

## FORM 9

### CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE CONTRACT UNDER SECTION 32 OF THE ACT CONSTRUCTION ACT

CITY OF WELLAND

(COUNTY/DISTRICT/REGIONAL MUNICIPALITY/TOWN/CITY IN WHICH PREMISES ARE SITUATED)

102 Primeway Drive, Welland, Ontario

(STREET ADDRESS AND CITY, TOWN, ETC., OR IF THERE IS NO STREET ADDRESS, THE LOCATION OF THE PREMISES)

This is to certify that the contract for the following improvement:

New built, Landlord's work.

(short description of the improvement)

to the above premises was substantially performed on: 11/11/2020

(date substantially performed)

Date certificate signed: 11/11/2020

(payment certifier where there is on)

(owner and contractor, where there is no payment certifier)

Name of owner: Calloway REIT (Welland) Inc.

Address for service: 3200 Highway 7, Vaughan, ON L5C 4E9

Name of Contractor: Elcore Construction Inc.

Address for service: 368 Lake Street, Grimsby ON L3M 4M5

Name of payment certifier (where applicable): PAUL MARQUES ARCHITECT INC.

Address: 2610 WESTON ROAD, SUITE 207 TORONTO, ON M9N 2B1

(use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of Liens:

As per Schedule B, herein attached.

☐ B. Office to which claim for lien must be given to preserve lien:

**SCHEDULE "B"**

**LEGAL DESCRIPTION**

*Firstly:*

**PIN No. 64423-0226(LT)**

Lot 3 on Subdivision Plan 59M-377, City of Welland, Regional Municipality of Niagara.  
Land Titles Division of Niagara South (No. 59).

*Secondly:*

**PIN No. 64423-0227(LT)**

Lot 4 on Subdivision Plan 59M-377, City of Welland, Regional Municipality of Niagara.  
Subject to an easement in favour of The Regional Municipality of Niagara as set out in Instrument No. RO727708.  
Land Titles Division of Niagara South (No. 59).

*Thirdly:*

**PIN No. 64423-0248 (LT)**

Lot 1 on Subdivision Plan 59M377, save and except Parts 6, 7, 8, 9, 10 and 11 on Reference Plan 59R-14084, City of Welland, Regional Municipality of Niagara.  
Subject to an easement in gross as set out in Instrument No. SN240644.  
Subject to an easement in gross over Part 2 on Reference Plan 59R-13812 as set out in Instrument No. SN240645.  
Together with an easement over Lot 2 on Subdivision Plan 59M-377 as set out in Instrument No. SN264720.  
Subject to an easement over Lot 1 on Subdivision Plan 59M-377 in favour of Lot 2 on Subdivision Plan 59M377 as set out in Instrument No. SN264720 (easement released as to Parts 6, 7, 8, 9, 10 and 11 on Reference Plan 59R-14084 as set out in Instrument No. SN292811).

Land Titles Division of Niagara South (No. 59).