

5
ETOBICOKE 387062

THIS GRANT OF EASEMENT made in triplicate this 15th day of July
A.D. 1971

B E T W E E N:

KAGERA HOLDINGS LIMITED, a Company
incorporated under the laws of the
Province of Ontario

(hereinafter called the "Grantor")

OF THE FIRST PART

and

CANADIAN NATIONAL RAILWAY COMPANY

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS by conveyance dated the 24th day of June 1970 and registered in the Registry Office for the Registry Division of Toronto Boroughs and York South, No. 64 (formerly the Registry Division of the East and West Ridings of the County of York) on the 10th day of July 1970 as No. 37226 for the Borough of Etobicoke, the Grantor herein became the registered owner of the lands therein described,

AND WHEREAS the Grantee herein is the registered owner of that part of Lot 38, Concession 4, fronting the Humber in the said Borough of Etobicoke lying westerly of the original road allowance between Concessions 3 and 4 fronting the Humber in the said Borough and designated as Part 1 on a Reference Plan deposited in the said Registry Office for the Registry Division of Toronto Boroughs and York South, No. 64 (formerly the Registry Division of the East and West Ridings of the County of York) on the 24th day of July 1970 as RS-1194.

AND WHEREAS the Grantee has requested the Grantor to grant and transfer to it a right of way and easement upon, over, along and/or through the Grantor's lands so as to enable the Grantee to construct, operate and maintain an Industrial Lead Track for Railway purposes upon the Grantor's lands being composed of that part of Lot 37, in the Third Concession fronting the Humber in the northern Division of the Borough of Etobicoke in the Registry Division of Toronto Boroughs and York South, No. 64, as more particularly described in Schedule "A" hereto attached.

WITNESSETH that in consideration of the sum of TWO DOLLARS (\$2.00) of lawful money of Canada now paid by the Grantee to the Grantor (the receipt whereof is hereby acknowledged) the Grantor hereby grants to the Grantee, its successors and assigns, a right of way

[Signature]

In accordance with Section 20 of the Planning Act,
R. S. O. 1960, I hereby certify that the within document has been
conveyed to under Sub. No. 2-471123-29 222 1971

SCHEDULE "A"

CANADIAN NATIONAL RAILWAY COMPANY

Description of part of Lot 37, Concession 3, F.T.H.
Borough of Etobicoke

In the Borough of Etobicoke, in the County of York and Province of Ontario, being composed of that portion of Lot 37 in the Third Concession fronting The Humber, in the Northern Division of the former Township now Borough of Etobicoke, designated as PART 2 on a reference plan deposited in the Registry Office for the Registry Division of the East and West Ridings of the County of York, as Plan RS-1202, the said part containing by admeasurement an area of one acre and eight thousandths of an acre (1.008 acs.), more or less.



P.M. Drummond

Certified Survey Technologist

Land Survey Section
Toronto, Ontario August 6th, 1970
File: Halton No. 6

RS

and easement upon, over, along and/or through the land described in Schedule "A" attached hereto so as to enable the Grantee to construct, operate and maintain an Industrial Lead Track for Railway purposes upon, over, along and/or through the said lands of the Grantor.

IN WITNESS WHEREOF the Grantor and the Grantee have hereunto affixed their corporate seals attested by the signatures of their proper officers duly authorized in that behalf.

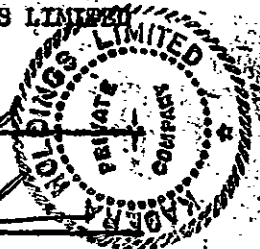

SIGNED, SEALED & DELIVERED
in the presence of



KAGERA HOLDINGS LIMITED


SECRETARY


PRESIDENT



CANADIAN NATIONAL RAILWAY COMPANY


General Manager of Real Estate


ASSISTANT SECRETARY



AFFIDAVIT, LAND TRANSFER TAX ACT
IN THE MATTER OF THE LAND TRANSFER TAX ACT

PROVINCE OF ONTARIO) Municipality of) Metropolitan Toronto) TO WIT:)	I, A. ALLAN BROWN OF THE CITY OF TORONTO in the MUNICIPALITY OF METROPOLITAN TORONTO Solicitor for the Grantee named in the within (or annexed) transfer make oath and say:
---	--

1. I am the Solicitor for the Grantee named in the within (or annexed) transfer.

2. I have a personal knowledge of the facts stated in this affidavit.

3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash	\$	Nil
(b) Property transferred in exchange;		
Equity value \$	\$	Nil
Encumbrances \$	\$	Nil
(c) Securities transferred to the value of	\$	Nil
(d) Balances of existing encumbrances with interest owing at date of transfer	\$	Nil
(e) Monies secured by mortgage under this transaction	\$	Nil
(f) Liens, annuities and maintenance charges to which transfer is subject	\$	Nil
Total consideration	\$	Nil

4. If consideration is nominal, is the transfer for natural love and affection?..... N/A

5. If so, what is the relationship between Grantor and Grantee? N/A

6. Other remarks and explanations, if necessary..... N/A

SWORN before me at the CITY
 of TORONTO in the MUNICIPALITY
 OF METROPOLITAN TORONTO, this
 13 day of August 1971

A. Allan Brown

[Signature]
 A Commissioner, etc.

ENDORSE 387062

DATED

1971

JOKE 387062

REGISTRY DIVISION OF
TORONTO RECORDS
AND YORK SOUTH (No. 102)

I CERTIFY THAT THIS INSTRUMENT IS RECORDED
AS OF 7:09 PM

13 AUG 1971 AT THE

Registry Office
at Toronto,
Ontario.

21.4. Book
REGISTRAR

750
KAGERA HOLDINGS LIMITED

- TO -

CANADIAN NATIONAL RAILWAY
COMPANY

*505 University Ave
Toronto, Ont.*

PROPERTY OF THE
REGISTRY OFFICE

BASEMENT
At lot 37, Cont III E708042
72. H. 71815

A. A. BROWN
Barrister and Solicitor
505 University Avenue
TORONTO 101, Ontario

48734 AUG1371