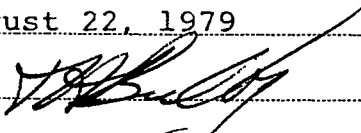


To The Registrar of the Registry Division of NIAGARA SOUTH

I, THOMAS A. BIELBY of the City of Welland, in the

Regional Municipality of Niagara,
hereby deposit with you and require you to take into your custody, pursuant to Part II of The
Registry Act, the following documents:—

Description of Documents	Names of all Parties	Any other particulars or subject of certificate, affidavit, etc.	Lands in this Registry Division to which Documents relate
Agreement	The Corporation of the Town of Pelham and Edla Glass and David C. Glass	In the Town of Pelham, in the Regional Municipality of Niagara, formerly in the Township of Pelham, in the County of Welland and being composed of part of Lots 5 and 6 in the fourth Concession as described in Instrument No. 14702B.	
UP TO TEN DOCUMENTS MAY BE FIRMLY ATTACHED TO THIS REQUISITION.			

Dated August 22, 1979
Signature 
Address 76 Division Street, Welland, Ontario
Occupation Solicitor

THIS AGREEMENT made in duplicate this 30th day
of ~~XXXX~~ July, 1979.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"

and

EDLA GLASS and DAVID C. GLASS

Hereinafter called the "Owners"

WHEREAS the Owners purport to be the owners of lands and premises on part of Lots 5 and 6, Concession 4, in the former Township of Pelham, County of Welland, now in the Town of Pelham, in the Regional Municipality of Niagara and more particularly described in Schedule "A" attached hereto;

AND WHEREAS the Owners have made application to the Land Division Committee of the Regional Municipality of Niagara for consent to sever two parcels of land from the aforementioned property and thereby create three adjoining lots;

AND WHEREAS on or about the 19th day of December, 1978 the aforementioned consent was granted by the Land Division Committee subject to two conditions one of which conditions was as follows:

The applicants shall enter into an agreement with the Regional Municipality of Niagara to control the access to the subject parcel as agreed to by the applicants at the hearing.

AND WHEREAS pursuant to the aforementioned condition it was agreed that access to the proposed lots from the public highway, known as Regional Road 32, would be restricted to a single location and that all three proposed lots would use the approved entrance location as a common entrance way and further the owners would dedicate to the Regional Municipality of Niagara, a one-foot reserve across the frontage of all three lots, save and except that

portion of the frontage contained in the aforementioned approved entrance location, to preclude further future access requests;

AND WHEREAS as a result of the aforementioned conditions the three lots would necessarily share a mutual right-of-way as set out in Schedule "B" attached hereto for ingress and egress to all three lots;

AND WHEREAS the Town, pursuant to by-law, is not required to issue residential building permits for properties that are land locked and do not abut upon a public road;

AND WHEREAS as a result of the aforementioned condition to sever and the resulting agreement, two of the new created lots would in fact be land locked;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants herein contained the Town and the Owners covenant and agree as follows:

1. Subject to all other building requirements and pre-conditions being met, the Town shall issue to the Owners, residential building permits, for the three lots aforementioned.
2. The Owners agree to refrain from requiring the Town either directly or indirectly, to adopt or dedicate the aforementioned right-of-way as a public road.
3. The Owners further agree to save the Town harmless from any responsibility and/or liability with respect to the repair and maintenance of the aforementioned right-of-way.
4. This agreement is to be binding upon the Owners, their heirs, executors, administrators, successors and assigns for ever and shall be registered against the title of the Owners as described in Schedule "A".

IN WITNESS WHEREOF the Corporation of the Town of Pelham has hereunto affixed its corporate seal duly attested by the hands of its proper officers in that behalf and in witness whereof the Owners have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED)

In the presence of)

THE CORPORATION OF THE TOWN OF
PELHAM

PER: E. J. Bergenstein

PER: [Signature]

Edla C. Glass
EDLA GLASS

[Signature]
DAVID C. GLASS

M. Chene

AFFIDAVIT OF SUBSCRIBING WITNESS

I, Gordon Cherney
of the Town of Pelham
in the Regional Municipality of Niagara

make oath and say:

*See footnote I am a subscribing witness to the attached instrument and I was present and saw it executed
at Town of Pelham by EDLA GLASS and DAVID C. GLASS

*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 Town of Pelham
Regional Municipality of Niagara
this 30th day of July 1979

Gordon Cherney

[Signature]
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)".

AFFIDAVIT AS TO AGE AND SPOUSAL STATUS

X X WE EDLA GLASS and DAVID C. GLASS
of the City of St. Catharines
in the Regional Municipality of Niagara

* If attorney, see footnote (severally) make oath and say: When ~~IX~~ WE executed the attached instrument,

~~XXXXXX~~/ WE WERE EACH at least eighteen years old;

and within the meaning of section 1(f) of The Family Law Reform Act, 1978,

~~(a) XXXXX WAS XXXXX WAS NOT XXXXX~~

(b) ~~XXXXXX~~

(c) We were spouses of one another.

Strike out
inapplicable
clauses.

** Not a
matrimonial
home, etc.,
see footnote.

Resident of
Can etc.

(SEVERALLY) SWORN before me at the
Town of Pelham
Regional Municipality of Niagara
this 30th day of July 1979

Gordon Cherney
A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

Edla C. Glass
[Signature]

* Note: Where affidavit made by an attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (spousal status, and if applicable, name of other spouse) within the meaning of section 1(f) of The Family Law Reform Act, 1978 and when he/she executed the power of attorney, he/she had attained the age of majority".

** Note: See Section 42(3) of The Family Law Reform Act, 1978 where spouse does not join in or consent; or complete a separate affidavit.

SCHEDULE "A"

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 Welland and Province of Ontario and being composed of part of Lots 5 and 6 in the fourth Concession in the said Township and being more particularly described as follows:

COMMENCING at a point in the line between Lots 5 and 6 distant therein southerly 1844.0 feet from the north-west angle of said Lot 5;

THENCE south 0 degrees and 54 minutes east in the said line, 619.5 feet along a fence;

THENCE south 12 degrees, 08 minutes and 30 seconds west in and along a fence, 57.5 feet;

THENCE south 74 degrees and 49 minutes east in and along a fence, 364.51 feet;

THENCE north 35 degrees and 04 minutes east in and along a fence, 80.9 feet;

THENCE north 34 degrees and 08 minutes east, 25.9 feet;

THENCE north 77 degrees and 30 minutes east, 58.4 feet;

THENCE south 50 degrees and 45 minutes east in and along a fence, 80.8 feet;

THENCE south 89 degrees and 27 minutes east, 53.54 feet;

THENCE north 51 degrees and 15 minutes east in and along a fence, 32.2 feet;

THENCE north 46 degrees and 21 minutes east in and along a fence 164.0 feet;

THENCE north 40 degrees and 47 minutes east in and along a fence, 36.94 feet;

THENCE north 30 degrees and 46 minutes east, 50.16 feet;

THENCE north 53 degrees and 02 minutes east, 91.1 feet;

THENCE north 44 degrees and 02 minutes east, 88.55 feet;

THENCE south 54 degrees and 04 minutes east in and along a fence 83.5 feet to a point in the westerly boundary of a road as widened by an Instrument registered in the Registry Office for the Registry

Division of the County of Welland as 18545A;

THENCE northerly in the said westerly boundary along a curve to the left having a radius of 1113.28 feet, an arc distance of 380.32 feet to the end of the said curve;

THENCE continuing in the said boundary along a curve to the left having a radius of 241.72 feet, an arc distance of 271.89 feet to the end of the said curve;

THENCE north 80 degrees, 30 minutes and 30 seconds west continuing in the said boundary, 559.18 feet to the beginning of a curve;

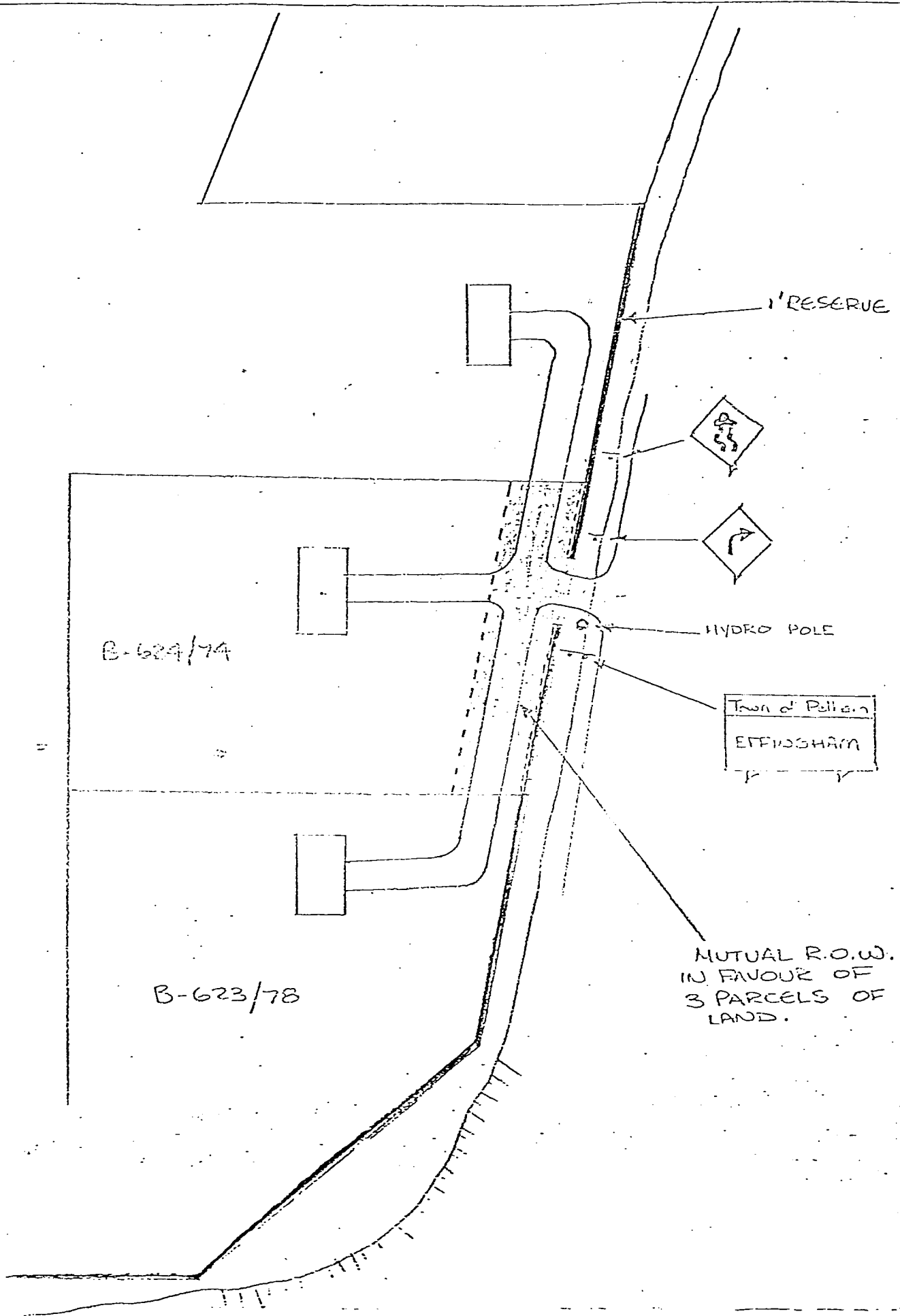
THENCE westerly continuing in the said boundary along a curve to the right having a radius of 988.37 feet an arc distance of 61.2 feet;

THENCE south 1 degree, 07 minutes and 30 seconds east, 300.0 feet;

THENCE north 70 degrees and 00 minutes west, 239.5 feet more or less to the place of beginning.

CONTAINING by admeasurement 16.90 acres more or less.///

SCHEDULE "B"



1. APP. NO. 32 (EFFINGHAM ROAD)
 ENTRANCE B-623, 624/78,
 NIAGARA ESCARPMENT APPLICATION,
 TOWN OF PELHAM

Niagara Region

Public Works and Utilities Department

DATE 79.05.16 SCALE 1" = 100'

DESIGNED BY GM DRAWN BY GM

CHECKED BY GM

DRAWING NO. 'B'

W. H. H. H. H.
Office of
Public Affairs

[Handwritten signature]

W. H. H. H. H.

The documents herein mentioned were returned
to the Division of National Security (W. H. H.)
Department of War