

AMENDMENT TO AGREEMENT OF PURCHASE AND SALE

BETWEEN:

THE CORPORATION OF HALDIMAND COUNTY (the “**County**”)

-and-

2271313 ONTARIO INC. (the “**Purchaser**”)

Whereas the County and the Purchaser have entered into an Agreement of Purchase and Sale executed by the County on November 15, 2016 and accepted by the Purchaser on November 29, 2016 for the purchase by the Purchaser from the County of certain lands (the “**County Lands**”) more particularly described in Schedule “A” to such Agreement of Purchase and Sale (the “**Agreement**”).

And Whereas the parties wish to amend Clauses 2 and 8 of the Agreement to provide for the division of lands into separate real estate transactions for future developments in Cayuga, more particularly described in Schedule “B” to such Agreement as (“**Thorburn Village**”) and (“**Cadillac Estates**”).

Now Therefore in consideration of the sum of one dollar (\$1.00) of lawful money of Canada and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties by their execution of this Amendment to Agreement of Purchase and Sale (this “**Amendment**”), the parties agree as follows:

1. Any capitalized terms not otherwise defined in this Amendment shall have the meanings ascribed to them in the Agreement.
2. The County hereby agrees to sell and the Purchaser agrees to buy Thorburn Village for a purchase price of **ONE HUNDRED FORTY FIVE THOUSAND NINE HUNDRED FOURTEEN DOLLARS AND TWENTY TWO CENTS (\$145,914.22)** plus HST (the “Thorburn Village Purchase Price”).
3. The County hereby agrees to sell and the Purchaser agrees to buy Cadillac Estates for a purchase price of **ONE HUNDRED FIFTY FOUR THOUSAND EIGHTY FIVE DOLLARS AND SEVENTY EIGHT CENTS (\$154,085.78)** plus HST (the “Cadillac Estates Purchase Price”).

4. The closing date of Thorburn Village shall be **March 27, 2020**, or prior thereto if mutually agreed in writing (the "Thorburn Village Closing Date"). Vacant possession of the Lands shall be provided to the Purchaser on the Thorburn Village Closing Date, unless otherwise provided in this Agreement.
5. The closing date of Cadillac Estates shall be **April 4, 2023**, or prior thereto if mutually agreed in writing (the "Cadillac Estates Closing Date"). Vacant possession of the Lands shall be provided to the Purchaser on the Cadillac Estates Closing Date, unless otherwise provided in this Agreement. If an extension of the Cadillac Estates Closing Date is requested, the Cadillac Estates Purchase Price will be revised to reflect the 2023 market rate value of Cadillac Estates, as determined by a certified appraisal to be obtained by the County with the cost of such appraisal being added to the revised Cadillac Estates Purchase Price.
6. In all other respects the Agreement is in full force and effect unamended.

IN WITNESS WHEREOF the County has on the ____ day of _____, 2020 affixed its corporate seal attested by the hands of the duly authorized officer(s).

THE CORPORATION OF HALDIMAND COUNTY

Per: _____

Name: Ken Hewitt

Title: Mayor

Per: _____

Name: Evelyn Eichenbaum

Title: Clerk

I/We have the authority to bind the Corporation.

IN WITNESS WHEREOF the Purchaser has on the ____ day of _____, 2020 affixed its corporate seal attested by the hands of the duly authorized officer(s).

2271313 ONTARIO INC.

Per: _____

Name: Michael Corrado

Title:

Per: _____

Name:

Title:

I/We have the authority to bind the Corporation.

SCHEDULE “A – COUNTY LANDS”

Part of PIN # 38230-0138(LT) being Part of Joseph Street, Plan of the Village of Cayuga, designated as Part 2 on 18R-7325; Haldimand County;

PIN # 38230-0137(LT) being Part of Joseph Street, Plan of the Village of Cayuga, designated as Part 9 on 18R-7325; Haldimand County;

PIN # 38230-0374(LT) being Part of Fishcarrier Street, Plan of the Village of Cayuga, designated as Part 6 on 18R-7342; Haldimand County;

Part of PIN # 38230-0095(LT) being Part of Tuscarora Street, Plan of the Village of Cayuga, designated as Part 4 on 18R-7342; Haldimand County;

PIN # 38230-0107(LT) being Part of Chippewa Street, Plan of the Village of Cayuga, designated as Part 7 on 18R-7342; Haldimand County;

Part of PIN # 38230-0108(LT) being Part of Chippewa Street, Plan of the Village of Cayuga, designated as Part 11 on 18R-7342; Haldimand County;

Part of PIN # 38230-0141(LT) being Part of Martin Street, Plan of the Village of Cayuga, designated as Part 13 on 18R-7342; Haldimand County;

Part of PIN # 38230-0143(LT) being Part of Snow Street, Plan of the Village of Cayuga, designated as Parts 4, 5 & 6 on 18R-7325; Haldimand County;

Part of PIN # 38230-0142(LT) being Part of Johnson Street, Plan of the Village of Cayuga, designated as Parts 12 – 21, inclusive on 18R-7325; Haldimand County;

Subject to a hydro easement being placed over Parts 12, 13, 14, 15 & 16 on 18R-7325 (buried) and over Parts 2, 5, 9 & 16 (overhead) and also subject to a Temporary Turning Circle Easement being placed over Parts 11, 18, 19 & 20 on 18R-7325 (end of Railton Road) and over Parts 8 (already in place), 13, 14 & 15 on 18R-7325 (end of Pine Creek Drive).

SCHEDULE “B – THORBURN VILLAGE & CADILLAC ESTATES”

Thorburn Village:

Part of PIN # 38230-0138(LT) being Part of Joseph Street, Plan of the Village of Cayuga, designated as Part 2 on 18R-7325; Haldimand County;

PIN # 38230-0137(LT) being Part of Joseph Street, Plan of the Village of Cayuga, designated as Part 9 on 18R-7325; Haldimand County;

PIN # 38230-0374(LT) being Part of Fishcarrier Street, Plan of the Village of Cayuga, designated as Part 6 on 18R-7342; Haldimand County;

Part of PIN # 38230-0095(LT) being Part of Tuscarora Street, Plan of the Village of Cayuga, designated as Part 4 on 18R-7342; Haldimand County;

PIN # 38230-0107(LT) being Part of Chippewa Street, Plan of the Village of Cayuga, designated as Part 7 on 18R-7342; Haldimand County;

Part of PIN # 38230-0108(LT) being Part of Chippewa Street, Plan of the Village of Cayuga, designated as Part 11 on 18R-7342; Haldimand County;

Part of PIN # 38230-0141(LT) being Part of Martin Street, Plan of the Village of Cayuga, designated as Part 13 on 18R-7342; Haldimand County;

Cadillac Estates:

Part of PIN # 38230-0143(LT) being Part of Snow Street, Plan of the Village of Cayuga, designated as Parts 4, 5 & 6 on 18R-7325; Haldimand County;

Part of PIN # 38230-0142(LT) being Part of Johnson Street, Plan of the Village of Cayuga, designated as Parts 12 – 21, inclusive on 18R-7325; Haldimand County;

Subject to a hydro easement being placed over Parts 12, 13, 14, 15 & 16 on 18R-7325 (buried) and over Parts 2, 5, 9 & 16 (overhead) and also subject to a Temporary Turning Circle Easement being placed over Parts 11, 18, 19 & 20 on 18R-7325 (end of Railton Road) and over Parts 8 (already in place), 13, 14 & 15 on 18R-7325 (end of Pine Creek Drive).