

Properties

PIN	46373 – 0459    LT
Description	LOT 1, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 15, 30R13183 AS IN NR191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0460    LT
Description	LOT 2, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 17, 30R11729 AS IN NR93643; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0461    LT
Description	LOT 3, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 1, 30R13183 AS IN NR 191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0462    LT
Description	LOT 4, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0463    LT
Description	LOT 5, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0464    LT
Description	LOT 6, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 2, 30R13183 AS IN NR 191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0465    LT
Description	LOT 7, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 3, 30R13183 AS IN NR 191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0466    LT
Description	LOT 8, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0467    LT
Description	LOT 9, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0468    LT
Description	LOT 10, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 4, 30R13183 AS IN N R191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0469    LT
Description	LOT 11, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 5, 30R13183 AS IN N R191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0470    LT
Description	LOT 12, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0471    LT
Description	LOT 13, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 6, 30R13183 AS IN N R191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0472    LT
Description	LOT 14, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 7, 30R13183 AS IN N R191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0473    LT
Description	LOT 15, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0474    LT
Description	LOT 16, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0475    LT

Properties

Description	LOT 17, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0476    LT
Description	LOT 18, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0477    LT
Description	LOT 19, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0478    LT
Description	LOT 20, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0479    LT
Description	LOT 21, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0480    LT
Description	LOT 22, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0481    LT
Description	LOT 23, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 8, 30R13183 AS IN N R191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0482    LT
Description	LOT 24, PLAN 30M384; S/T EASEMENT IN GROSS OVER PTS 9 & 10, 30R13183 A S IN NR191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0483    LT
Description	LOT 25, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0484    LT
Description	LOT 26, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0485    LT
Description	BLOCK 27, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0486    LT
Description	BLOCK 28, PLAN 30M384; S/T EASEMENT IN GROSS OVER PT 11, 30R13183 AS I N NR191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0487    LT
Description	BLOCK 29, PLAN 30M384; S/T EASEMENT IN GROSS OVER PTS 12, 13 & 14, 30R 13183 AS IN NR191204; NIAGARA-ON-THE-LAKE
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0488    LT
Description	BLOCK 30, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0489    LT
Description	BLOCK 31, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE
PIN	46373 – 0490    LT
Description	BLOCK 32, PLAN 30M384, NIAGARA-ON-THE-LAKE.
Address	NIAGARA-ON-THE-LAKE

Consideration

Consideration        \$1.00

Applicant(s)

The notice is based on or affects    a valid and existing estate, right, interest or equity in land

Name

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Address for Service

1593 Four Mile Creek Road, P.O. Box  
100  
Virgil, Ontario    L0S 1T0

I, Lord Mayor Gary Burroughs and I, Holly Dowd, Town Clerk, have the authority to bind the corporation.  
This document is not authorized    under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

This notice may be deleted by the Land Registrar    when the registered instrument, NR191203 registered on 2008/10/08    to which this notice relates is deleted

Schedule:    See Schedules

Signed By

Callum Shedden

39 Queen St. P.O. Box 24022  
St. Catharines  
L2R 7P7

acting for  
Applicant(s)

Signed

2009 05 12

Tel

9056881125

Fax

9056885725

Submitted By

DANIEL & PARTNERS LLP

39 Queen St. P.O. Box 24022  
St. Catharines  
L2R 7P7

2009 05 13

Tel

9056881125

Fax

9056885725

Fees/Taxes/Payment

Statutory Registration Fee

\$60.00

Total Paid

\$60.00

File Number

Applicant Client File Number :                    36765

**CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4231A-09**

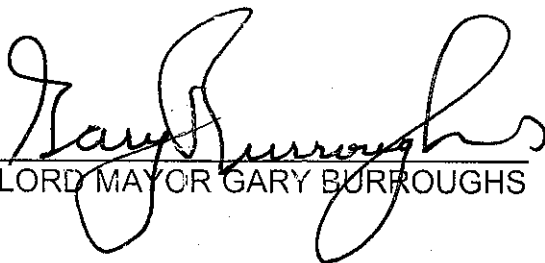
Apricot Glen Subdivision-Phase 2  
(Four Mile Creek Road)

A BY-LAW TO AMEND BY-LAW 4231-08 BEING A BY-LAW TO AUTHORIZE A SUBDIVISION AGREEMENT BETWEEN THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE AND ST. DAVIDS HERITAGE DEVELOPMENTS INC. AND DEBORAH MARIE FEDORKOW AND JOHN FEDORKOW AND THE EFFORT TRUST COMPANY

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. THAT the Agreement dated the 26<sup>th</sup> day of January 2009 between the Corporation of the Town of Niagara-on-the-Lake and St. Davids Heritage Developments Inc. and Deborah Marie Fedorkow and John Fedorkow and The Effort Trust Company be and the same is hereby approved; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 26th DAY OF JANUARY 2009**

  
LORD MAYOR GARY BURROUGHS

  
TOWN CLERK HOLLY DOWD

THIS INDENTURE made in triplicates this 26 day of January 2009.

BETWEEN:

**THE CORPORATION OF THE TOWN  
OF NIAGARA-ON-THE-LAKE**  
(Hereinafter called the 'Town')

OF THE FIRST PART,

-and-

**ST. DAVIDS HERITAGE DEVELOPMENTS INC. .**  
(Hereinafter called the 'Developer')

OF THE SECOND PART,

-and-

**DEBORAH MARIE FEDORKOW  
JOHN FEDORKOW  
THE EFFORT TRUST COMPANY**  
(Hereinafter called the 'Mortgagee')

OF THE THIRD PART

*was the developer*  
**WHEREAS** the Developer ~~is the Owner~~ <sup>was the developer</sup> of the lands in the Town of Niagara-on-the-Lake described in Schedule 'A' attached hereto;

**AND WHEREAS**, on September 15, 2008 Council approved a motion to allow for a curb face sidewalk to be installed from Lot 1, Plan 30M-384 to the end of the cul-de-sac in Apricot Glen Subdivision Phase 2;

**AND WHEREAS** in order to implement Council's decision an amendment to the Subdivider's Agreement is required;

**AND WHEREAS** this Agreement is an agreement executed under the authority of s. 51(26) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and as such may be registered against title in the Land Titles Office for Niagara North.

**NOW THEREFORE THIS INDENTURE WITNESSETH** that in consideration of the Town approving the said plan of subdivision and, in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the developer to the Town (the receipt thereof is hereby acknowledged), the parties hereto covenant and agree with as follows:

1. The subdivider's agreement authorized by By-law 4231-08 dated June 16, 2008 and registered in the Registry Office for the Registry Division of Niagara North (no. 30) as Instrument No. NR191203 dated October 8 2008 is hereby amended by adding to Section 4.19 the following:

4.19 The sidewalk from Lot 1, Plan 30M-384 to the end of the cul-de-sac shall be permitted to be a 1.5 metre curb face sidewalk.

2. The subdivider's agreement authorized by By-law 4231-08 dated June 16, 2008 and registered in the Registry Office for the Registry Division of Niagara North (no. 30) as Instrument No. NR191203 dated October 8 2008 is hereby amended by adding to Section 7.1.1. under Section 7 Sidewalks (Primary) of Schedule C the following:  
The sidewalk from Lot 1, Plan 30M-384 to the end of the cul-de-sac shall be permitted to be a 1.5 metre curb face sidewalk.
4. All other conditions of the Subdivision Agreement will continue to apply.

This agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

Any notice given hereunder shall be sufficiently given and addressed to:

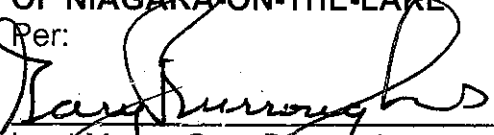
**St. Davids Heritage Developments Inc.**  
**242 Main Street East**  
**Hamilton, Ontario L8N 1H5**


IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of their officers duly authorized in that behalf.

**SIGNED, SEALED AND  
DELIVERED**  
in the presence of:

**CORPORATION OF THE TOWN  
OF NIAGARA-ON-THE-LAKE**

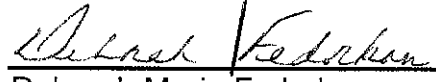
Per:

  
Lord Mayor Gary Burroughs

  
Town Clerk Holly Dowd


**St. Davids Heritage Developments Inc.**  
Per:

  
I, Bryce Ivanchuk, have the authority  
to bind the Corporation

  
Deborah Marie Fedorkow

  
John Fedorkow

**The Effort Trust Company**  
Per:

  
I, T. J. Weisz, have the authority to  
bind the Corporation

**SCHEDULE A  
LEGAL DESCRIPTION**

Lots 1 to 26, Blocks 27 to 32, Plan 30M-384, in the Geographic Township of  
Niagara, County of Lincoln, now in the Town of Niagara-on-the-Lake, Regional  
Municipality of Niagara