

THE CORPORATION OF THE CITY OF BROCKVILLE

BY-LAW No. 035-2006

*By-law to confirm the Conveyance from Brockville McDowel Ltd. being described as Parts 1 and 4, Reference Plan 28R-12501, City of Brockville, County of Leeds and that same be dedicated as public highway named Centre Street
(File No. 08T-02501)*

WHEREAS the Council for the Corporation of the City of Brockville deems it expedient to confirm the conveyance of a parcel of land in the City of Brockville, County of Leeds, being Parts 1 and 4, Reference Plan 28R-12501, and to dedicate said parcel as a public highway named Centre Street.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE HEREBY ENACTS AS FOLLOWS:

1. THAT acceptance of the conveyance of a parcel of land in the City of Brockville, County of Leeds, being Parts 1 and 4, Reference Plan 28R-12501 for road widening purposes is hereby confirmed; and
2. THAT said parcel is hereby dedicated as a public highway and the same be named Centre Street.

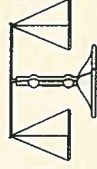
Given under the seal of the
Corporation of the City Of Brockville
and passed this 25th Day Of April, 2006


MAYOR


CLERK

SEON, GUTSTADT, LASH LLP

BARRISTERS AND SOLICITORS



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File No. 200511138

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BY FAX WITH ORIGINAL BY MAIL

April 4th, 2006

City of Brockville
Planning Department
Attention: Sandra Seale,
City Clerk
One King Street West
P.O. Box 5000
Brockville, Ontario K6V 7A5

Dear Madam:

Re: Brockville McDowel Phase II Subdivision Lands

Further to the above matter, we are pleased to enclose a copy of the duly executed Transfer/Deed by our client of Parts 1 & 4 (being the Centre Street road widening lands) and Part 3 (being the road access lands), Reference Plan 28R-12501. In that regard we are enclosing the applicable Land Transfer Tax Affidavit in triplicate, for execution by you. We also enclose for your reference a copy of Reference Plan 28R-12501 (by mail only).

The closing date for the transfer of the balance of the Phase II Lands to the Purchaser has been tentatively scheduled for April 26th, 2006. Accordingly, we would ask that you execute the enclosed Land Transfer Tax Affidavits in triplicate and advise when same are available for pick-up by our office in sufficient time to have same available for registration of the aforementioned Transfer on or before the scheduled closing date of April 26th, 2006.



SEON, GUTSTADT, LASH LLP

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Thanking you for your co-operation in advance, we remain,

Yours truly,


Stephen D. Seon

/hmd

Encl.



c.c. (By Fax)
Brockville McDowel Ltd.
(without enclosure)

c.c. (By Mail)
City of Brockville
Planning Department
Attention: Maureen Pascoe Merkle
(without enclosure)



Ministry of Finance
Motor Fuels and
Tobacco Tax Branch
PO Box 625
33 King St West
Oshawa ON L1H 8H9

Refer to instructions on reverse side.

Property Identifier(s) No.

Land Transfer Tax Affidavit

Land Transfer Tax Act

In the Matter of the Conveyance of *(insert brief description of land)*

County of Leeds being composed of all those portions of Lots 15, 19 & 22, on Registered Plan 206, designated as Parts 1 & 4 on Reference Plan 28R-12501, SECONDLY A PARCEL in the City of Brockville, in the County of Leeds, being composed of all that portion of Lot 22, on Registered Plan 206, designated as Part 3 on Reference Plan 28R-12501

BY *(print names of all transferors in full)* BROCKVILLE McDOWEL LTD.

CORPORATION OF THE CITY OF BROCKVILLE

TO *(print names of all transferees in full)*

I SANDRA M. SEALE

have personal knowledge of the facts herein deposed to and Make Oath and Say that:

1. I am *(place a clear mark within the square opposite the following paragraph(s) that describe(s) the capacity of the deponents)*:

☐ (a) the transferee named in the above-described conveyance;

☒ (b) the authorized agent or solicitor acting in this transaction for the transferee(s);

☐ (c) the President, Vice-President, Secretary, Treasurer, Director or Manager authorized to act for

☐ (d) a transferee and am making this affidavit on my own behalf and on behalf of *(insert name of spouse or same-sex partner)*

☐ (e) the transferor or an officer authorized to act on behalf of the transferor company and ☐ I am tendering this document for registration and

☐ no tax is payable on registration of this document

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

(a) Monies paid or to be paid in cash	\$ 2.00	
(b) Mortgages	(i) Assumed <i>(principal and interest)</i>	\$ nil
	(ii) Given back to vendor	\$ nil
(c) Property transferred in exchange <i>(detail below in para. 5)</i>		\$ nil
(d) Other consideration subject to tax <i>(detail below)</i>		\$ nil
(e) Fair market value of the lands <i>(see instruction 2)</i>		\$ nil
(f) Value of land, building, fixtures and goodwill subject to Land Transfer Tax <i>(total of (a) to (e))</i>	\$ 2.00	\$ 2.00
(g) Value of all chattels - items of tangible personal property which are taxable under the provisions of the Retail Sales Tax Act		\$ nil
(h) Other consideration for transaction not included in (f) or (g) above		\$ nil
(i) Total Consideration		\$ 2.00

3. To be completed where the value of the consideration for the conveyance exceeds \$400,000.00.

I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land conveyed in the above-described conveyance:

☐ does not contain a single family residence or contains more than two single family residences;

☐ contains at least one and not more than two single family residences; or

☐ contains at least one and not more than two single family residences and the lands are used for other than just residential purposes. The transferee has accordingly apportioned the value of consideration on the basis that the consideration for the single family residence is \$ _____ and the remainder of the lands are used for _____ purposes.

Note: Subsection 2(1)(b) imposes an additional tax at the rate of one-half of one per cent upon the value of the consideration in excess of \$400,000.00 where the conveyance contains at least one and not more than two single family residences and 2(2) allows an apportionment of the consideration where the lands are used for other than just residential purposes.

4. If consideration is nominal, is the land subject to any encumbrance? ☐ Yes ☒ No

5. Other remarks and explanations, if necessary. Transfer to a municipality - no consideration passing from Transferee to Transferor.

Sworn/affirmed before me in the City of Brockville

County of Leeds

this 26th day of April, 2006

(Signature)

A Commissioner for taking Affidavits, etc.

Property Information Record

A. Describe nature of instrument: Transfer

B. (i) Address of property being conveyed *(if available)* Vacant Land

(ii) Assessment Roll No. *(if available)* Not assigned

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed
One King Street West, P.O. Box 5000, Brockville, Ontario K6V 7A5

D. (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

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

For Land Registry Office Use Only
Registration No.

Registration Date (Year/Month/Day)

Land Registry Office No.

School Support (Voluntary Election) *(See reverse for explanation)*

(a) Are all individual transferees Roman Catholic?

(b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters?

(c) Do all individual transferees have French Language Education Rights?

(d) If Yes, do all individual transferees wish to support the French Language School Board (where established)?

Note: As to (c) and (d) the land being transferred will receive French Public School Board Election unless otherwise directed in (a) and (b).