

The Land Titles Act

3.

RIVER REALTY DEVELOPMENT (1976) INC.,
a company duly incorporated under the
laws of the Province of Ontario,

the registered owner of the freehold land registered in the Land
Registry Office for the Land Titles Division of South
as Parcel 2-1
in the register for Section 59 - Pelham - 10

in consideration of the sum of other good and valuable consideration and
the sum of ONE-----(\$1.00)-----
-----Dollars

paid to

TRANSFER to

THE CORPORATION OF THE TOWN OF PELHAM

~~of the~~

~~of~~

~~in the~~

SUBJECT to the restrictive covenant herein contained,

the land hereinafter particularly described namely

in the Town of Pelham, in the Regional Municipality of Niagara,
formerly in the Township of Pelham, County of Welland and being
composed of Part of Township Lot 2, in the 10th Concession
for the former Township of Pelham and more particularly described
as Part 1 on Reference Plan 59R-3710, deposited in the Land
Registry Division for Niagara South containing ten acres.

SUBJECT to a restrictive covenant which runs with the lands. The burden of the covenant is to run with the lands herein described and is for the benefit of the lands of the Transferor located immediately adjacent to the south of the herein described parcel and more particularly described in Schedule "A", and is for the benefit of the lands of the Transferor located immediately adjacent to the north of the herein described parcel and more particularly described in Schedule "B". The lands herein conveyed are to be used by the Transferee only for the purpose of a public park or a senior citizens complex and for no other purpose. The successors in title to the Transferor shall be entitled to the benefit of the restrictive covenant without reference to or a specific assignment of the benefit.

The said Transferor releases to the Transferee all its claims upon the said lands SAVE AND EXCEPT the benefit of the restrictive covenant herein contained.

being a part

of the said parcel.

Insert here
"the whole"
or "a part"
according to
the fact.
Where the
whole parcel
is transferred
a particular
description is
unnecessary.

~~And If~~

~~XXXXXX~~

~~HEREBY XXXX CONSENT TO THE TRANSFER OF THE LANDS HEREIN DESCRIBED BY THIS INSTRUMENT AND TO RELEASE ALL INTEREST IN THE
LANDS UNDER THE PROVISION OF PART III OF THE FAMILY LAW REFORM ACT 1978~~

Dated the 21st. day of XXXXXX May A.D. 19 82.

Witness:

RIVER REALTY DEVELOPMENT (1976) INC.

Per: Frank A. Bramm
President

THE CORPORATION OF THE TOWN OF PELHAM

Per: E.S. Bergenstein

MAYOR

Per: Murray Hackett

CLERK

SCHEDULE "A"

Lands of Grantor lying to the south of the
said ten-acre park lands

In the Town of Pelham, in the Regional Municipality of Niagara, and Province of Ontario, and being composed of those parts of Township Lot No. 2, Concession No. 10, in the former Township of Pelham, County of Welland, now in said Town of Pelham, designated as Parts 2, 3 and 4 on a reference plan deposited in the Land Registry Office for the Land Titles Division of Niagara South as No. 59R-3710, containing by admeasurement a total of 17.12 acres.

SUBJECT to an easement in favour of Bell Canada as described in Registered Instrument No. 16149 on that part of said Township Lot No. 2 designated as Part 3 on said Reference Plan No. 59R-3710.

SCHEDULE "B"

Lands of the Grantor lying to the north of the
said ten-acre park lands

In the Town of Pelham, in the Regional Municipality of Niagara, and Province of Ontario, and being composed of that part of Township Lot No. 2, Concession No. 10 designated as Part 2 on a reference plan deposited in the Land Registry Office for the Land Titles Division of Niagara South as No. 59R-1512.

SAVE AND EXCEPT those parts of said Township Lot No. 2 designated as Parts 1 and 2 on a reference plan deposited in the Land Registry Office for the Land Titles Division of Niagara South as No. 59R-3710.

ALSO SAVE AND EXCEPT that part of said Township Lot No. 2 designated as Part 1 on a reference plan deposited in the Land Registry Office for the Land Titles Division of Niagara South as No. 59R-2485.

The lands remaining after said exceptions containing by admeasurement 13.22 acres.

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) PART TOWNSHIP LOT 2, 10TH CONCESSION, FORMER TOWNSHIP OF PELHAM, BEING PART 1 ON REFERENCE PLAN 59R-3710, TOWN OF PELHAM, REGIONAL MUNICIPALITY OF NIAGARA
BY (print names of all transferors in full) RIVER REALTY DEVELOPMENT (1976) INC.

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) THOMAS A. BIELBY, of the City of Welland, 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 The Corporation of the Town of Pelham (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 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 | \$ 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. 1980, c. 454, 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) gratuitous conveyance to a municipality for park purposes
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 City of Welland,
in the Regional Municipality of Niagara
this 26 day of May, 1982
A Commissioner for taking Affidavits, etc.

(signature)

PROPERTY INFORMATION RECORD

- A. Describe nature of instrument Transfer
- B. (i) Address of property being conveyed (if available) not available
- (ii) Assessment Roll # (if available) not available
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 6)
43 South Pelham Street, Fonthill, Ontario, L0S 1E0
- 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 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

I,
of the
in the

I am a subscribing witness to the attached instrument and I was present and saw it executed
make oath and say:

at

by

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

this day of 19

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 the 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)".

The Land Titles Act

Dated day of March, 1982.

RIVER REALTY DEVELOPMENT (1976)
INC.

TO

THE CORPORATION OF THE TOWN
OF PELHAM

Address: Pelham, Ontario

Transfer of Freehold Land

UNITED STATIONERY CO. LIMITED
30 PRODUCTION DRIVE, SCARBOROUGH, ONTARIO

ASSESSMENT ROLL NO:

ADDRESS OF PROPERTY
Part Twp. Lot 2, 10th Conc.
former Twp. of Pelham, being
Part 1, R.P. 59R-3710, Town
of Pelham.

Brooks Macfarlane & Biehl

BRODERICK, MCLEOD, CLIFFORD,
MARINELLI, AMADIO, & SULLIVAN
BARRISTERS AND SOLICITORS
BANK OF MONTREAL BUILDING
4365 QUEEN ST. P.O. BOX 897
NIAGARA FALLS, CANADA
L2E 6V6

REGISTRATION FEE	15.00
LAND TRANSFER TAX	0
RETAIL SALES TAX	

No. *L7-24139*

Received at the Land Registry Office, Land
Titles Division for Niagara South (No. 59)
02 MAR 26 1982

and entered in Parcel *2-3*

Section *59 Pelham 10*

Welland, Ont. *P. H. Lawrence*
Dep. LAND REGISTRAR