

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2001-51

A by-law to close and stop up the unopened road allowance being Harbour View Court on Bois Blanc Island, in the Town of Amherstburg (formerly the Township of Malden) County of Essex as more particularly described in Schedule "A" attached hereto.

BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of the Corporation of the Town of Amherstburg (hereinafter referred to as the "Corporation") as follows:

WHEREAS it is deemed expedient to close and stop up all of the unopened road allowance being Harbour View Court on Bois Blanc Island, in the Town of Amherstburg (formerly the Township of Malden), in the County of Essex, as more particularly described in Schedule "A" attached hereto;

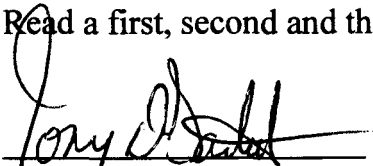
AND WHEREAS Notice of the intention of the Council of the Corporation of the Town of Amherstburg to pass this by-law was delivered to the Council of the County of Essex and duly published in the Amherstburg Echo on the following days:

1. May 15, 2001
2. May 22, 2001
3. May 29, 2001
4. June 5, 2001

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. That the part of the unopened road allowance being Harbour View Court on Bois Blanc Island, in the Town of Amherstburg (formerly the Township of Malden), in the County of Essex, as more particularly described in Schedule "A" attached hereto and forming part of this By-Law be and the same is hereby closed and stopped up.
2. This By-Law shall come into force and take effect after the final passing thereof on the day upon which it is registered in the Registry Office for the Registry Division of Essex (No. 12).
3. That the Mayor and the Clerk of the Corporation be and they are hereby authorized to do all acts and sign all documents which will be necessary to sell and convey the said street so closed as provided herein, and to otherwise carry out the intent of this by-law.

Read a first, second and third time and finally passed this 22nd day of October, 2001.




Mayor



Clerk

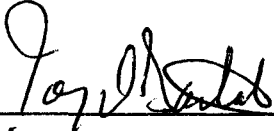
I hereby certify this to be a true copy of By-Law No. 2001-51 of the Corporation of the Town of Amherstburg.




Clerk

**SCHEDULE "A" TO BY-LAW NO. 2001-51
OF THE CORPORATION OF THE TOWN
OF AMHERSTBURG**

Part of the unopened road allowance being Harbour View Court on Bois Blanc Island being Part 7 on Reference Plan 12R-16199 in the Town of Amherstburg, in the County of Essex and in the Province of Ontario.



Mayor



Clerk

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0325376

CERTIFICATE OF RECEIPT
RECEPTE
ESSEX (12) WINDSOR

'01 NOV 9 PM 3 10

LAND REGISTRAR/REGISTRATEUR

(1) Registry Land Titles (2) Page 1 of 3 pages

(3) Property Identifier(s) Block 01569 Property 0111 Additional: See Schedule

(4) Nature of Document
BY-LAW NO.2001-51

(5) Consideration
Dollars \$

(6) Description
part Bois Blanc Island, being Harbour View Court designated as Part 7 on Plan 12R-16199 (formerly Township of Malden) now Town of Amherstburg, County of Essex

New Property Identifiers Additional: See Schedule

Executions Additional: See Schedule

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other

(8) This Document provides as follows:
TO: The Land Registrar for the Land Titles Division of Essex (No.12)

The Corporation of the Town of Amherstburg, the registered owner of the land registered as Part 7 on 12R-16199 hereby request you to make an entry on the register of By-law No.2001-51 set out in the attachment.

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

THE CORPORATION OF THE TOWN OF AMHERSTBURG -(owner) by its solicitor

Signature(s)

Armando F. DeLuca
Armando F. DeLuca, Q.C.

Date of Signature

Y	M	D
2001	10	31

(11) Address for Service

271 Sandwich St. S., Amherstburg, Ontario N9V 2Z3

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

Y	M	D
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(13) Address for Service

(14) Principal Address of Property

Road allowance

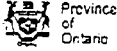
(15) Document Prepared by:

Armando F. DeLuca, Q.C.
MOUSSEAU, DELUCA, MCPHERSON,
PRINCE
800-176 University Ave. West
Windsor, Ontario N9A 5P3

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Fees and Tax

Registration Fee	600
Total	600



Transfer/Deed of Land

Do Process Software Ltd. • (416) 322-6111
25575

A

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10343103
CERTIFICATE OF RECEIPT
REGISTRE
ESSEX (12) WINDSOR
02 APR 11 PM 3 58

(1) Registry Land Titles (2) Page 1 of 2 pages

(3) Property Identifier(s) Block Property 01369-0111 (LT) Additional: See Schedule

(4) Consideration ONE Dollars \$ 1.00

(5) Description This is a: Property Division Property Consolidation
Part of Bois Blanc Island, geographic Township of Maidstone, Town of Amherstburg, County of Essex and Province of Ontario being designated as Part 7 on 12R-16199.

Executions

Additional: See Schedule

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee

Name(s) THE CORPORATION OF THE TOWN OF AMHERSTBURG Signature(s) *Jerry L. Goldberg* Date of Signature Y M D 2002 03 27
Per: TONY STIBARTOLOWICZ
Name: TONY STIBARTOLOWICZ
Title: Mayor
I have authority to bind the Corporation. *David Malloy* 2002 03 27
DAVID MALLOY
CLERK

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction Name(s) Signature(s) Date of Signature Y M D

(10) Transferor(s) Address for Service 271 Sandwich Street South, Amherstburg, Ontario N9V 2Z3

(11) Transferee(s) ISLAND COVE DEVELOPMENT LTD. Date of Birth Y M D

(12) Transferee(s) Address for Service 340 Dalhousie Street, Amherstburg, Ontario N9V 1X3

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act. Date of Signature Y M D Signature _____ Signature _____
Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing. Date of Signature Y M D Signature _____

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing. Name and Address of Solicitor Date of Signature Y M D Signature _____

(15) Assessment Roll Number of Property City: Mun: Map: Sub: Par: not assigned

(16) Municipal Address of Property Vacant Land Amherstburg, Ontario

(17) Document Prepared by: Jerry L. Goldberg, Wilson Walker LLP, 443 Ouellette Avenue, Windsor, Ontario N9A 6R4

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Fees and Tax	
Registration Fee	20.00
Land Transfer Tax	NT
Total	

Affidavit of Residence and of Value of the Consideration Form 1 – Land Transfer Tax Act

Refer to all instructions on reverse side. IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part of Bois Blanc Island, geographic Township of Maidstone, Town of Amherstburg, County of Essex and Province of Ontario, being designated as Part 7 on 12R-16199.

BY (print names of all transferors in full) The Corporation of the Town of Amherstburg

TO (see instruction 1 and print names of all transferees in full) Island Cove Development Ltd.

I. (see instruction 2 and print name(s) in full) Jerry L. Goldberg

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; (X) (d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s)) Island Cove Development Ltd.

(e) The President, Vice-President, Manager, Secretary, Director or Treasurer authorized to act for (insert name(s) of corporation(s))

(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. (To be completed where the value of the consideration for the conveyance exceeds \$400,000). I have read and considered the definition of "single family residence" set out in clause 1(1)(j) of the Act. The land conveyed in the above-described conveyance () contains at least one and not more than two single family residences. () does not contain a single family residence. () contains more than two single family residences. (see instruction 2) Note: Clause 2(1)(d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.

- 3. 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 and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see Instructions 4 and 5)

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 6) NONE
- 6. If the consideration is nominal, is the land subject to any encumbrance? NO
- 7. Other remarks and explanations, if necessary. Exchange of deeds of land for public road as per site plan. [signature]

Sworn before me at the City of Windsor in the County of Essex this 26th day of March, 2002 [signature] Jerry L. Goldberg (Signature)

Property Information Record For Land Registry Office Use Only A. Describe nature of instrument: Deed of Land B. (i) Address of property being conveyed (if available): vacant land Amherstburg, Ontario (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 (see instruction 7): 340 Dalhousie Street, Amherstburg, Ontario N9V 1X3 D. (i) Registration number for last conveyance of property being conveyed (if available): not known (ii) Legal description of property conveyed: Same as in D.(i) above. Yes [] No [] Not known [X] E. Name(s) and address(es) of each transferee's solicitor: Wilson Walker LLP 443 Ouellette Avenue, Windsor, Ontario, N9A 6R4

School Tax Support (Voluntary Election) See reverse for explanation (a) Are all individual transferees Roman Catholic? Yes [] No [] (b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes [] No [] (c) Do all individual transferees have French Language Education Rights? Yes [] No [] (d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes [] No [] NOTE: As to (c) and (d) the land being transferred will be assigned to the French Public School Board or Sector unless otherwise directed in (a) and (b)