

Request to the Registrar of Deeds to Register a Document

6.

Registration district: Eastern Passage
 Submitter's name: Jennifer Little

Take notice that the attached document relates to a parcel that is not registered under the *Land Registration Act*, and the document may be accepted for registration under the *Registry Act* because it is (select one only)

- ☐ not a transfer for valuable consideration
- ☐ not a mortgage or security interest as defined in the *Land Registration Administration Regulations*.
- ☐ a transfer of a parcel between persons married to one another
- ☐ a transfer of a parcel between persons formerly married to one another, if the transfer is for the purpose of division of matrimonial assets.
- ☐ transfer of a parcel between persons who are parties to a registered domestic partnership agreement.
- ☐ a transfer of a parcel acquired by Her Majesty in right of the Province or a municipality for the purpose of road widening, alignment or movement.
- ☐ a deed to a predecessor in title being registered in order to feed the estoppel or clarify title.
- ☐ a transfer of an unregistered piece of land that is being created as a parcel under the subdivision provisions of Part IX of the *Municipal Government Act* solely for purposes of consolidation with an abutting unregistered parcel.
- ☐ a transfer of a parcel from the Nova Scotia Farm Loan Board to a borrower under the *Agriculture and Rural Credit Act*.
- ☐ any other instrument not mentioned above that is not required to be registered or recorded under the *Land Registration Act*

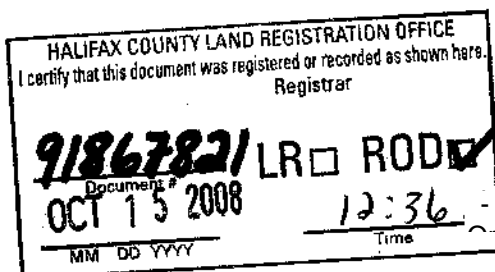
I hereby request that this document be registered under the *Registry Act*.

Dated at Dartmouth, in the County of Halifax, Province of Nova Scotia,
October 10, 2008.

- Original Signed -

Signature of submitter

Name: Jennifer Little
 Address: P.O. Box 1749
Halifax, NS B3J 3A5
 Phone: 902-490-4472
 E-mail: - Original Signed -
 Fax: - Original Signed -



THIS AMENDING AGREEMENT made this 2 day of October, 2008,

BETWEEN:

MJS HOLDINGS LIMITED

a body corporate, in the Halifax Regional Municipality,
Province of Nova Scotia (hereinafter called the "Developer")

OF THE FIRST PART

APPROVED
AS TO FORM
- Original Signed -

- and -

Municipal Solicitor

HALIFAX REGIONAL MUNICIPALITY,

a municipal body corporate,
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the County of Halifax approved an application by Atlantic Industries Limited to enter into a development agreement to allow for an expansion of the industrial use on the Lands, which said development agreement was registered at the Registry of Deeds in Halifax as Document Number 23966 in Book 4736 at Pages 825 to 831 (hereinafter called the "Original Agreement");

AND WHEREAS Atlantic Industries Limited transferred its interest in the lands to All Weigh Systems Incorporated on December 20, 1994;

AND WHEREAS the Municipality amended the Original Agreement by entering to an amending agreement with All Weigh Systems Incorporated on September 10, 1997 to enable as a non-substantive amendment a change of permitted uses to similar service industry or manufacturing operation uses of the property, a maximum of a 3,000 square foot addition to an existing building, or a new accessory building and changes to the parking, driveway areas, outdoor display areas or signage requirements, said agreement being recorded at the Registry of Deeds at Halifax as Document Number 46705 in Book 6137, at Pages 831 - 834 (hereinafter called the "Amending Agreement");

AND WHEREAS All Weigh Systems Incorporated transferred its interest in the lands to MJS Holdings Limited on February 19, 1998;

AND WHEREAS MJS Holdings Limited is now the registered owner of the lands as described in Schedule "A" to the Original Agreement;

AND WHEREAS the Developer wishes to amend the Amending Agreement to allow for the sale, distribution, installation and servicing of automotive lifts on the Lands, and a 2,800 square foot addition to an existing building pursuant to the non-substantive amendment provisions of the Amending Agreement, (hereinafter called the "Second Amending Agreement");

AND WHEREAS the Harbour East Community Council for the Municipality approved this request at a meeting held on July 3, 2008, referenced as Municipal Case Number 01128;

THEREFORE in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

- 1. The Original Agreement be amended by revising Schedule B to include a 2,800 square foot addition as indicated in Attachment A of this Second Amending Agreement.
- 2. Clause "2." of the Amending Agreement be replaced by the following:
"The use of the Lands shall be restricted to the sale, distribution, installation and servicing of automotive lifts."

WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this 2nd day of October, A.D., 2008.

SIGNED, SEALED AND DELIVERED	)	MIS HOLDINGS LIMITED
in the presence of	)	- Original Signed -
- Original Signed -)	
	)	Per:
)	
)	
)	
)	
)	
SEALED, DELIVERED AND)	
ATTESTED to by the proper)	
signing officers of Halifax Regional	)	HALIFAX REGIONAL MUNICIPALITY
Municipality duly authorized	)	- Original Signed -
in that behalf in the presence	)	Per: Peter J. Kelly
- Original Signed -)	
)	
	)	MAYOR
	)	- Original Signed -
)	
	)	Per:
)	
	)	ACTING MUNICIPAL CLERK

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, NOVA SCOTIA

ON THIS 26 day of Sept., A.D., 2008, before me, the subscriber personally came and appeared Allen Campbell a subscribing witness to the within and foregoing Indenture, who, having been by me duly sworn, made oath and said that **MJS HOLDINGS LIMITED**, one of the parties thereto, signed, sealed and delivered the same in his presence.
- Original Signed -

A ~~Barrister of the~~ Supreme Court
of Nova Scotia

PAUL F. SAMPSON
A Barrister of the Supreme
Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, NOVA SCOTIA

ON THIS 2nd day of October, A.D., 2008, before me, the subscriber personally came and appeared before me Pamela Hanley & Kelly MacKinnon the subscribing witness to the within and the foregoing Indenture, who, having been by me duly sworn, made oath and said that the Halifax Regional Municipality, one of the parties thereto, caused the same to be executed and its Corporate Seal to be thereunto affixed by the hands of Peter Kelly, its Mayor, and Julia Horncastle, its Acting Municipal Clerk, its duly authorized officers in his presence.

- Original Signed -

A Commissioner of ~~Oaths~~ in the Province
of Nova Scotia

ANITA CHRISTINE NEWSON
A Commissioner of the Supreme
Court of Nova Scotia

ALL that certain lot, piece or parcel of land situate, lying and being at Elkins Barracks, Eastern Passage in the County of Halifax, Province of Nova Scotia and shown as lot 7A outlined in red on a plan prepared by Thomas S. Foster, S.S.L.S., and being more particularly described as follows:

BEGINNING at a point on the northwestern boundary of an existing road fifty feet (50') wide;

THENCE running north twenty-seven degrees forty-five minutes west ($N 27^{\circ}45' W$) parallel to and perpendicularly distant five feet (5') from the southwestern side of the Eastern Passage Fire Station a distance of two hundred forty-two feet (242') to a point;

THENCE running south sixty-two degrees fifteen minutes west ($S 62^{\circ}15' W$) a distance of two hundred seventy feet (270') to a point on the northeastern side of another existing road;

THENCE running south twenty-seven degrees forty-five minutes east ($S 27^{\circ}45' E$) along the northeastern boundary of the said other existing road a distance of two hundred forty-two feet (242') or until it intersects the northwestern boundary of the first mentioned existing road;

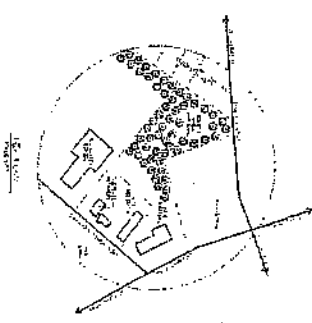
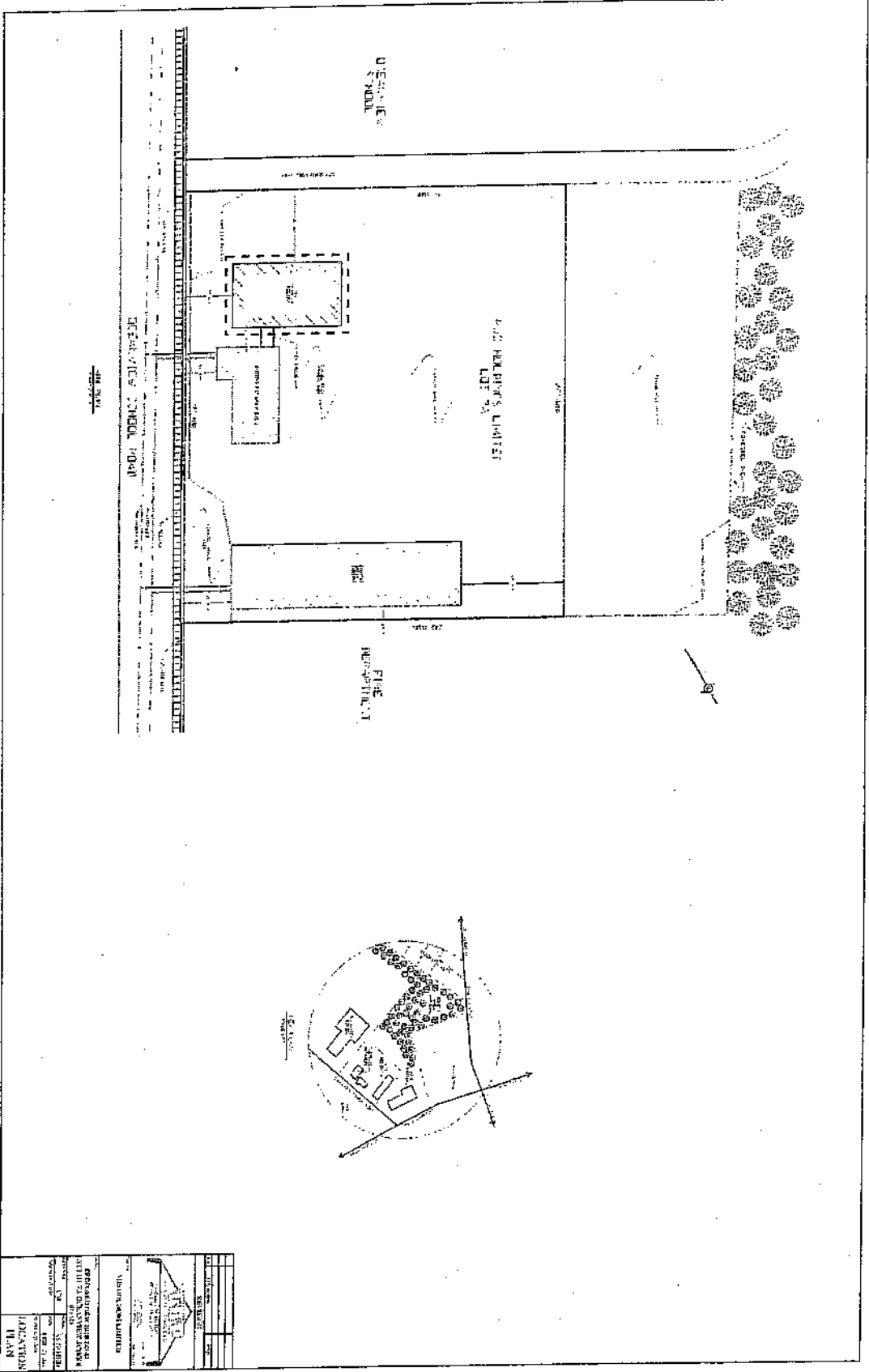
THENCE running north sixty-two degrees fifteen minutes east ($N 62^{\circ}15' E$) along the northwestern boundary of the first mentioned existing road a distance of two hundred seventy feet (270') to the place of beginning.

The above described lot of land containing one and one half (1.5) acres more or less.

Attachment A:
Site Plan



Proposed 2,800 sqft Addition



PROJECT NAME		PROPOSED 2,800 SQFT ADDITION	
OWNER		XXXXXX	
DESIGNER		XXXXXX	
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