-eight.

In Pursuance of the Short Forms of Conveyances Act:
Between

THE CORPORATION OF THE TOWN OF PELHAM, a
Municipal Corporation incorporated under the
laws of Ontario,

HEREINAFTER CALLED "THE GRANTOR"
OF THE FIRST PART

- AND -

NIAGARA PENINSULA CONSERVATION AUTHORITY, a
body corporate established pursuant to The
Conservation Authorities Act, having its head
office in the Town of Pelham, in the Regional
Municipality of Niagara,

HEREINAFTER CALLED "THE GRANTEE"
OF THE SECOND PART

Witnesseth that in consideration of -----

-----ONE OR MORE-----dollars of
lawful money of Canada now paid by the said grantee to the said grantor (the receipt
whereof is hereby by it acknowledged) ~~by~~ the said grantor DO TH
GRANTS 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, County of Welland,
and Province of Ontario, consisting of Part of Lots 8 and 9, Con-
cession 14, being comprised in Welland Airport and being more
particularly described as follows:-

PREMISING that the easterly limit of the road allowance between
Lots 9 and 10, Concession 14 has an astronomical bearing of north
no degrees, 18 minutes west and relating all bearings herein
thereto.

BEGINNING at the intersection of the southerly prolongation of
the easterly limit of the road allowance between Lots 9 and 10,
Concession 14, with the southwesterly limit of River Road, so-
called;

1 (a)

THENCE from the point of beginning, so determined, south 55 degrees, 28 minutes east along the southwesterly limit of the said River Road, so-called, a distance of 510 feet more or less, to a point;

THENCE south 83 degrees, 2 minutes east continuing along the said southwesterly limit, a distance of 769 feet more or less, to a point thereon;

THENCE south 23 degrees, 2 minutes east along a line, a distance of 410 feet more or less, to a point;

THENCE south 1 degree, 15 minutes east along a line, a distance of 310 feet more or less, to a point on the northerly shore of the Welland River, so-called;

THENCE northwesterly following the sinuosities of the said shore to the intersection with the southerly prolongation of the easterly limit of the aforesaid road allowance lying between Lots 9 and 10, Concession 14;

THENCE north no degrees, 18 minutes west along the said southerly prolongation, a distance of 60 feet more or less, to the aforesaid point of beginning.

THE SAID LAND as described comprising an area of 13.79 acres, more or less.

TO HAVE AND TO HOLD the said lands unto the grantee and its successors, forever; saving, excepting and reserving unto us, our heirs and successors, the free use, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on or under or flowing through or upon any part of the said lands.

TO HAVE AND TO HOLD unto the said grantee ^{successors} its / ~~heirs~~ and assigns to and for
it and their sole and only use forever,

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes 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.

The Grantee of the second part hereby covenants and agrees that the herein described lands shall be used in perpetuity as a public park to be named the "E. C. Brown Memorial Park".

AND the Grantee hereby agrees that in the event that the park is not named as provided in this deed, or if at any future time the lands or any part of them cease to be used as a public park, then and in that case the Grantee or any successor in title shall forthwith reconvey the lands to The Corporation of the Town of Pelham or any successor municipality in which the lands are located.

IN WITNESS WHEREOF the said parties hereto have hereunto ~~set their hands and seals~~ affixed their respective corporate seals duly attested by their proper officers authorized in that behalf.

Signed, Sealed and Delivered
IN THE PRESENCE OF

THE CORPORATION OF THE TOWN OF PELHAM

PER: *J. T. Weldon* Mayor

PER: *[Signature]* Clerk

NIAGARA PENINSULA CONSERVATION AUTHORITY

PER: *[Signature]* Chairman

PER: *N. E. Duff* Secretary-Treasurer

I,
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 the 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)".

THE LAND TRANSFER TAX ACT, 1974 - AFFIDAVIT OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE made

by: THE CORPORATION OF THE TOWN OF PELHAMto: NIAGARA PENINSULA CONSERVATION AUTHORITYon the 9th day of March, 1978.I, LEONARD CARMEN HUNT,of the Town of Pelham,in the Regional Municipality of Niagara,

MAKE OATH AND SAY THAT:

1. I am the Clerk for The Corporation of the Town of Pelham,
named in the within (or annexed) conveyance.

2. I have a personal knowledge of the facts stated in this affidavit.

3. (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) \$ nilTOTAL 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) \$ nilTOTAL CONSIDERATION (should agree with 3(1) (a) above) \$ 1.004. If consideration is nominal, is the transfer for natural love and affection? no5. If so, what is the relationship between Grantor and Grantee? n/a6. Other remarks and explanations, if necessary land conveyed to Grantee for public
purposes.

SWORN before me at the CITY TOWN
of Welland, PELHAM
in the Regional Municipality
of Niagara,
this 16th day of JUNE 19 78.

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

All
blanks
must
be
filled
in.

IN THE MATTER OF THE PLANNING ACT (as amended)

AND IN THE MATTER OF THE TITLE TO Part Lots 8 and 9, Concession 14,
Town of Pelham, Regional Municipality of Niagara.

AND IN THE MATTER OF A DEED

THEREOF, FROM THE CORPORATION OF THE TOWN OF PELHAM

TO NIAGARA PENINSULA CONSERVATION AUTHORITY

DATED March 9, 1978.

I, LEONARD CARMEN HUNT,

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

MAKE OATH AND SAY AS FOLLOWS:

1. I am the Clerk for the Grantor
named in 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
 - (a) *The present registered owner does not retain the fee or the equity of redemption in, or a
power or right to grant, assign or exercise a power of appointment with respect to any
land abutting the land affected by the deed.*
 - (b)

SWORN before me

at the

TOWN OF PELHAM
~~City of Welland,~~

in the

REGIONAL MUNICIPALITY OF
NIAGARA,

this

16th

day of

JUNE

19 78

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

Affidavit

I, LEONARD CARMEN HUNT, of the Town of Pelham,
(print name)

in the Regional Municipality of Niagara, Clerk for the
(print address)

Corporation of the Town of Pelham,

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~~ by a municipal corporation

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

~~XX~~
~~2. I am the transferor making the disposition referred to in paragraph 1 hereof~~
~~XXXXXX the designated land that is being disposed of to the transferee named~~
~~XXXXXX in the attached instrument or writing, no disposition with respect to such designated~~
~~XXXXXX land has occurred prior to the disposition to the said transferee.~~
~~XX~~

3. I am authorized in writing by the transferor making the disposition referred to in paragraph 1 hereof to make this affidavit.
Since the acquisition of the interest of the transferor in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

Sworn before me at the CITY TOWN
of Welland, PELHAM
in the Regional Municipality
of Niagara,
this 16th
day of JUNE 19 78.

R. T. Weldon
A Commissioner, etc.

I/WE

of the

in the

make oath and say: When executed the attached instrument,

I/WE at least eighteen years old.

I was married / divorced / widower.
was my wife / husband.

We were married to each other.

We held the land as Joint Tenants / Trustees / Partnership Property.

(SEVERALLY) SWORN before me at the

this day of 19

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

* Where affidavit made by attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (marital status, if married, name of spouse), and when he/she executed the power of attorney, he/she had attained the age of majority".

THE CORPORATION OF THE
TOWN OF PELHAM

—TO—

NIAGARA PENINSULA CONSERVATION
AUTHORITY

Part of Land
SITUATE

Newsome and Gilbert, Limited, Toronto

ASSESSMENT ROLL No.:

ADDRESS OF PROPERTY:

BROOKS, MACFARLANE
Barristers and Solicitors
76 Division Street
Welland, Ontario

DMM:pm

REGISTRATION FEE	
LAND TRANSFER TAX	
RETAIL SALES TAX	