



**AMENDMENT TO SITE PLAN AGREEMENT**

**THIS AGREEMENT** made (in triplicate) this 12<sup>th</sup> day of March 2018.

**BETWEEN:**

**THE CORPORATION OF THE TOWN OF KINGSVILLE,**

hereinafter called the "Corporation",

**OF THE FIRST PART**

**-and-**

**1552843 ONTARIO LIMITED – Noah Homes**

hereinafter called the "Owner",

**OF THE SECOND PART**

**WHEREAS** the Owner and the Corporation executed a Site Plan Agreement made the 16<sup>th</sup> day of November, 2009 and said Site Plan Agreement was registered in the Registry Office for the County of Essex on June 24 of 2010 as instrument No. CE429656;

**AND WHEREAS** the Owner has requested an amendment to the Site Plan Agreement which the Corporation has agreed to allow for the construction of a new storage building on Part of Lot 6, Concession 1, Eastern Division and further described as Parts 1 and 2, RP 12R23813, in the Town of Kingsville, County of Essex, and known municipally as 950 Seacliff Drive (County Road 20).

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the parties agree as follows:

1. The Owner hereby consents to the registration of this Amendment to the Site Plan Agreement on title at its sole expense and at the sole discretion of the Corporation.
2. That Schedule 'A' of the Site Plan agreement made the 16<sup>th</sup> day of June 2009 be replaced with Schedule 'A-2018' dated February 16, 2018, as attached to this amending agreement.

3. The all references to 'drawings' shall be amended to reference Schedule 'A-2018'.
4. That Clause 17 (a) Performance Security be amended by deleting '\$5,000.00' and replacing with '\$10,000.000'.
5. That Clause 18 Completion of Work is amended by deleting the words 'two (2) years' and replacing with 'one (1) year'.
6. All of the terms and covenants in the said Site Plan Agreement are hereby confirmed in full force and effect save and except for the amendments noted in Paragraphs 1, 2, 3, 4 and 5 herein and such other modifications as are necessary to make said paragraphs applicable to the Site Plan Agreement.

**IN WITNESS WHEREOF** the parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf this **12<sup>th</sup> day of March, 2018**.

SIGNED SEALED AND DELIVERED

1552843 Ontario Limited  
(Noah Homes)

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
WALTER BRANCO  
I/WE HAVE AUTHORITY TO BIND THE  
CORPORATION

**THE CORPORATION OF THE TOWN OF  
KINGSVILLE**

\_\_\_\_\_  
MAYOR NELSON SANTOS

\_\_\_\_\_  
CLERK JENNIFER ASTROLOGO

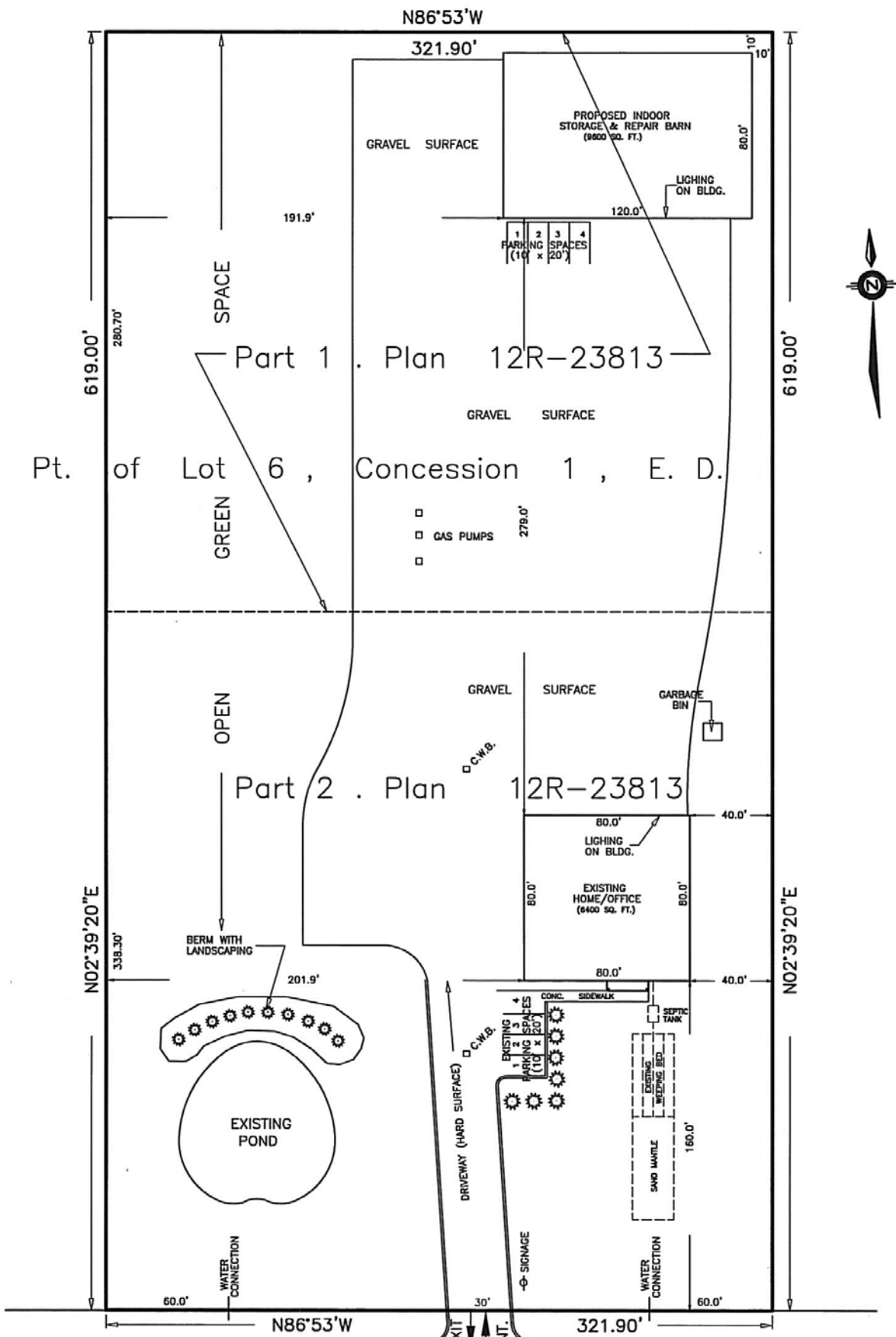
SCHEDULE 'A-2018'  
SITE PLAN

SITE PLAN

FOR  
Pt. of LOT 6, CONCESSION 1, E.D.  
IN THE  
TOWN of KINGSVILLE  
COUNTY of ESSEX, ONTARIO  
SCALE : 1"= 60'

NOTES

AREA OF PROPERTY = 4.57 ACRES  
AREA OF EXISTING BLDG. = 6400 SQ. FT.  
AREA OF PROPOSED BLDG. = 9600 SQ. FT.



ESSEX COUNTY ROAD No 20

DEC. 18, 2017  
REVISED - FEB. 16, 2018