

THIS INDENTURE made in triplicate this 18th day of January, 1980

BETWEEN:

THE CORPORATION OF THE
TOWN OF PELHAM

herein called Pelham

OF THE FIRST PART

- and -

ONTARIO HYDRO

herein called the Assignee

OF THE SECOND PART

WHEREAS by Agreement to Grant Easement dated the 7th day of December, 1955, and registered in the Registry Office for the Registry Division of the County of Welland on the 13th day of March, 1957 as Instrument No. 87661, certain rights and easements were granted to The Municipality of the Township of Pelham in, over, along and upon that part of Lot 1, Concession 8, in the Township of Pelham, now in the Town of Pelham, as more particularly described in Schedule "A" attached hereto.

AND WHEREAS Pelham has agreed to grant and assign all its interest in the rights and easement described in the above-recited Indenture to the Assignee;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada now paid by the Assignee, Pelham grants and assigns to the Assignee, its successors and assigns, all the right, title, estate and interest that Pelham has in the rights and easements described in and acquired by virtue of the above-recited Grant of Easement, in, over, along and upon the lands described in Schedule "A" attached hereto.

AND the Assignee hereby covenants with Pelham that from and after the date of this Indenture it will observe and perform all the terms, covenants, provisoes, conditions and reservations imposed upon the Assignor by the said Grant of Easement.

IN WITNESS WHEREOF Pelham has caused this Indenture to be executed by affixing its corporate seal attested by the signature(s) of its proper officer(s) duly authorized in that behalf.

THE CORPORATION OF THE
TOWN OF PELHAM

Per

ES Bergerstein

c/s

Per

Murray Haddock

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land 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 being composed of Part of Lot 1, Concession 8, in the said Town, being more particularly described as follows:

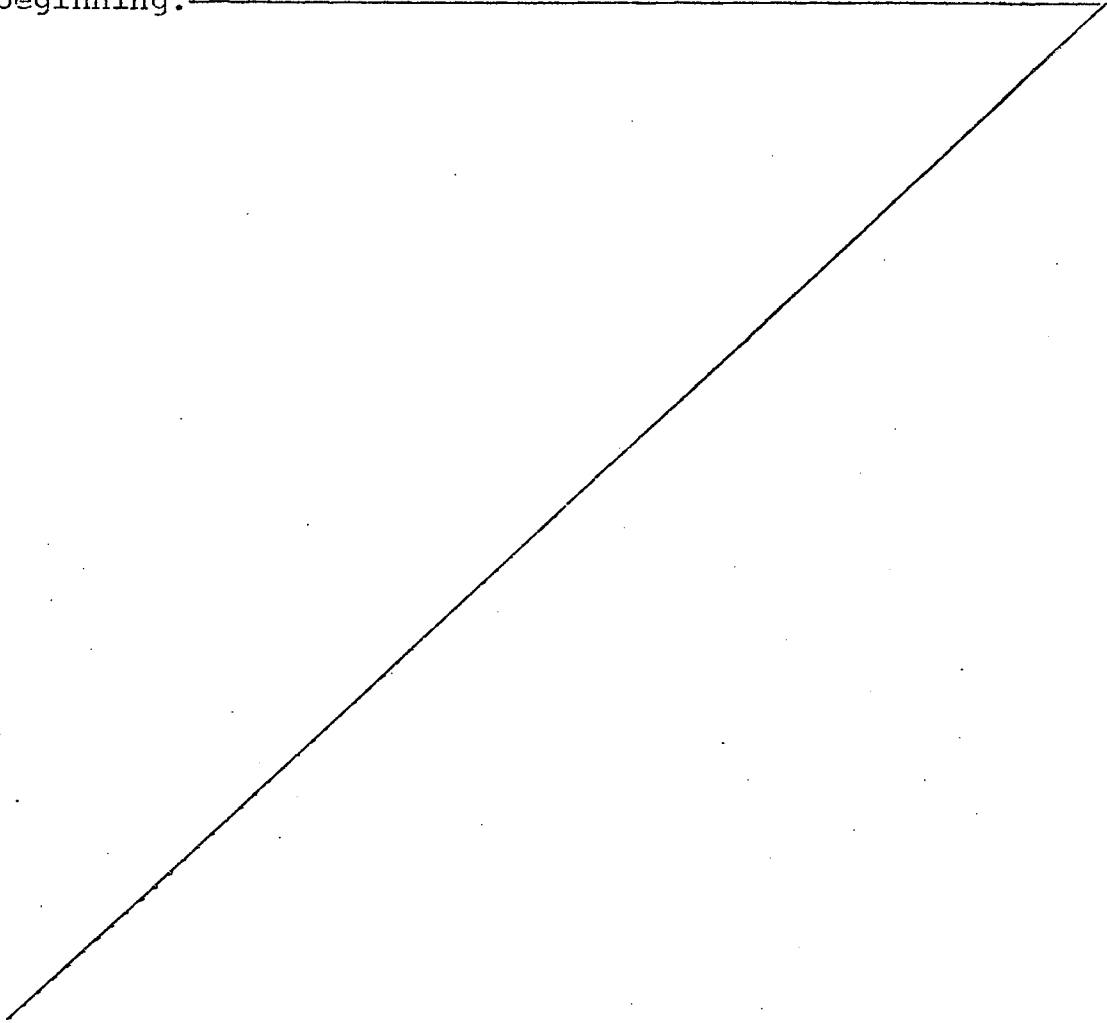
COMMENCING at an iron stake planted in the south limit of said Lot distant easterly thereon 178.2 feet to the south-west angle of said Lot;

THENCE NORTHERLY and parallel to the west limit of said Lot, 410 feet;

THENCE EASTERLY parallel to the south limit of said Lot, 12 feet;

THENCE SOUTHERLY parallel with the said west limit 410 feet more or less to the south limit of said Lot;

THENCE WESTERLY along said south limit, 12 feet to the place of beginning.



The Land Transfer Tax Act, 1974

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* Part of Lot 1, Concession 8, Town of Pelham, Regional Municipality of Niagara

BY *(print names of all transferors in full)* THE CORPORATION OF THE TOWN OF PELHAM

TO *(see instruction 1 and print names of all transferees in full)* ONTARIO HYDRO

I, *(see instruction 2 and print name(s) in full)* FREDDA OLIVIER

MAKE OATH AND SAY THAT:

1. I am *(place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)*

- ☐ (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 *(insert name(s) of principal(s))* ONTARIO HYDRO

described in paragraph(s) ~~(a)~~, ~~(b)~~, (c) above; *(strike out references to inapplicable paragraphs)*

☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for *(insert name(s) of corporation(s))*

described in paragraph(s) (a), (b), (c) above. *(strike out references to inapplicable paragraphs)*

☐ (f) A transferee described in paragraph () *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and am making this affidavit on my own behalf and on behalf of *(insert name of spouse)* who is my spouse described in paragraph (). *(insert only one of paragraph (a), (b) or (c) above, as applicable)*

and as such, I have personal knowledge of the facts herein deposed to.

2. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses f and g of sub-section 1 of section 1 of the Act. *(see instruction 3)*

3. The following persons to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed are non-resident persons within the meaning of the Act. *(see instruction 4)* NONE

4. 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)* \$ nil
(ii) Given back to vendor \$ nil
(c) Property transferred in exchange *(detail below)* \$ nil
(d) Securities transferred to the value of *(detail below)* \$ nil
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject \$ nil
(f) Other valuable consideration subject to land transfer tax *(detail below)* \$ nil

(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO

LAND TRANSFER TAX *(TOTAL OF (a) to (f))* \$ 1.00 \$ 1.00

(h) VALUE OF ALL CHATTELS - items of tangible personal property

(Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of The Retail Sales Tax Act, R.S.O. 1970, c.415, as amended) \$ nil

(i) Other consideration for transaction not included in (g) or (h) above \$ nil

(j) TOTAL CONSIDERATION \$ 1.00

ALL BLANKS
MUST BE
FILLED IN.
INSERT "NIL"
WHERE
APPLICABLE.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. *(see instruction 5)* NONE

6. Other remarks and explanations, if necessary No consideration is passing directly or indirectly. This Assignment is given in order to protect Ontario Hydro's interest in the within lands.

SWORN before me at the City of Toronto
in the Municipality of Metropolitan Toronto

this 22ND day of January 19 80

A Commissioner for taking Affidavits, etc.

JANET PATRICIA MILLS, a

Commissioner, etc., Prov. of Ontario

for Ontario Hydro.

FREDDA OLIVIER

(signature(s))

PROPERTY INFORMATION RECORD

A. Describe nature of instrument: Assignment of Easement

B. (i) Address of property being conveyed *(if available)* not available

(ii) Assessment Roll No. *(if available)* not available

C. Mailing address(es) for future Notices of Assessment under The Assessment Act for property being conveyed *(see instruction 6)*

Mr. Gordon Haist

D. (i) Registration number for last conveyance of property being conveyed *(if available)* not available

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☐ No ☒ Not Known ☐

E. Name(s) and address(es) of each transferee's solicitor

Ontario Hydro

Property Division

700 University Avenue

Toronto, Ontario M5G 1X6

For Land Registry Office use only

REGISTRATION NO.

Land Registry Office No.

Registration Date

