

BROOKS, MACFARLANE & BIELBY
BARRISTERS & SOLICITORS

GEOFFREY F. BROOKS, Q.C.
DUNCAN M. MACFARLANE, Q.C.
THOMAS A. BIELBY
JOHN M. PATUS

RECEIVED

JAN 27 1982

TELEPHONE
735-5684
384-9788
(AREA CODE 416)

P. O. BOX 67
76 DIVISION STREET
WELLAND, ONTARIO
L3B 5N9

January 26, 1982.

The Corporation of the
Town of Pelham,
P. O. Box 400,
Pelham Municipal Building,
Pelham Town Square,
Fonthill, Ontario.
LOS 1EO.

Attention: Murray Hackett, Esq.

Dear Sir:

Re: Town of Pelham purchase
from Dale

Pursuant to your recent instructions please be advised that we have completed the registration and enclose the deed along with our account.

We are not certifying title to this property but pursuant to our understanding simply subsearched the property and registered the deed. This would seem reasonable given the minimal value paid for the land.

We thank you for allowing us to be of service to you in this matter and remain,

Yours very truly,

BROOKS, MACFARLANE & BIELBY

PER: 

TAB:bd

Encls.

This Indenture

made in duplicate the 14th day of December,
one thousand nine hundred and eighty-one.

In Pursuance of the Short Forms of Conveyances Act:

Between

GORDON M. DALE, of the Town of Dunnville,
in the Regional Municipality of Haldimand-
Norfolk

HEREINAFTER CALLED

THE "GRANTOR"
OF THE FIRST PART

AND

THE CORPORATION OF THE TOWN OF PELHAM

HEREINAFTER CALLED

THE "GRANTEE"
OF THE SECOND PART

Witnesseth that in consideration of -----
-----ONE OR MORE-----dollars

now paid by the said Grantee to the said Grantor, the receipt whereof is hereby by him acknowledged, he the said Grantor DOTH GRANT unto the said Grantee in fee simple

THOSE lands and premises located in the following municipality, namely, in the Town of Pelham, in the Regional Municipality of Niagara (formerly in the Village of Fonthill, in the County of Welland) and being composed of part of Lot 32 as shown on a compiled plan

registered in the Registry Office for the Registry Division of the County of Welland as Plan No. 25 for the said Village of Fonthill, now known as Plan 717 and which is now known as Part 2 on a Reference Plan 59R-3651 for the Registry Division of Niagara South.

TO HAVE AND TO HOLD unto the said Grantee, his heirs, executors, administrators and assigns or its successors and assigns, as the case may be, to and for 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 he 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 he will execute such further assurances of the said lands as may be requisite.

AND the said Grantor COVENANTS with the said Grantee that he has done no act to encumber the said lands.

AND the said Grantor RELEASES to the said Grantee ALL his claims upon the said lands.

~~AND THE SAID GRANTOR RELEASES TO THE SAID GRANTEE ALL HIS CLAIMS UPON THE SAID LANDS.~~
~~AND THE SAID GRANTOR RELEASES TO THE SAID GRANTEE ALL HIS CLAIMS UPON THE SAID LANDS.~~

PROVIDED that in construing these presents the words "Grantor" and "Grantee" and the pronouns "he", "his" or "him" relating thereto and used therewith shall be read and construed as "Grantor" or "Grantors", "Grantee" or "Grantees", and "he", "she", "it" or "they", "his", "her", "its" or "their", or "him", "her", "it" or "them", respectively, as the number and gender of the party or parties referred to in each 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

Karen C. Keisman

John M. Dalry

AFFIDAVIT OF SUBSCRIBING WITNESS

I, KAREN E. KINSMAN
of the Town of Pelham,
in the Regional Municipality of Niagara,

make oath and say:

*See footnote I am a subscribing witness to the attached instrument and I was present and saw it executed
at Town of Pelham by GORDON M. DALE

*See footnote I verily believe that each person whose signature I witnessed is the party of the same name referred
to in the instrument.

SWORN before me at the Town of Pelham, in
the Regional Municipality of Niagara

this 15th day of JANUARY, 82
December, 19 81



A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.



* Where a party is unable to read the instrument or where a party signs by making his mark or in foreign characters add "after instrument had been read to him and he appeared fully to understand it". Where executed under a power of attorney insert "(name of attorney) as attorney for (name of party)"; and for next clause substitute "I verily believe that the person whose signature I witnessed was authorized to execute the instrument as attorney for (name)".

AFFIDAVIT AS TO AGE AND SPOUSAL STATUS

I / ~~WE~~ GORDON M. DALE,
of the Town of Dunnville,
in the Regional Municipality of Haldimand-Norfolk

* If attorney,
see footnote ~~WE~~ make oath and say: When I / ~~WE~~ executed the attached instrument,

I WAS / ~~WE WERE~~ at least eighteen years old;

and within the meaning of section 1(f) of The Family Law Reform Act, 1978,

(a) I WAS / I WAS NOT a spouse.

Strike out
inapplicable
clauses.

(b) was my spouse.

(c) We were spouses of one another.

** Not a
matrimonial
home, etc.,
see footnote.

(d) I was a resident of Canada within the meaning of The
Income Tax Act of Canada.

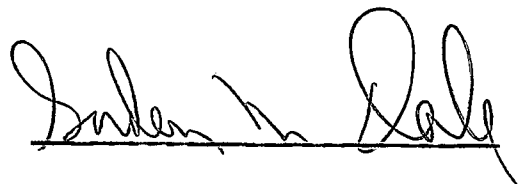
Resident of
Canada, etc.

~~WE~~ SWORN before me at the Town of
Pelham, in the Regional
Municipality of Niagara

this 15th day of JANUARY, 82
December, 19 81



A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.



* Note: Where affidavit made by an attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (spousal status, and if applicable, name of other spouse) within the meaning of section 1(f) of The Family Law Reform Act, 1978 and when he/she executed the power of attorney, he/she had attained the age of majority".

** Note: See Section 42(3) of The Family Law Reform Act, 1978 where spouse does not join in or consent; or complete a separate affidavit.

IN THE MATTER OF THE PLANNING ACT (as amended)

AND IN THE MATTER OF THE TITLE TO PART OF LOT 32, PLAN 25 FOR VILLAGE OF
FONTHILL, NOW PLAN 717, TOWN OF PELHAM, REGIONAL MUNICIPALITY OF
NIAGARA, NOW PART 2 ON REFERENCE PLAN 59R-3651

AND IN THE MATTER OF A DEED

THEREOF, FROM GORDON M. DALE

TO THE CORPORATION OF THE TOWN OF PELHAM

DATED DECEMBER 14th, 1981.

I, GORDON M. DALE,

of the Town of Dunnville, in the Regional
Municipality of Haldimand-Norfolk

MAKE OATH AND SAY AS FOLLOWS:

1. I am 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 said Instrument is not a sale to a municipal corporation, and the land affected thereby is not land to which the Planning Act applies.~~

(b) The Planning Act is not applicable because it is a sale to
a municipal corporation.

SWORN before me

at the Town of Pelham,
in the Regional Municipality of
Niagara
this 15th
day of JANUARY, 1982

1981

A COMMISSIONER FOR TAKING AFFIDAVITS ETC

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) PART OF LOT 32, PLAN NO. 25 FOR VILLAGE OF FONTHILL, NOW KNOWN AS PLAN 717, TOWN OF PELHAM, REGIONAL MUNICIPALITY OF NIAGARA NOW PART 2 ON REFERENCE PLAN 59R-3651

BY (print names of all transferors in full) GORDON M. DALE

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) GORDON CHERNEY

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, Mayor, or Chairman of the Board~~ or Treasurer authorized to act for THE CORPORATION OF THE TOWN OF PELHAM (insert name(s) of corporation(s)) described in paragraph(s) ~~(a), (b), (c)~~ (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 1(1)(f) and (g) 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 \$ 200.00

(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)) \$ 200.00 \$ 200.00

(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. 1980, c. 454, as amended) \$ nil

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

(j) TOTAL CONSIDERATION \$ 200.00

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) n/a

6. If the consideration is nominal, is the land subject to any encumbrance? n/a

7. Other remarks and explanations, if necessary n/a

SWORN before me at the Town of Pelham
in the Regional Municipality of Niagara
this 18TH day of December, 1981
A Commissioner for taking Affidavits, etc. *Murray Hackett*

Gordon Chorney
(signature(s))

PROPERTY INFORMATION RECORD

A. Describe nature of instrument Deed

B. (i) Address of property being conveyed (if available) n/a

(ii) Assessment Roll # (if available) n/a

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 6)
c/o Brooks MacFarlane & Bielby
76 Division Street
Welland, Ontario
L3B 5N9

D. (i) Registration number for last conveyance of property being conveyed (if available) 333041

(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 THOMAS A. BIELBY
BROOKS, MACFARLANE & BIELBY
76 Division Street
Welland, Ontario
L3B 5N9

For Land Registry Office use only

REGISTRATION NO.

LAND REGISTRY OFFICE NO.

REGISTRATION DATE

4
7
3
0
5

Journal of Management Studies, 19(1), 67-80.