

THIS INDENTURE

made (in duplicate) the 16th day of April, A.D. 1980.

IN PURSUANCE OF THE SHORT FORMS OF CONVEYANCES ACT:

B E T W E E N:

ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE
DIOCESE OF TORONTO, IN CANADA

Hereinafter called the GRANTOR

of the FIRST PART;

A N D:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter called the GRANTEE

of the SECOND PART;

A N D:

HIS EMINENCE GERALD EMMETT CARDINAL CARTER
Arch-Bishop of the said Diocese of Toronto, in
Canada,

Hereinafter called the PARTY

of the THIRD PART;

A N D:

MOST REVEREND LEONARD J. WALL, Chancellor, and the
MOST REVEREND ALOISUIS AMBROZIC, Vicar-General

Hereinafter called the PARTIES

of the FOURTH PART;

WHEREAS the Party hereto of the First Part has contracted with the
Party herein of the Second Part for the conveyance of the lands hereinafter
described;

AND WHEREAS the Party of the Third Part is the present Arch-Bishop
of the said Diocese, and the Parties hereto of the Fourth Part are the proper
persons whose consent is necessary to this conveyance, under the terms of the
Statute incorporating the Party of the First Part;

AND WHEREAS the Parties hereto of the Fourth Part join in this
conveyance in order to testify, in writing, their consent to the deed as aforesaid,
pursuant to the said Statute, the said Most Reverend Leonard J. Hall, having been
nominated and appointed by the said Arch-Bishop for the purpose of this conveyance.

WITNESSETH that in consideration of other good and valuable
consideration and the sum of ONE (\$1.00) ----- DOLLAR
of lawful money of Canada now paid by the said Grantee to the said Grantor (the
receipt whereof is hereby acknowledged), the said Grantor DOTH GRANT 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, and being composed of Part of Block "C" according to registered Plan No. 25, for the Village of Fonthill, now known as Plan 717, shown as Parts 1, 2 and 3, on Plan 59R-2647.

SUBJECT to an easement for a storm sewer over Part 2, Plan 59R-2647.

TO HAVE AND TO HOLD unto the said Grantee its successors and assigns, to and for its sole and only use forever.

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes and conditions, expressed in the original grant thereof from the Crown, and subject to the restrictions as to use set out below.

THE GRANTEE covenants with the Grantor that the Grantee will not allow the lands herein conveyed to be used for any purpose except for residential purposes, a senior citizen's home, a Post Office, other governmental uses such as a library, or any combination of such uses. The Grantee covenants with the Grantor to observe and comply with these restrictions, the burden of which shall run with the land herein conveyed, and the benefit shall run with the remaining lands now owned by the Grantor in Block "C", Plan 25 for the Village of Fonthill, now known as Plan 717, as described in Schedule "A" hereto. This covenant shall be binding upon and enure to the benefit of the respective successors and assigns of the Parties hereto///

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.

WITNESS the Corporate Seal of The Corporation of the Town of Pelham hereunto affixed as attested by the hands of its proper signing officers in that behalf.

THE CORPORATION OF THE TOWN OF PELHAM

PER:

E.S. Bergstein
Mayor

PER:

L. James Hackett
Clerk

WITNESS the seal of the said Corporation being affixed by the Party of the Third Part.

SIGNED, SEALED & DELIVERED
in the presence of

James R. McQueen

James R. McQueen

James R. McQueen

James R. McQueen

ROMAN CATHOLIC EPISCOPAL CORPORATION OF
THE DIOCESE OF TORONTO IN CANADA

+ *G. Emmett Lester*
ARCH-BISHOP

+ *G. Emmett Lester*
ARCH-BISHOP OF THE SAID DIOCESE

William J. MacLaurie
VICAR-GENERAL

James R. McQueen
CHANCELLOR

COUNTY OF YORK)
)
)
TO WIT:)

I, *Nora J. Linton* of the City of Toronto,
in the Municipality of Metropolitan Toronto, MAKE OATH AND SAY AS FOLLOWS:

1. THAT I and *Joyce J. McEwen* were personally present
and did see the within Instrument and a duplicate thereof duly signed, sealed
and executed by the Roman Catholic Episcopal Corporation of the Diocese of Toronto,
His Eminence Gerald Emmett Cardinal Carter,
in Canada, by ~~the Most Reverend Philip Pocock~~ Arch-Bishop of the said Diocese of
Toronto, the Party of the First Part.

2. THAT I and *Joyce J. McEwen* did see the within
Instrument and a duplicate thereof duly signed, sealed and executed by His Eminence
Gerald Emmett Cardinal Carter, Arch-Bishop of the Roman Catholic Episcopal Cor-
poration of the Diocese of Toronto, in Canada, and by the Most Reverend Aloisuis
Ambrozic, Vicar-General and the Most Reverend Leonard J. Wall, who were appointed
by the said Arch-Bishop to execute the within Instrument, being the Parties of
the Third and Fourth Parts;

3. THAT the said Instrument and a duplicate thereof were executed by
the said Parties at the City of Toronto, in the Municipality of Metropolitan
Toronto;

4. THAT I know the said Parties and that each of the said Parties is
of the full age of eighteen years.

5. THAT I and *Joyce J. McEwen* are subscribing
witnesses to the said Instrument and duplicate.

SWORN before me at the City)
of Toronto)
in the Municipality of Metropolitan)
Toronto)
this 18th day of April, 1980.)

Frederick L. Halloran
A Commissioner Etc.

FREDERICK L. HALLORAN, a Comm-
issioner, etc., Judicial District of York,
for the Roman Catholic Episcopal Corp-
oration for the Diocese of Toronto in
Canada. Expires September 21, 1981.

SCHEDULE "A"
(LAND TO BE RETAINED BY CHURCH)

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Town of Pelham, (formerly in the village of Fonthill), in the Regional Municipality of Niagara, and being composed of Part of Block "C" according to registered Plan No. 25 for the Village of Fonthill, now known as Plan 717, and being more particularly described as follows:

PREMISING that the southerly limit of Canboro Road is on a bearing of South 65 degrees 40 minutes West and relating all bearings herein, thereto;

COMMENCING at the northeast corner of the said Block "C";

THENCE south 65 degrees 40 minutes west along the northerly limit of said Block, 454.93 feet to a point;

THENCE south 2 degrees 38 minutes 30 second west, 572.21 feet to an iron bar planted at the place of beginning of the parcel to be described;

THENCE south 89 degrees 42 minutes east parallel to the southerly limit of Block "C", 200 feet to an iron bar;

THENCE south 1 degree 35 minutes west parallel to the easterly limit of Block "C", 241 feet to an iron bar;

THENCE south 89 degrees 42 minutes east 219.85 feet to an iron bar planted in the easterly limit of the said lot;

THENCE south 1 degree 35 minutes west along said easterly limit, 269.50 feet to a point;

THENCE north 89 degrees 42 minutes 30 seconds west, 823.54 feet to a point;

THENCE north 0 degrees 43 minutes 30 seconds east, 98.92 feet;

THENCE south 88 degrees 35 minutes east 84 feet to a point;

THENCE north 0 degrees 59 minutes 22 seconds east, a distance of 151.99 feet to a point;

THENCE south 87 degrees 21 minutes 30 seconds east, a distance of 317.99 feet to a point;

THENCE north 2 degrees 38 minutes 30 seconds east, a distance of 275.20 feet to the place of beginning;

SAVE AND EXCEPT Parts 1, 2 and 3, on Reference Plan No. 59R-2647 deposited in the Registry Office for the Registry Division of Niagara South///

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

THE MATTER OF THE CONVEYANCE OF (insert brief description of land) PART OF BLOCK "C", PLAN 25,
NOW KNOWN AS PLAN 717, TOWN OF PELHAM, REGIONAL MUNICIPALITY OF NIAGARA
SHOWN AS PARTS 1, 2 AND 3 ON PLAN 59R-2647.

BY (print names of all transferors in full) ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE
DIOCESE OF TORONTO, IN CANADA

TO (see instruction 1 and print names of all transferees in full) THE CORPORATION OF THE TOWN OF PELHAM

I, (see instruction 2 and print name(s) in full) ERIC BERGENSTEIN, of the Town of Pelham,
in the Regional Municipality of Niagara,

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))

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

☒ (e) ~~the Mayor of the Town of Pelham~~ authorized to act for the Corporation
of the Town of Pelham (insert name(s) of Corporation(s))

described in paragraph(s) ~~XXX~~ (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
subsection 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

THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash \$ 83,540.00..

(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 \$ 83,540.00.. \$ 83,540.00..
SUBJECT TO LAND TRANSFER TAX (total of (a) to (f))

(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 \$ 83,540.00..

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

488.32

4. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 5)

N/A

5. Other remarks and explanations, if necessary

SWORN before me at the Town of Pelham,
in the Regional Municipality of Niagara,
this 27th day of May 19 80

Eric Bergenstein
(Signature(s))

A Commissioner for taking Affidavits, etc.

Murray Hackett

PROPERTY INFORMATION RECORD

Describe nature of instrument Deed

(i) Address of property being conveyed (if available) N/A

(ii) Assessment Roll # (if available) N/A

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

P. O. Box 400, Fonthill, Ontario, L0S 1E0.

(i) Registration number for last conveyance of property being conveyed (if available) N/A

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

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

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

For Land Registry Office use only

REGISTRATION NO.

LAND REGISTRY OFFICE NO.

REGISTRATION DATE

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

Revised for Jan. 1/75

(identify the parties to the conveyance)

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them or by some other person approved by the Minister of Revenue.

IN THE MATTER OF THE CONVEYANCE made

by: _____
to: _____
on the _____ day of _____, 19____
I, _____
of the _____
in the _____

MAKE OATH AND SAY THAT:

- 1. I am _____ 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 \$ _____
 - (b) Chattels — items of tangible personal property - (see note) \$ _____
 - TOTAL CONSIDERATION \$ _____
- (2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows:
 - (a) Monies paid in cash \$ _____
 - (b) Property transferred in exchange (Detail below) \$ _____
 - (c) Securities transferred to the value of (Detail below) \$ _____
 - (d) Balances of existing encumbrances with interest owing at date of transfer \$ _____
 - (e) Monies secured by mortgage under this transaction \$ _____
 - (f) Liens, legacies, annuities and maintenance charges to which transfer is subject \$ _____
 - (g) Other (Detail below) \$ _____
 - TOTAL CONSIDERATION (should agree with 3(1) (a) above) \$ _____

All blanks must be filled in.

- 4. If consideration is nominal, is the transfer for natural love and affection? _____
- 5. If so, what is the relationship between Grantor and Grantee? _____
- 6. Other remarks and explanations, if necessary _____

SWORN before me at the _____
of _____
in the _____
this _____ day of _____ 19____

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

NOTE TO PARAGRAPH 3(1)(b): Chattels: Retail sales tax is payable on the valuation of items shown in 3(1)(b) unless otherwise exempted under the provisions of The Retail Sales Tax Act R.S.O. 1970 C415 as amended. For the purpose of this affidavit insert above only the value of chattels, the total value of which in the opinion of the deponent exceeds \$100.00. This does not exonerate a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction, with value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.

