

THIS AGREEMENT made this 5th day of JANUARY, 1990
 BETWEEN:

C.H.U.M. LIMITED
 a body corporate, in the County of
 Halifax, Province of Nova Scotia,
 (hereinafter called the "Developer")

OF THE FIRST PART

- and -

CITY OF HALIFAX,
 a municipal body corporate,
 (hereinafter called the "City")

OF THE SECOND PART

WHEREAS the Developer wishes to obtain permission to construct a radio station on Block C-1B in the City, pursuant to Section 83 of the Peninsula part of the Land Use Bylaw;

AND WHEREAS a condition of the granting of approval of Council is that the Developer enter into an agreement with the City;

AND WHEREAS the Council of the City, at its meeting on the 8th day of November 1989, approved the said contract development to permit construction of a radio station subject to the registered owner of the lands described herein entering into this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the City of the contract development requested by the Developer, the Developer agrees as follows:

1. The Developer is the registered owner of the lands known as Block C-1B in the City of Halifax, described in Schedule "A" hereto (hereinafter called the "lands").
2. The Developer shall construct on the lands a building, which in the opinion of the Development Officer, is substantially in conformance with Plan(s) No. P200/17372-76 filed in the City of Halifax Development and Planning Department as Case No. 5796, and shall not develop or use the lands for any other purpose other than a radio station.

APPROVED
 AS TO FORM
 [Signature]
 LRM 5012/89C

3. The "development" shall be completed (completion is defined as fulfilling the terms of the entire agreement) within two years from the date of final approval by Halifax City Council or any other bodies as necessary, whichever approval is later, including any applicable appeal periods. If the "development" has not been completed by the applicable time, this agreement will terminate unless specifically extended, upon request of the applicant, by resolution of City Council and all rights and obligations arising hereunder shall be at an end.

4. Notwithstanding any other provision of this agreement, the Developer shall not undertake or carry out any development on the lands which does not comply with all City of Halifax laws, including, without restricting the generality of the foregoing, the Building Code Ordinance and the Fire Prevention Ordinance and no permit shall be issued for any such development.

5. The City shall issue the necessary permits for the development upon the expiration of the twenty-one (21) day appeal period under Section 71 of the Planning Act, as the same may be amended from time to time, or upon the withdrawal or dismissal of any appeal which may be taken; provided, however, that the City shall not issue any occupancy permit for the development unless and until the development specified in the plans referred to in No. 2 hereof has been completed substantially in accordance with the said plans and the requirements of this have been met.

Time shall be of the essence of this agreement.

This agreement shall be binding upon the parties hereto and their heirs, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED)
in the presence of)
Original Signed)

C.H.U. (M) LIMITED)
Original Signed)

Per _____)
Original Signed)
Per _____)

Original Signed)
O ✓)

CITY OF HALIFAX)
Original Signed)

Per _____)
Mayor)
Original Signed)
Per _____)
City Clerk)

596

BLOCK C-1B

RUSSELL STREET

HALIFAX, NOVA SCOTIA

ALL that certain block of land on the southeastern side of Russell Street in the City of Halifax, Province of Nova Scotia shown as Block C-1B on a plan (Servant, Dunbrack, McKenzie & MacDonald Ltd. Plan No. 14-408-A) of survey of Block C-1B and Lot 23, Consolidation of Lands Conveyed to & Acquired by Chum Limited signed by Terrance R. Doogue, N.S.L.S. dated July 19th, 1989 and described as follows :

BEGINNING on the southeastern street line of Russell Street at the northern corner of Block C-1A being that portion as conveyed to Chum Limited by Indenture recorded at the Registry of Deeds for the County of Halifax in Book 3466 at Page 181;

THENCE N 43° 47' 02" E, 164.49 feet along the southeastern street line of Russell Street to its intersection with the southwestern street line of Agricola Street;

THENCE S 46° 11' 21" E, 102.08 feet along the southwestern street line of Agricola Street to the northern corner of Lot 23 lands as conveyed to Chum Limited by Indenture recorded at the Registry of Deeds for the County of Halifax in Book 4684 at Page 195;

THENCE S 44° 00' 08" W, 98.88 feet along the northwestern boundary of Lot 23 and the northwestern boundary of lands as conveyed to Sharon L. Cruickshank and Virgie F. McIntyre (Sharfran Investments) by Indenture recorded at the Registry of Deeds for the County of Halifax in Book 4464 at Page 203 to the western corner thereof;

THENCE S 45° 58' 00" E, 100.00 feet along the southwestern boundary of said lands as conveyed to Sharon L. Cruickshank and Virgie F. McIntyre (Sharfran Investments) to its intersection with the northwestern street line of Macara Street;

THENCE S 44° 00' 08" W, 66.00 feet along the northwestern street line of Macara Street to the eastern corner for the aforementioned Block C-1A being that portion as conveyed to Chum Limited by Indenture recorded at the Registry of Deeds for the County of Halifax in Book 3336 at Page 1196;

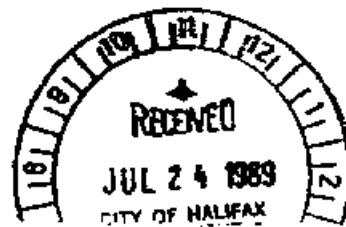
THENCE N 45° 58' 00" W, 201.45 feet along the northeastern boundary of Block C-1A to the place of beginning.

CONTAINING 23,358 square feet (0.536 acres).

ALL bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian 64° 30' West.

Original Signed

Granville Leopold, N.S.L.S.
Halifax, Nova Scotia
July 21st, 1989



PROVINCE OF ONTARIO
COUNTY OF *York*

ON THIS *20th* day of *December*, A.D., 1989,
CAMILLA NEILSON a subscribing witness to the within and
foregoing Indenture came and appeared before me, and, having been
by me duly sworn, made oath and said that C.H.U.M. Limited, one
of the parties thereto, caused the same to be executed and its
Corporate Seal to be thereunto affixed by the hands of its duly
authorized officers in ~~her~~ presence.

Original Signed

A Notary Public in and for the
Province of Ontario

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, NOVA SCOTIA

ON THIS *5th* day of *JANUARY*, A.D., 19*89*,
before me, the subscriber personally came and appeared
JACQUE DOYLE a subscribing witness to the within
and the foregoing Indenture, who, having been by me duly sworn,
made oath and said that the City of Halifax, one of the parties
thereto, caused the same to be executed and its Corporate Seal to
be thereunto affixed by the hands of Ron Wallace, its Mayor, and
E. A. Kerr, its City Clerk, its duly authorized officers in her
presence.

Original Signed

Province of Nova Scotia
County of Halifax

A Barrister of the Supreme Court
of Nova Scotia

BARRY S. ALLEN

I hereby certify that the within instrument
was recorded in the Registry of Deeds Office
at Halifax in the County of Halifax, N. S.,
at *3:39* o'clock *P* M., on the *12th*
day of *Jan* A.D., 19*90* in
Book No. *4468* at Pages *594-597*
as Document Number *2100*.

Original Signed

Registrar of Deeds for the Registration
District of Halifax County