

No. 77-1

This Indenture

made in duplicate the 15th day of April,
one thousand nine hundred and eighty.

In Pursuance of the Short Forms of Conveyances Act:
Between

THE CORPORATION OF THE TOWN OF PELHAM

hereinafter called the Grantor of the FIRST PART

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

hereinafter called the Grantee of the SECOND PART

~~Spouse of the Grantor of the THIRD 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) ~~be~~ 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, formerly in the Township of Pelham, in the County of
Welland, and Province of Ontario, and being composed of part of the
west half of the south half of Lot No. 4 in the 6th Concession of
the said Township of Pelham, being more particularly described as
follows:

COMMENCING at the southwest angle of said Lot;
THENCE north along the west limit of said Lot a distance of
1,650 feet more or less to the centre of the said Lot;
THENCE east parallel with the south limit of said Lot a distance
of 660 feet more or less to the centre line between the east and
west halves of said Lot No. 4;

THENCE south along the centre line between the east and west halves of said Lot a distance of 1,140 feet more or less to the northeast angle of the lands conveyed by Walter G. Crow to Cecel Mildred Haist in registered Deed No. 15729 for the Township of Pelham; THENCE west along the north limits of the lands conveyed to the said Cecel Mildred Haist a distance of 300 feet; THENCE south parallel with the west limit of said Lot No. 4 a distance of 510 feet to a point in the south limit of said Lot; THENCE west along the south limit of said Lot a distance of 360 feet more or less to the place of beginning.

Containing by admeasurement 22 acres more or less.///

TO HAVE AND TO HOLD unto the said grantee his heirs and assigns to and for
his 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 it claims upon
the said lands.

~~XX~~
~~Indenture~~

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

THE CORPORATION OF THE TOWN OF PELHAM

PER: _____

PER: _____

THE REGISTRY ACT

I, GORDON CHERNEY, of the Town of Pelham, in the Regional Municipality of Niagara, make oath and say:

1. I am Treasurer of the Town of Pelham.
2. Eric G. Bergenstein whose signature is affixed to the within document is the Mayor of the said Corporation, and M. Hackett whose signature is also affixed thereto is the Clerk thereof; and the seal affixed is the corporate seal of the said Corporation.
3. Under by-law number 473 (1978) of the said Corporation, a certified copy of which is hereto annexed, the Mayor and the Clerk are empowered to execute on behalf of the Corporation the within deed.
4. I am well acquainted with the said Mayor and Clerk and saw them execute the said document and I am a subscribing witness thereto.
5. The said Corporation is, I verily believe, the owner of the land mentioned in the said document.

SWORN before me at the Town)
of Pelham, in the Regional)
Municipality of Niagara,)
this day of April,)
1980.)

A COMMISSIONER, ETC.

THE REGISTRY ACT

I, GORDON CHERNEY, of the Town of Pelham, in the Regional Municipality of Niagara, make oath and say:

1. That I am the Treasurer of the Town of Pelham, and as such have knowledge of the matters herein deposed to.
2. That pursuant to The Municipal Affairs Act, a Tax Arrears Certificate was registered in the Registry Office for the Registry Division of Niagara South on the 30th day of March, 1977 as Number 279567 against the lands conveyed in the within instrument.
3. That the provisions of section 47 of the said Act have been complied with and the property has not been redeemed.
4. That the time for redemption of the said lands has expired, and the lands, not having been redeemed are vested absolutely in the Corporation of the Town of Pelham.

SWORN before me at the Town)
of Pelham, in the Regional)
Municipality of Niagara,)
this day of)
1980.)

A COMMISSIONER, ETC.

IN THE MATTER OF THE PLANNING ACT (as amended)

AND IN THE MATTER OF THE TITLE TO PART OF THE WEST HALF OF THE SOUTH
HALF OF LOT 4, 6TH CONCESSION, TOWN OF PELHAM, REGIONAL MUNICIPALITY
OF NIAGARA

AND IN THE MATTER OF A DEED

THEREOF, FROM THE CORPORATION OF THE TOWN OF PELHAM

TO SUSAN BENI

DATED APRIL 15, 1980 .

I, GORDON CHERNEY

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

MAKE OATH AND SAY AS FOLLOWS:

1. I am Treasurer of 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

in the Regional Municipality of
Niagara

this

day of

19 80. }

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 the west half of the south half of Lot 4, 6th Concession, 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) SUSAN BENI

I, (see instruction 2 and print name(s) in full) SUSAN BENI

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 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 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) n/a

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

- | | | | |
|---|----|---------------|------------------|
| (a) Monies paid or to be paid in cash | \$ | <u>407.40</u> | |
| (b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price) | \$ | <u>nil</u> | |
| (ii) Given back to vendor | \$ | <u>nil</u> | |
| (c) Property transferred in exchange (detail below) | \$ | <u>nil</u> | |
| (d) Securities transferred to the value of (detail below) | \$ | <u>nil</u> | |
| (e) Liens, legacies, annuities and maintenance charges to which transfer is subject | \$ | <u>nil</u> | |
| (f) Other valuable consideration subject to land transfer tax (detail below) | \$ | <u>nil</u> | |
| (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL
SUBJECT TO LAND TRANSFER TAX (total of (a) to (f)) | \$ | <u>407.40</u> | \$ <u>407.40</u> |
| (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) | \$ | <u>nil</u> | |
| (i) Other consideration for transaction not included in (g) or (h) above | \$ | <u>nil</u> | |
| (j) TOTAL CONSIDERATION | \$ | <u>407.40</u> | |

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)
n/a
6. Other remarks and explanations, if necessary
n/a

SWORN before me at the Town of Pelham
in the Regional Municipality of Niagara
this _____ day of _____ 19 80

(signature(s))

A Commissioner for taking Affidavits, etc.

PROPERTY INFORMATION RECORD

- A. Describe nature of instrument
- B. (i) Address of property being conveyed (if available)
- (ii) Assessment Roll # (if available)
- C. Mailing address(es) for future Notices of Assessment under The Assessment Act for property being conveyed (see instruction 6)
- D. (i) Registration number for last conveyance of property being conveyed (if 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

For Land Registry Office use only

REGISTRATION NO.

LAND REGISTRY OFFICE NO.

REGISTRATION DATE

THE MUNICIPAL AFFAIRS ACT

The CORPORATION OF THE TOWN OF PELHAM
(Insert name of municipality or board)

BY-LAW No. 473 (1978)

BEING A BY-LAW TO AUTHORIZE THE SALE OF LAND

The CORPORATION OF THE TOWN of PELHAM
(Insert Council or Board of Trustees)

PELHAM
(Insert name of Municipality or Board)

enacts that—

The land hereinafter particularly described, namely, in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the Township of Pelham, in the County of Welland, Concession 6, Part of Lot 4, NS Tice Road, as described in Instrument #17004 registered May 10th., 1951

be sold to Mrs. Susan Beni
for the sum of \$407.40
and that the Mayor
(Insert Mayor, Reeve or Chairman) and
Clerk
(Insert Clerk or Secretary) are hereby authorized to

execute such documents as may be necessary therefor, and to attach the Corporate Seal thereto.

Read and Passed in open meeting this

(Seal)

26th. day of JUNE 1978

Approved by The Ministry of Treasury, Economics and Intergovernmental Affairs

[Signature]
(Mayor, Reeve, or Chairman)
[Signature]
(Clerk or Secretary)

TOWN OF PELHAM
CERTIFIED A TRUE COPY
CLERK

