

Appendix “A”
Terms and Conditions
Public Lane abutting 181 to 185 Willowdale Avenue

Subject Property:	Public Lane at the rear of 181 to 185 Willowdale Avenue shown as Part 1 on Sketch No. PS-2003-067 (the “Lane”)
Legal Description:	12 Foot Lane on Plan 1801 adjoining Lot 66, City of Toronto
Purchaser:	Hanamar Investments Inc.
Recommended Sale Price:	\$66,000.00
Deposit Received:	\$6,600.00
Balance:	Cash or certified cheque on closing, plus GST (if applicable), subject to the usual adjustments
Irrevocable Date:	June 27, 2007
Closing Date:	45 days following enactment of a by-law permanently closing the Lane as a public highway. In the event that (i) Council has not enacted the Closing By-law on or before February 22, 2008: or (ii) prior to February 22, 2008, Council has considered the proposed Closing by-law and has decided not to enact it, the agreement of purchase and sale shall be at an end and the deposit returned to the Purchaser
“As Is” Condition:	Purchaser shall accept the Lane in “as is” condition and on closing shall execute and deliver a release in favour of the City, in a form satisfactory to the City Solicitor, in respect of all loss, costs, damages, liability or actions relating to the environmental condition of the Lane
Lane Closing Requirements and Sale Conditions:	<p>(a) Purchaser shall indemnify the City against all loss, costs, claims, damages, or actions, including injurious affection claims, arising out of or in any way incidental to the efforts of the City to close the Lane as a public highway and from the completion of such closure;</p> <p>(b) Purchaser shall accept title to the Lane subject to an easement to be granted by the City to Bell</p>

Canada (the “Bell Easement”) prior to closing over the southerly 3 metres of the Property, together with a right-of-way to be granted to Bell Canada (the “Bell Right-of-Way”) over the remainder of the Lane;

- (c) Purchaser shall obtain and deposit in the appropriate Land Registry Office, at its sole cost and expense, a reference plan of survey integrated with the Ontario Co-ordinate System, satisfactory to the City Surveyor, which delineates the boundaries of the Lane, the Bell Easement and the Bell Right-of-way as two or more separate Parts thereon; and
- (d) Purchaser shall pay all out of pocket expenses that may be incurred by the City as a result of the closure and sale of the Lane and Purchaser shall pay the cost of registering the closing by-law, the Bell Easement and the Bell Right-of-Way and any other documents necessary or incidental to the closure and sale of the Lane.