

THIS INDENTURE made in triplicate this 23rd day of January, 1980 A.D.

BETWEEN:

ZACKO HOLDINGS AND LANDCO DEVELOPMENT LTD.

Hereinafter called the "Owners"
of the First Part

-and-

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the "Town"
of the Second Part

WHEREAS the Owners purport to be the owners of the lands as described in Schedule "A" attached hereto and have applied to the Town of Pelham to rezone that parcel of lands as described in Schedule "B" attached hereto from Development (D) zone to Residential R2 zone.

AND WHEREAS there is situated on the said lands intended to be rezoned a barn which will be non-conforming both in setback from property line and height for a Residential (R2) lot,

NOW THEREFORE the Owners of the First Part agree to remove said building before the approval of a Residential R2 zone is established on the lands described in Schedule "B" attached hereto.

IN WITNESS WHEREOF the Parties hereto have executed this agreement by affixing their respective seals duly attested by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE TOWN OF
In the presence of) PELHAM

) E.S. Bergenstein

) Murray Backett

) ZACKO HOLDINGS and
) LANDCO DEVELOPMENT LTD.

) [Signature]

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[Signature]