



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

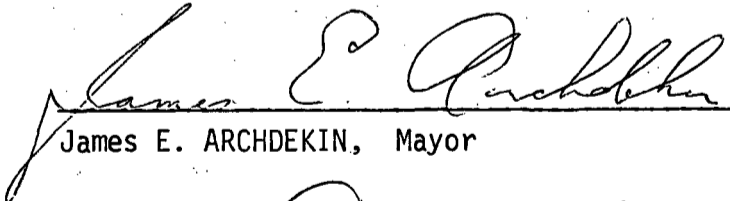
Number 63-80

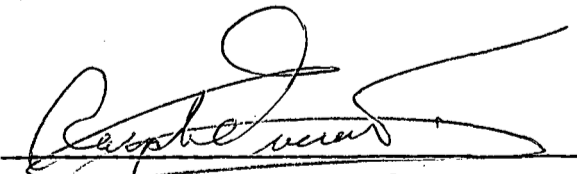
To authorize the execution of a Release
between The Corporation of the City of
Brampton and KESMARK LTD.

The Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

THAT the Mayor and the Clerk are hereby authorized
to execute a Release between The Corporation of the
City of Brampton and KESMARK LTD., attached hereto
as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this
10th day of March, 1980.


James E. ARCHDEKIN, Mayor


Ralph A. EVERETT, City Clerk

PASSED March 10th, 1980



BY-LAW

No. 63-80

To authorize the execution of a Release
between The Corporation of the City of Brampton
and KESMARK LTD.

TORY, TORY, DesLAURIERS & BINNINGTON
BARRISTERS & SOLICITORS

JOHN A. TORY, O.C.
ANNE R. DUBIN, O.C.
DESMOND J. MACKAY
MICHAEL G. THORLEY
PAUL M. MOORE
SIONEY P. H. ROBINSON
ROBERT J. HAMILTON
SHEILA R. BLOCK
WILFRED M. ESTEY
JAMES E. A. TURNER
MARILYN L. PILKINGTON
JOHN H. BUTLER
STEVEN SHARPE
PAMELA S. HUGHES

JAMES M. TORY, O.C.
DOUGLAS ANDISON, O.C.
J. TREVOR EYTON, O.C.
C. MERRILL BURTON
ROBERT P. ARMSTRONG, O.C.
PETER D. MADDAUGH
VICTOR PETERS
PETER E. S. JEWETT
LAURENCE A. PATTILLO
BRUCE C. BARKER
HERMAN J. WILTON-SIEGEL
MARLENE J. DAVIDGE
JOHN W. MCININCH
DONALD B. ROGER

WILLIAM J. DesLAURIERS, O.C.
ARTHUR A. KENNEDY, O.C.
ROSS L. KENNEDY
J. GARNET PINK
JAMES M. SPENCE
GORDON R. CUNNINGHAM
GABOR G. S. TAKACH
PATRICIA J. MYHAL
STEPHEN R. RICHARDSON
RICHARD W. IVEY
SIRJE SELLERS
PATRICIA D. JACKSON
ROBI S. BLUMENSTEIN
JOHN H. TORY

ARTHUR A. BINNINGTON, O.C.
BRIAN W. SHIELDS, O.C.
J. GORDON COLEMAN, O.C.
ROBERT W. TORRENS
RONALD G. MACDONALD
ERIC P. SALSBERG
WILLARD J. L'HEUREUX
CHARLES F. SCOTT
BARRY A. LEON
JOHN H. LOOSEMORE
DOUGLAS C. BETTS
DAVID S. McLEAN
STEPHEN J. DONOVAN
JOHN UNGER

ROYAL BANK PLAZA
P.O. BOX 20, SUITE 3400
TORONTO, CANADA M5J 2K1
TELEPHONE (416) 865-0040
TELEX 06-22535
CABLE ADDRESS "JONTOR"

May 30, 1980.

COUNSEL
H. LORNE MORPHY, O.C.

Mr. John G. Metras,
City Solicitor,
The Corporation of the City of Brampton,
150 Central Park Drive,
Brampton, Ontario.
L6T 2T9

RECEIVED
JUN 2 1980

BRAMPTON
LAW DEPARTMENT

Dear Mr. Metras:

Re: Kesmark Ltd. and Daniel Ignat Kaneff
Holdings Limited, Your File No. 229(b)

Further to your letter dated April 1, 1980, we wish to inform you that the Release was deposited on the 28th day of May, 1980 as Instrument No. 548810 (at 9:45 a.m.).

We thank you for your co-operation in this matter.

Yours very truly,

TORY, TORY, DesLAURIERS & BINNINGTON

Per: *Frank Tutino*
Frank Tutino

FT/ses

Handwritten initials

THIS RELEASE is made the *10th* day of *March*, 1980.

B E T W E E N:

THE CORPORATION OF THE CITY OF BRAMPTON,
hereinafter called the "City"

- and -

KESMARK LTD., a company incorporated under
the laws of the Province of Ontario,
hereinafter called the "Company"

WHEREAS Daniel Ignat Kaneff Holdings Limited entered into a re-zoning and development agreement dated the 12th day of September, 1977 and deposited on the 7th day of December, 1977 as Instrument No. 457355 (hereinafter referred to as the "Agreement") with the City, The Regional Municipality of Peel and The Royal Bank of Canada regarding land and premises outlined in a site plan attached to the Agreement as Schedule "A" thereto, which site plan included the land and premises described in Schedule "1" hereto;

AND WHEREAS The Odeon Theatres (Canada) Limited had previously granted, released and quitted claim to the land and premises described in Schedule "1" hereto by Quit Claim Deed to Daniel Lindsay dated the 30th day of March, 1960 and registered on the 3rd day of May, 1960 as Instrument No. 27604;

AND WHEREAS the land and premises described in Schedule "1" hereto were included in a Deed of Land from Daniel Lindsay to Peel Village Developments Limited, which Deed of Land was dated the 20th day of April, 1960 and registered on the 3rd day of May, 1960 as Instrument No. 27605;

AND WHEREAS the land and premises described in Schedule "1" hereto were subsequently included by error in a Deed of Land dated the 23rd day of September, 1976 and registered on the 29th day of October, 1976 as Instrument No. 410784 V.S. from The Odeon Theatres (Canada) Limited, who no longer held any right, title or interest in or to such land and premises, to Daniel Ignat Kaneff Holdings Limited;

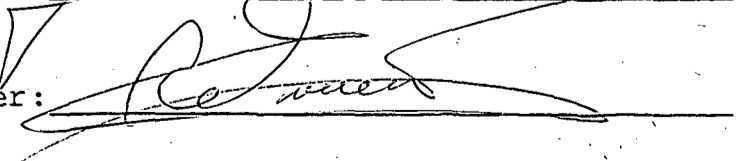
AND WHEREAS Daniel Ignat Kaneff Holdings Limited granted, released and quitted claim to the land and premises described in Schedule "1" hereto to the Company, the successor corporation to Peel Village Developments Limited, by a Quit Claim Deed dated the 11th day of December, 1979 and registered on the 15th day of January, 1980 as Instrument No. 539759, to remove the cloud on the registered title to such land and premises;

NOW THEREFORE in consideration of other good and valuable consideration and the sum of Two (\$2.00) Dollars of lawful money of Canada paid by the Company to the City, receipt whereof is hereby acknowledged, the City hereby forever releases the Company, its successors and assigns, from any and all terms of the Agreement as it affects the land and premises described in Schedule "1" hereto.

IN WITNESS WHEREOF The Corporation of the City of Brampton has hereunto affixed its corporate seal attested by the hands of its proper officers duly authorized in that behalf as of the day and year first above written.

THE CORPORATION OF THE CITY OF BRAMPTON

Per: 

Per: 

c/s

SCHEDULE "1"

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 (formerly in the Town of Brampton, County of Peel), Province of Ontario, and being composed of Part of the South Half of Lot 1, Concession 1, W.H.S.

SAID parcel of land being more particularly described as follows:

PREMISING that the bearing of the South Easterly limit of the South Half of the said Lot 1 is North 38 degrees 45 minutes East and referring all bearings mentioned herein thereto:

COMMENCING at a point in the South Easterly limit of the South Half of the said Lot 1 at a distance of 1259.00 feet measured South Westerly from the most Easterly angle of the South Half of the said Lot 1;

THENCE North Westerly parallel to the North Easterly limit of the South Half of the said Lot 1 a distance of 973.00 feet;

THENCE South Westerly parallel to the South Easterly limit of the South Half of the said Lot 1 a distance of 12.32 feet;

THENCE South 44 degrees 06 minutes 30 seconds East a distance of 972.67 feet, more or less, to the South Easterly limit of the South Half of the said Lot 1;

THENCE North Easterly along the last mentioned limit a distance of 9.75 feet, more or less, to the point of commencement.

CONTAINING by admeasurement 0.25 acres, more or less, and shown as Parcel "A" on a Plan of Survey by Lloyd Thomson, Ontario Land Surveyor, dated January 11, 1960.

DATED: _____, 1980.

THE CORPORATION OF THE
CITY OF BRAMPTON

- and -

KESMARK LTD.

R E L E A S E

TORY, TORY, DesLAURIERS & BINNINGTON
BARRISTERS and SOLICITORS
P.O. BOX 20, ROYAL BANK PLAZA
TORONTO, ONTARIO
M5J 2K1

SS:ses