

S C H E D U L E  
" A "  
TO  
BY-LAW #641 (1980)

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 the Unopened Road Allowance between Lots 6 and 7, in the 8th. Concession, in the said Township, which said parcel may be more particularly described as follows:-

PREMISING that the east limit of the said Road Allowance between said Lots 6 and 7 being the west limit of the said Lot 6 has an assumed astronomical bearing of north 1 degree 59 minutes 30 seconds west according to an instrument registered in the Registry Office for the Registry Division of Niagara South (formerly the Registry Division of the said County of Welland) as No. 230480, and relating all bearings herein thereto;

COMMENCING at a standard iron bar at the intersection of the said west limit of Lot 6 with the southerly limit of Canboro Road, the said iron bar being distant south 1 degree 59 minutes 30 seconds east, 2,246.6 feet along the said west limit of said Lot 6 from the northwest corner thereof;

THENCE south 1 degree 59 minutes 30 seconds east in the said west limit of said Lot 6, 618.5 feet to a point;

THENCE south 73 degrees 49 minutes 30 seconds west, 68.08 feet to a point in the westerly limit of said road allowance;

THENCE north 1 degree 59 minutes 30 seconds west, along said westerly limit a distance of 619.25 feet to a point in the southerly limit of Canboro Road;

THENCE north 74 degrees 32 minutes east along the southerly limit of Canboro Road a distance of 67.87 feet to the point of commencement.

# This Indenture

made in duplicate the 14th day of August 19 80,

Between

THE CORPORATION OF THE TOWN OF PELHAM,

hereinafter called the "PARTY" of the

FIRST PART,

- and -

WILLIAM GORDON CARTER, of the Town of Pelham,  
in the Regional Municipality of Niagara,

hereinafter called the "PARTY of the

SECOND PART.

WHEREAS the Party of the Second Part is in possession of that part of an original allowance for road in place of which his predecessors in title have laid out and opened a new road without receiving compensation;

AND WHEREAS this Instrument is given pursuant to Section 463 of the Municipal Act, R.S.O., 1970, Chapter 284, and amendments thereto;

Witnesseth that the said party of the first part for and in consideration of -----

ONE (\$1.00) ----- Dollars of  
lawful money of Canada, to it in hand paid by the said  
party of the second part, at or before the sealing and delivery of these  
presents (the receipt whereof is hereby acknowledged) has granted, released and  
quitted claim and by these presents Doth Grant Release and Quit Claim unto the  
said party of the second part his heirs  
and assigns forever,

All the estate, right, title, interest, claim and demand  
whatsoever both at law and in equity or otherwise howsoever and whether in possession  
or expectancy of the said party of the first part of  
or in to or out of All and singular th at 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 being composed of Part of the Unopened Road Allowance  
between Lots 6 and 7, in the 8th Concession, in the said Township, and  
which said parcel is more particularly described in Schedule "A" attached  
hereto.

SCHEDULE "A"

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ROAD ALLOWANCE ONLY:

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 the Unopened Road Allowance between Lots 6 and 7, in the 8th Concession, in the said Township, which said parcel may be more particularly described as follows:-

PREMISING that the east limit of the said Road Allowance between said Lots 6 and 7 being the west limit of the said Lot 6 has an assumed astronomical bearing of north 1 degree 59 minutes 30 seconds west according to an instrument registered in the Registry Office for the Registry Division of Niagara South, (formerly the Registry Division of the said County of Welland) as No. 230480, and relating all bearings herein thereto;

COMMENCING at a standard iron bar at the intersection of the said west limit of Lot 6 with the southerly limit of Canboro Road, the said iron bar being distant south 1 degree 59 minutes 30 seconds east, 2,246.6 feet along the said west limit of said Lot 6 from the northwest corner thereof;

THENCE south 1 degree 59 minutes 30 seconds east in the said west limit of said Lot 6, 618.5 feet to a point;

THENCE south 73 degrees 49 minutes 30 seconds west, 68.08 feet to a point in the westerly limit of said road allowance;

THENCE north 1 degree 59 minutes 30 seconds west, along said westerly limit a distance of 619.25 feet to a point in the southerly limit of Canboro Road;

THENCE north 74 degrees 32 minutes east along the southerly limit of Canboro Road a distance of 67.87 feet to the point of commencement///

TOGETHER WITH the appurtenances thereunto belonging or appertaining.

TO HAVE AND TO HOLD the aforesaid lands and premises with the appurtenances thereto belonging or appertaining unto and to the use of the said Party of the Second Part, his heirs, executors, administrators and assigns or its successors and assigns, as the case may be, forever.

SUBJECT NEVERTHELESS to the reservations, limitations, provisoes and conditions expressed in the original Grant thereof from the Crown.

Strike out  
if not  
applicable

~~AND I~~

~~spouse of the said Party of the First Part hereby consent to the transaction evidenced by this indenture~~

PROVIDED that in construing these presents, the words "Party of the First Part" and "Party of the Second Part" and the pronouns "he", "his", or "him" relating thereto and used therewith shall be read and construed as "Party of the First Part" or "Parties of the First Part", "Party of the Second Part" or "Parties of the Second Part" and "he", "she", "it" or "they", "his", "her", "its" or "their", and "him", "her", "it" or "them", respectively, as the number and gender of the party or parties referred to in case require, and the number of the verb agreeing therewith shall be construed as agreeing with the said word or pronoun so substituted.

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:

E. S. Bergensten  
Mayor

Per:

Wm. Hackett  
Clerk

**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 unopened Road Allowance between Lots 6 and 7, in the 8th 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) WILLIAM GORDON CARTER  
I, (see instruction 2 and print name(s) in full) CHARLES ALLAN TALMAGE

**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 William Gordon Carter (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>1.00</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>1.00</u> | \$ <u>1.00</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>1.00</u> |                |
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 To clear a cloud on title

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

SWORN before me at the City of Welland  
in the Regional Municipality of Niagara  
this 27th day of August  
A Commissioner for taking Affidavits, etc.

1980

(signature(s))

**PROPERTY INFORMATION RECORD**

- A. Describe nature of instrument Quit Claim Deed
- B. (i) Address of property being conveyed (if available) 358 Canboro Road,  
Pelham, Ont.
- (ii) Assessment Roll # (if available) 013-099-00
- 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) No. PREVIOUS CONVEYANCE
- (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
- FORESTELL, TALMAGE, HUGILL,  
STRATTON & LATINOVICH,  
221 Division Street,  
Welland, Ont.

For Land Registry Office use only

REGISTRATION NO.

LAND REGISTRY OFFICE NO.

REGISTRATION DATE

