



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 190-76

A By-law to authorize the execution of documents relative to the deleting of certain lands from a Grant of Easement (L.D.C.M. Investments Limited)

WHEREAS it is deemed necessary to enter into and execute documents relating to the deletion of certain lands from a Grant of Easement;

NOW THEREFORE the Council of the Corporation of the City of Brampton hereby ENACTS as follows:

1. That the City of Brampton enter into and execute documents attached hereto as Schedule "A".
2. That the Mayor and the Clerk are hereby authorized to affix their signatures to the said documents.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 7th day of September, 1976.

  
James E. Archdekin, Mayor

  
Kenneth R. Richardson, Clerk

# The Land Titles Act

By THE REGIONAL MUNICIPALITY OF PEEL and THE CORPORATION OF  
THE CITY OF BRAMPTON,

the registered owner of an Easement registered in the Land  
Registry Office for the Land Titles Division of Brampton,  
as Parcel 6-1  
in the register for Section M-131

in consideration of the sum of other good and valuable consideration

-----  
-----and the sum of TWO ---(\$2.00)----- Dollars

paid to it, TRANSFER, Releases and Abandons to,

L.D.C.M. INVESTMENTS LIMITED, a Corporation incorporated under  
the laws of the Province of Ontario,

the land hereinafter particularly described namely

ALL AND SINGULAR that certain parcel or tract of land and  
premises, situate, lying and being in the City of Brampton,  
in the Regional Municipality of Peel, and being composed of  
Part of Lot 6, as shown on a Plan of Sub-Division registered  
in the Land Registry Office for the Land Titles Division of  
Peel (No. 43) as M-131 and being designated as Part 1 on a  
Plan of Survey of record filed in the said Office of Land  
Titles as No. 43R-

being part of the said parcel.

THE LAND TITLES ACT

APPLICATION TO AMEND THE REGISTER  
BY DELETING CERTAIN LANDS FROM A  
GRANT OF EASEMENT

TO THE MASTER OF TITLES AT BRAMPTON:

L.D.C.M. INVESTMENTS LIMITED, the registered owner of Parcel 6-1, in the Register for Section M-131 hereby applies to have the Register for the said parcel amended by deleting certain lands from a Grant of Easement, as set out in Instrument No. 70846.

The evidence in support of this application consists of the Transfer, Release and Abandonment of The Regional Municipality of Peel and the Corporation of the City of Brampton.

DATED at Toronto, this            day of August, 1976.

L.D.C.M. INVESTMENTS LIMITED,  
by its solicitors, GAMBIN,  
BRATTY, CHIAPPETTA, MORASSUTTI,  
CARUSO,

Per: \_\_\_\_\_

IN WITNESS WHEREOF the Regional Municipality of Peel and The Corporation of the City of Brampton have hereunto affixed their corporate seal attested to by the hands of their proper signing officer duly authorized in that behalf.

DATED the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

WITNESS:

THE REGIONAL MUNICIPALITY OF PEEL

Per: \_\_\_\_\_  
Authorized Signing Officer

THE CORPORATION OF THE CITY OF  
BRAMPTON

Per: *James E. [Signature]* Mayor  
*Kenneth R. Richardson* Clerk  
Authorized Signing Officer

AFFIDAVIT OF SUBSCRIBING WITNESS

I,  
of the  
in the  
make oath and say:  
I am a subscribing witness to the attached instrument and I was present and saw it executed  
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 \_\_\_\_\_ in 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)".

See footnote

See footnote

THE LAND TRANSFER TAX ACT, 1974

Affidavit of Residence

IN THE MATTER OF THE CONVEYANCE OF \_\_\_\_\_

Lot 6, Plan M-131, Brampton.

(insert brief description of land)

TO L.D.C.M. INVESTMENTS LIMITED

(insert names of all transferees)

I, CHARLES Z. MARKOWITZ of the Borough of North York, in

(print name and address) the Municipality of Metropolitan Toronto,

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):

(a) A person to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed;

(b) One of the trustees named in the above-described conveyance to whom the land is being conveyed;

(c) A transferee named in the above-described conveyance;

(d) An agent authorized in writing to act for L.D.C.M. INVESTMENTS LIMITED who is a person (insert name of principal)

described in paragraph C above (insert only one of paragraph (a), (b), or (c) above);

(e) The solicitor acting in this matter for \_\_\_\_\_ who is a person (insert name of client)

described in paragraph \_\_\_\_\_ above (insert only one of paragraph (a), (b) or (c) above);

and as such, I have personal knowledge of the facts herein deposed to.

2. None of the transferees to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed is, within the meaning of the Act, a non-resident person (strike out this paragraph if inapplicable).

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.~~

(insert the name and place of residence - or in the case of a corporation, the place of incorporation - of any transferee who is a non-resident person. If space is insufficient, attach a list of those transferees who are non-resident persons.)

4. I have read over and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clause f and g of subsection 1 of section 1 of the Act.

Sworn before me at the Borough of North York, in the Municipality of Metropolitan Toronto, this day of August, 19 76

CHARLES Z. MARKOWITZ

IN THE MATTER OF SUBSECTION 3 OF SECTION 5 OF  
THE LAND SPECULATION TAX ACT, 1974

**AFFIDAVIT**

I, \_\_\_\_\_ of \_\_\_\_\_  
(print name)

\_\_\_\_\_  
(print address)

**MAKE OATH AND SAY THAT:**

1. I verily believe that the disposition of designated land evidenced in the attached instrument or writing is exempt from the tax imposed by the Ontario Regulation 505/74, Section 1, Land Speculation Tax Act, 1974, by virtue of the disposition being:

describe nature  
of disposition

Where any disposition of or with respect to designated land occurs as the result of the giving or granting of any quit claim deed, the purpose of which is the releasing, surrendering or disclaiming of some existing or possibly existing interest of the person giving or granting such deed and where the proceeds of such disposition do not exceed \$100, the designated land of or with respect to which such disposition occurs is exempt from the tax imposed by the Act as a result of such disposition.

2. I am the transferor making the disposition referred to in paragraph 1 hereof. Since the acquisition of my interest in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.
3. I am authorized in writing by the transferor making the disposition referred to in paragraph 1 hereof to make this affidavit. Since the acquisition of the interest of the transferor in the designated land that is referred to in paragraph 1 hereof and that is being disposed of to the transferee named in the attached instrument or writing, no disposition with respect to such designated land has occurred prior to the disposition to the said transferee.

delete this  
paragraph if  
inapplicable

delete this  
paragraph if  
inapplicable

Sworn before me at the Borough  
of North York,  
in the Municipality  
of Metropolitan Toronto,  
this  
day of August 19 76

A Commissioner, etc.

Amended, Jan. 1975

THE LAND TRANSFER TAX ACT, 1974

AFFIDAVIT OF VALUE OF THE CONSIDERATION

Identify the parties to the conveyance

IN THE MATTER OF THE CONVEYANCE made by: THE REGIONAL MUNICIPALITY OF PEEL and THE CORPORATION OF THE CITY OF BRAMPTON, to: L.D.C.M. INVESTMENTS LIMITED

on the CHARLES Z. MARKOWITZ day of 19 76 I, of the Borough of North York, in the Municipality of Metropolitan Toronto,

MAKE OATH AND SAY THAT:

This affidavit may be made by the purchaser or vendor or by anyone acting for them under power of attorney or by an agent accredited in writing by the purchaser, or vendor or by the solicitor of either of them or by some other person approved by the Minister of Revenue.

- 1. I am the solicitor for the transferee named in the within (or annexed) conveyance.
2. I have a personal knowledge of the facts stated in this affidavit.
3. (1) The total consideration for this transaction has been allocated as follows: (a) Land, building, fixtures and goodwill \$2.00 (b) Chattels — items of tangible personal property (see note) \$ nil TOTAL CONSIDERATION \$ 2.00
(2) The true consideration for the transfer or conveyance for Land Transfer Tax purposes is as follows: (a) Monies paid in cash \$ 2.00 (b) Property transferred in exchange (Detail Below) \$ nil (c) Securities transferred to the value of (Detail Below) \$ 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, legacies, annuities and maintenance charges to which transfer is subject \$ nil (g) Other (Detail Below) \$ nil TOTAL CONSIDERATION (should agree with 3(1) (a) above) \$ 2.00

All blanks must be filled in.

- 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 This Transfer, Release and Abandonment is being given to clear up an encroachment of an Easement in favour of the Regional Municipality of Peel and the Corporation of the City of Brampton as set out in Instrument No. 70846

SWORN before me at the Borough of North York, in the Municipality of Metropolitan Toronto, this day of August, 19 76

(signature) CHARLES Z. MARKOWITZ

A Commissioner, etc.

NOTE TO PARAGRAPH 3(1) (b): Chattels: Retail sales tax is payable on the valuation of items shown in 3(1) (b) unless otherwise exempted under the provisions of The Retail Sales Tax Act, R.S.O. 1970, c 416, as amended. For the purpose of this affidavit insert above only the value of chattels, the total value of which in the opinion of the deponent exceeds \$100.00. This does not exonerate a purchaser from the payment of Retail Sales Tax on any tangible personal property as part of this transaction. When chattels are purchased as part of this transaction with a value of less than \$100.00, the applicable tax should be paid by the purchaser to the Treasurer of Ontario and remitted to the Minister of Revenue.

AFFIDAVIT AS TO AGE AND MARITAL STATUS

AMENDED MARCH 1977

I/WE

of the

in the

make oath and say: When executed the attached instrument,

\* If attorney see footnote

I/WE at least eighteen years old.

I was married / divorced / widower.

was my wife / husband.

We were married to each other.

We held the land as Joint Tenants / Trustees / Partnership Property.

Strike out inapplicable clauses.

(SEVERALLY) SWORN before me at the

in the

this day of 19

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

\* Where affidavit made by attorney substitute: "When I executed the attached instrument as attorney for (name), he/she was (marital status, and if married, name of spouse), and when he/she executed the power of attorney, he/she had attained the age of majority".

The Land Titles Act

Dated 26TH day of August 19 76

THE REGIONAL MUNICIPALITY OF PEEL and THE CORPORATION OF THE CITY OF BRAMPTON

TO

L.D.C.M. INVESTMENTS LIMITED

Address:

Transfer of Freehold Land WITHOUT DOWER

Dye & Durham Co Limited, 160 Bartley Drive, Toronto

ASSESSMENT ROLL NO:

ADDRESS OF PROPERTY:

MESSRS. GAMBIN, BRATTY, CHIAPPETTA, MORASSUTTI, CARUSO, Barristers and Solicitors, 1055 Wilson Avenue, Downsview, Ontario. M3K 1Y9.

REGISTRATION FEE	
LAND TRANSFER TAX	
RETAIL SALES TAX	



DATED: August 26th, 1976.

APPLICATION TO AMEND THE  
REGISTER BY DELETING CERTAIN  
LANDS FROM A GRANT OF EASE-  
MENT

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MESSRS. GAMBIN, BRATTY, CHIAPPETTA,  
MORASSUTTI, CARUSO,  
Barristers and Solicitors,  
1055 Wilson Avenue,  
Downsview, Ontario.  
M3K 1Y9.

ED September 7 19 76



# BY-LAW

No. 190-76

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of documents relative to the deleting  
of certain lands from a Grant of  
Easement (L.D.C.M. Investments Limited)