

## **CASE STUDY**

### **Diminution in Value**

### **Wind Turbine Analysis**



Hwy 89, Melancthon Township, Ontario, Canada

Photograph: Ben Lansink

Prepared by

**Ben Lansink**  
AACI, P.App, MRCS

**October 2012**

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## Case Study: Introduction

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Opinions about wind turbines – and their effect on property prices – are a relatively new phenomenon in Ontario (2005). Most people have an opinion regarding wind turbines and their effect on themselves, their surroundings, and society. The main concerns are the safety and health impacts of wind turbines.

If a wind turbine were erected on a property, would the neighbouring properties have the same market value as without the wind turbine? Does a wind turbine cause an increase or decrease in property value? There may be endless questions from a potential buyer and/or seller when dealing with a property affected by a wind turbine. When considering property value, these questions are difficult to quantify; however, the overall impact of a wind turbine can be analyzed within the actions of an open real estate market.

This study endeavours to isolate any loss in property price caused by a wind turbine. The construction and use of a wind turbine is an event over which a neighbouring property owner has no control. Each example in this study illustrates some type of 'harm' or 'injurious affection' that can be caused to a real property as a result of a wind turbine. The harm may be real or perceived and it may be different for each property and to each property seller and buyer.

This study analyzes specific examples that occurred within the open real estate market in order to isolate the impact on property value caused by a wind turbine.

## Diminution, Obsolescence, Effects

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### Diminution in Value

Diminution in Value is a *loss in value* to a property caused by *obsolescence*. While the obsolescence may be curable, it may not be curable by a land owner.

For example, a land owner cannot move a hydro power transmission corridor or relocate a landfill operation nor can he move a Wind Turbine situated on land next to his land.

### Obsolescence, one cause of diminution

- an impairment of desirability and usefulness caused by new inventions, changes in design, improved processes for production, or
- external factors that make a property less desirable and valuable for continued use.
- may be either functional or external.

Source: The Appraisal of Real Estate, Second Canadian Edition

### Harm

Most people have an opinion regarding obsolescence and the effect on themselves, their surroundings, their property, and on society. The harm may be real or perceived and it may be different for each property and to each property seller and buyer.

This perception is indicative of *how much one is willing to pay for a property*.

## Background Melancthon Wind Facility

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TransAlta Corporation owns and operates the Melancthon Wind Facility through its wholly-owned subsidiary Canadian Hydro Developers, Inc. Based in Calgary, TransAlta is a public company listed on the Toronto Stock Exchange.

Canadian Hydro Developers, Inc. constructed Ontario's first utility-scale wind facility consisting of 133 industrial wind turbines producing 200 megawatts of power. Located near Shelburne, Ontario, Canada, the project is known as the 'Melancthon Wind Facility'. This facility has the capacity to generate 545,000 megawatt hours each year and twenty-year Renewable Energy Supply contract is in place with the Ontario Government.

The Melancthon Technology is GE 1.5 MW turbines on 80 meter towers. Phase I of the project began commercial operation in 2006, with Phase II beginning commercial operation in late 2008.

In Ontario land use is controlled by the province through the *Planning Act, R.S.O. 1990, CHAPTER P.13*.

Municipalities control land use through their Official Plans and Zoning by-laws. However, the Government of Ontario passed the *Green Energy Act, 2009* with the result that land use control regarding wind turbines was taken away from municipalities on May 14, 2009. On October 1, 2009, set-back regulations for wind turbines were implemented by *Ontario Regulation 359/09*.

The Melancthon Wind Facility project began in 2005 and was not subject to the Green Energy Act, 2009 or the set-back regulations implemented by Ontario Regulation 359/09.

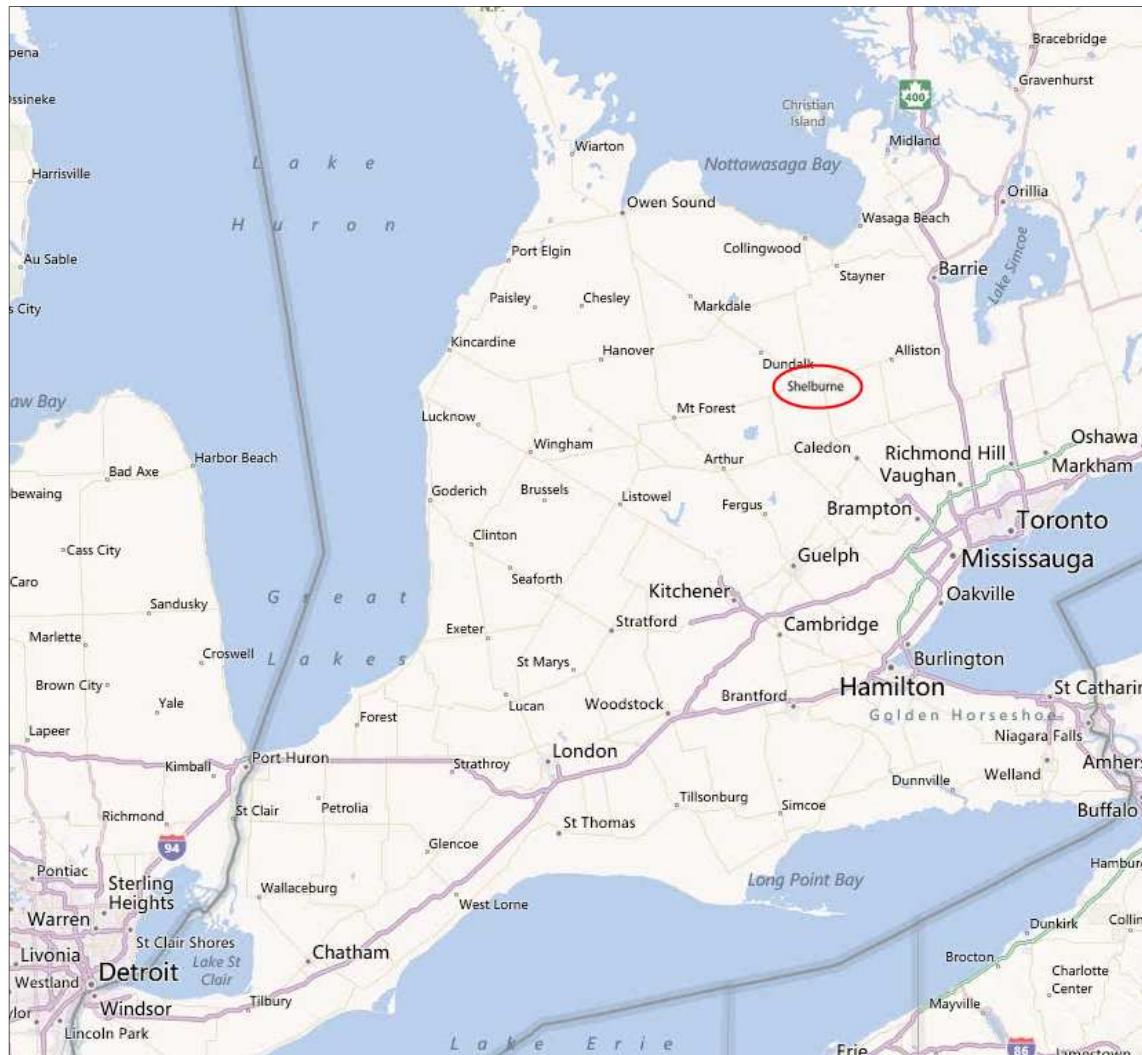
### Set-back Regulations for Wind Turbines in Ontario      550 Meters = 1,804.4 Feet

Item	Column 1	Column 2	Column 3
	Number of wind turbines calculated in accordance with subsection (2)	Sound power level of wind turbine (expressed in dBA)	Total distance from wind turbine to nearest noise receptor of the wind turbine (expressed in metres)
1.	1-5	102	550
		103 – 104	600
		105	850
		106 – 107	950
2.	6-10	102	650
		103 – 104	700
		105	1000
		106 – 107	1200
3.	11-25	102	750
		103 – 104	850
		105	1250
		106 – 107	1500

Source: [http://www.e-laws.gov.on.ca/html/source/regs/english/2009/elaws\\_src\\_regs\\_r09359\\_e.htm](http://www.e-laws.gov.on.ca/html/source/regs/english/2009/elaws_src_regs_r09359_e.htm)

## Location Map: Shelburne

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## CASE STUDY: Effects of a Wind Turbine Facility in Melancthon, Ontario

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In this case study, an analysis of Melancthon Township properties that sold on the open market during the period 2005 to September 2012 was carried out. A registry search (Ontario's digital registry system) produced several properties that sold in the area, however, for the purpose of this study only 'dwelling properties' with a lot area of between  $\frac{1}{2}$  acre and  $7\frac{1}{2}$  acres were analyzed. Farm properties were not included.

Canadian Hydro Developments, Inc. purchased five properties, during the 2005 – 2007 time period, and re-sold these properties during the 2009 – 2012 time period. None of the properties had a wind turbine erected on it. Registry facts and MLS® listings for these properties were obtained and the Melancthon Wind Facility and the five properties were inspected in September, 2012.

## **Open Market Median and Average Sold Prices 2005-2007**

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Did Canadian Hydro Developments, Inc. pay the fair market price?

The sellers may have filed complaints and/or claims that the noises from the turbines were a nuisance and Canadian Hydro Developments, Inc. may have either tried to do the right thing or did not want bad publicity, or both, and purchased the five properties at prices that were in line with market prices for non-turbine homes in the proximity. Other than possible losses and costs resulting from possible litigation, there appears to be no incentive for Canadian Hydro Developments, Inc. to purchase the properties as they were not required for the wind facility.

It is very unlikely that the purchaser, Canadian Hydro Developments, Inc, would give an “equity gift” to a seller which is what Canadian Hydro Developments, Inc. would be doing if it paid above the fair market price.

It is also reasonable to conclude that Canadian Hydro Developments, Inc., a wholly-owned subsidiary of the public company, TransAlta, would not want to be seen as “taking advantage” and would therefore pay the fair market price.

On the following pages, the sale price of twenty dwelling properties in the vicinity of the Melancthon Wind Facility were compared to the sale price of the four dwelling properties purchased by Canadian Hydro Developments Inc. The fifth property purchased by Canadian Hydro Developments Inc. was a farm and is not included in this Case Study.

The properties studied were grouped into the following example groups:

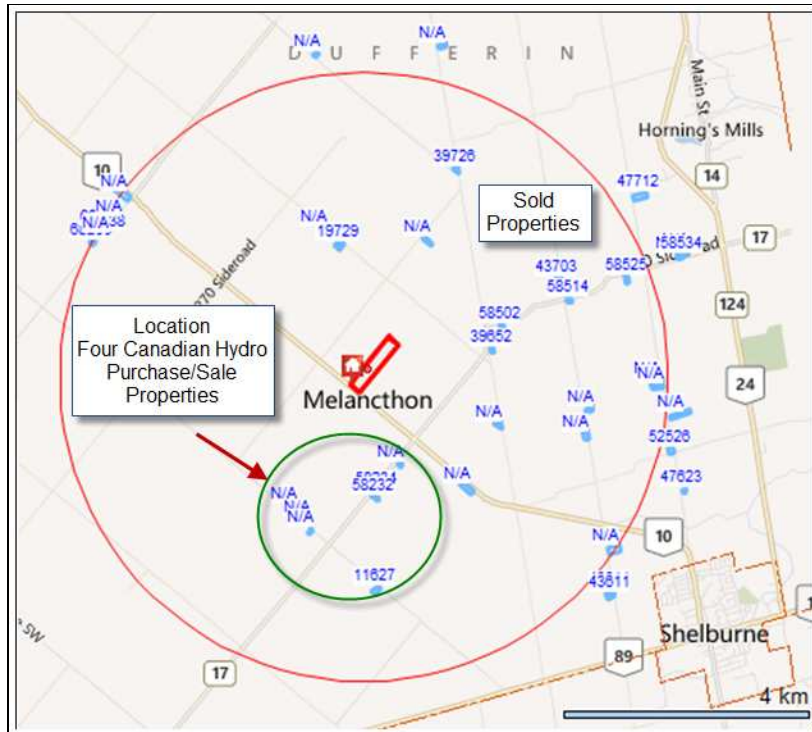
- Example Group A  
Dwelling properties listed on MLS® and sold in the open market between January 1, 2005 and December 31, 2007.
- Example Group B  
Dwelling Properties listed on MLS® and purchased by Canadian Hydro Developments, Inc. between January 1, 2005 and December 31, 2007 and subsequently re-sold.

The Open Market Sold Price is divided by the above-grade dwelling’s square footage, as provided by Municipal Property Assessment Corporation (MPAC), to obtain the dollar price per square foot. The prices are then compared to the dollar value per square foot paid by Canadian Hydro Developers, Inc.

Because the difference between the dollar price per square foot for all the properties is negligible, it is therefore concluded that each of the four properties purchased by Canadian Hydro Developments, Inc. was acquired at a fair open market price.

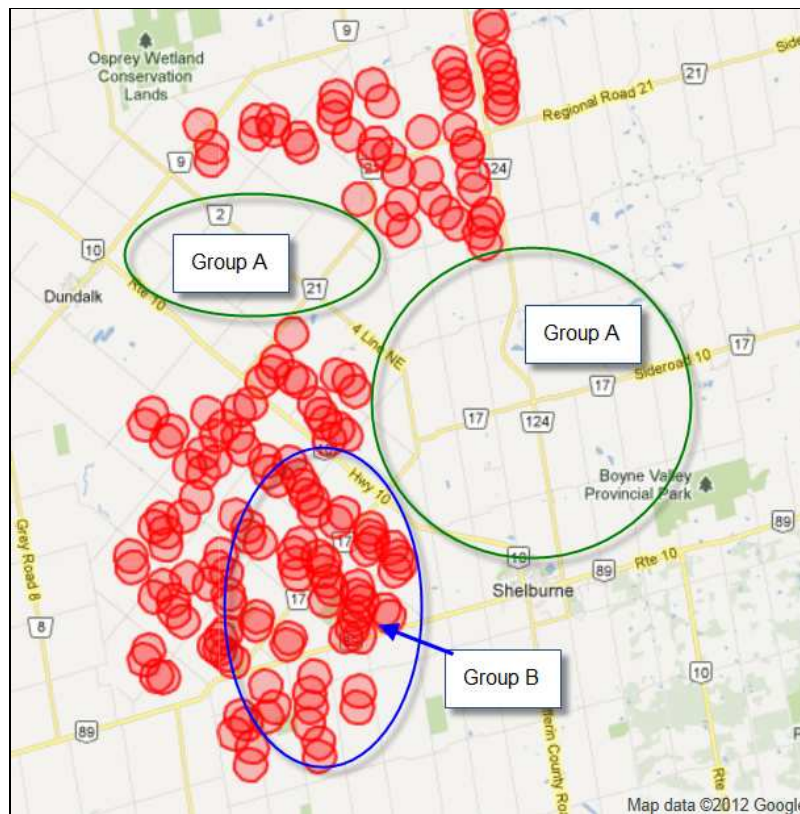


The following map indicates the approximate location of the properties analyzed.



Source: Ontario's Digital Registry System

The following Map indicates approximate Wind Turbine Locations



Source: <http://ontario-wind-turbines.org/owt-maps.html>

<b>GROUP A: Open Market Median and Average Sold Prices 2005-2007</b>						
<b>#</b>	<b>Roll Number</b>	<b>Melancthon Address</b>	<b>Date Sold</b>	<b>Sale Price</b>	<b>Dwelling Sq. Ft.</b>	<b>\$/Sq. Ft.</b>
1	2219000001253900000	ES Sideroad 280	Aug-05	\$295,000	1608	\$183.46
2	2219000004010500000	116278 2nd Line	Mar-06	\$400,000	2174	\$183.99
3	2219000006103250000	43611 4th Line	Apr-06	\$326,500	1710	\$190.94
4	2219000001192500000	585349 County Rd 17	Oct-06	\$270,000	1398	\$193.13
5	2219000005165400000	117093 2nd Line	Nov-06	\$335,000	1719	\$194.88
6	2219000006087200000	ES 4th Line	Apr-06	\$333,000	1694	\$196.58
7	2219000006076000000	525267 5th Sideroad	May-05	\$320,000	1592	\$201.01
8	2219000001278200000	397266 5th Line	Feb-06	\$315,000	1564	\$201.41
9	2219000005006050000	197300 2nd Line	Aug-06	\$306,604	1504	\$203.86
10	2219000005170030000	SS 2nd Line	Dec-07	\$285,500	1392	\$205.10
11	2219000006139000000	582400 County Rd 17	Sep-05	\$312,500	1508	\$207.23
12	2219000006077100000	WS 3rd Line	May-05	\$314,019	1500	\$209.35
13	2219000006158100000	396428 5th Line	Aug-07	\$399,900	1875	\$213.28
14	2219000006108500000	43636 4th Line	Feb-06	\$309,000	1424	\$216.99
15	2219000006061500000	47623 3rd Line	Nov-07	\$345,000	1545	\$223.30
16	2219000006113500000	39652 5th Line	Jul-07	\$409,000	1829	\$223.62
17	2219000001189200000	477125 3rd Line	Feb-07	\$315,000	1310	\$240.46
18	2219000006090100000	43617 4th Line	Feb-06	\$384,000	1567	\$245.05
19	2219000001217100000	437032 4th Line	Jun-06	\$348,000	1400	\$248.57
20	2219000006059200000	476353 3rd Line	May-06	\$334,900	1320	\$253.71
The twenty properties are located in Melancthon just northwest of Shelburne, mostly to the northeast and southeast of the wind turbines facility.				<b>MEDIAN</b>		<b>\$206.16</b>
				<b>AVERAGE</b>		<b>\$211.80</b>



<b>GROUP B: Purchaser is Canadian Hydro Developments, Inc. Median and Average Sold Prices 2005-2007</b>						
#	Roll Number	Melancthon Address	Date Sold	Sale Price	Dwelling Sq. Ft.	\$/Sq. Ft.
a	2219000006138500000	582340 County Rd 17	Aug-07	\$302,670	1539	\$196.67
b	2219000006138000000	582328 County Rd 17	Jun-05	\$299,000	1293	\$231.25
c	2208000003215800000	375557 6th Line	Nov-07	\$500,000	1887	\$264.97
d	2219000004018000000	504059 Highway 89	Jan-07	\$305,000	1800	\$169.44
These four properties are located south and southwest of the properties in Group A.				<b>MEDIAN</b>		<b>\$213.96</b>
				<b>AVERAGE</b>		<b>\$215.58</b>

Note: Market value is an estimate, price is an historical fact.

The Median and Average difference between the open market sold price and the Canadian Hydro Developments, Inc. sold price is minimal; therefore, it is reasonable to conclude each purchase by Canadian Hydro Developments, Inc. was at a fair open market price.

When Canadian Hydro Developments, Inc. resold each of the five properties covenants were included in the deed/transfer wherein the buyer waived rights to complain due to noise or other nuisance or living environment issues resulting from wind turbines situated on neighbouring lands.

Each transfer/deed included the following "Transfer of Easement in Gross" covenant:

*"free and unencumbered easement...over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated...within the Townships of Melancthon and Amaranth, in the County of Dufferin..."*

*"...The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for, of and from any of the Transferor's complaints, claims, demands, suits, actions, or causes of action of every kind known or unknown which may arise directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement"*

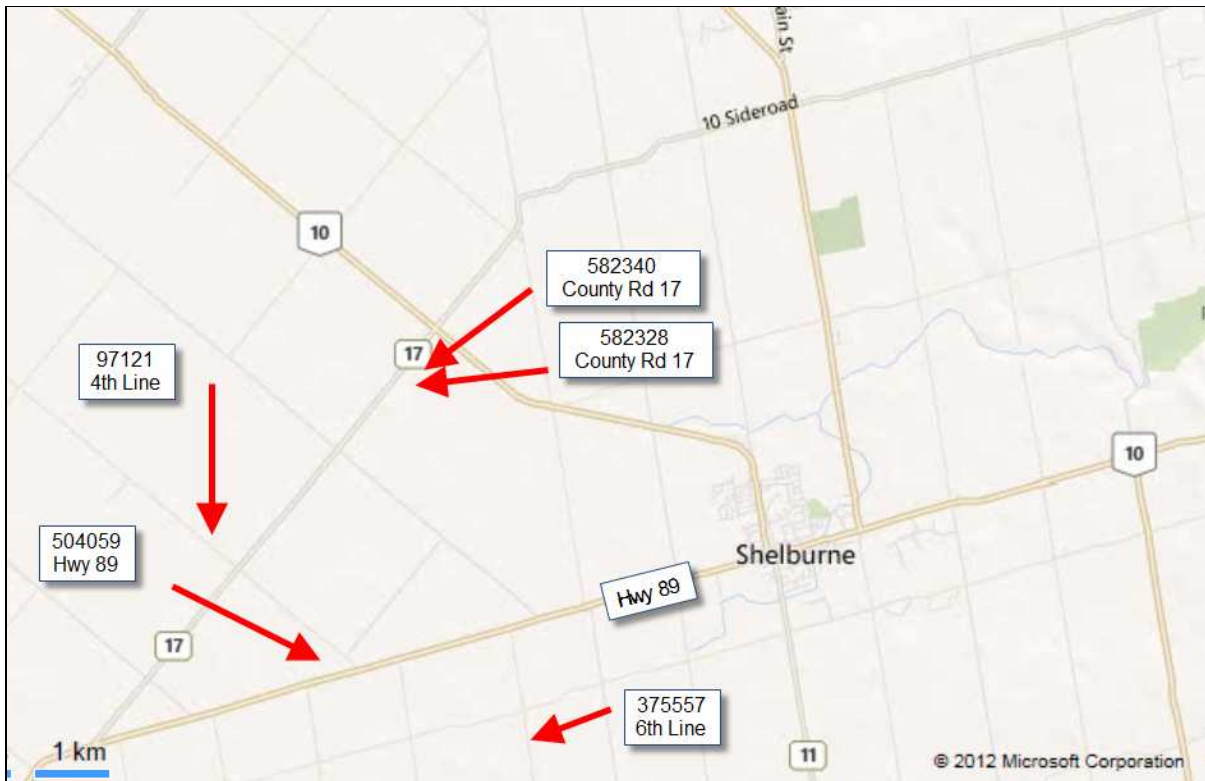
*"In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from any and all liabilities, claims, demands, costs and expenses arising from any direct, indirect or consequential damages arising out of a complaint, claim, action or cause of action initiated by the Transferor as against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands"*

Given that the buyers willingly signed the Transfer of Easement in Gross, the price reflects the fair market resale price.

## CASE STUDY – PURCHASES AND SALES

Having determined that the four properties in Group B were purchased and sold by Canadian Hydro Developments, Inc. at the fair market price, a further analysis was performed to determine whether or not these properties suffered a loss in value.

Each price was adjusted to reflect the passage of time as provided by the Canadian Real Estate Association based on the local real estate MLS® board.



Location of properties purchased and sold by Canadian Hydro Developments, Inc.

Sale and Resale, Property: 375557 6th Line, Amaranth		
The average Orangeville & District Real Estate Board Residential MLS® price November 2007 was \$276,285 and December 2009 when 375557 6th Line, Amaranth resold the average price was \$308,063 resulting in a Change of 11.5%.	Average Price November 2007	\$276,285
	Average Price December 2009	\$308,063
	\$Change	\$31,778
	%Change	11.50%
The property, 375557 6th Line, Amaranth, was purchased by Canadian Hydro Developers, Inc. in November 2007 for \$500,000 but would have resold December 2009 for \$557,509 as a result of the passage of time.	Actual Price November 2007	\$500,000
	%Change	11.50%
	\$Change	\$57,509
	Adjusted Price December 2009	\$557,509
However the Actual Price when the property resold to McDonald in December 2009 was \$288,400, a loss of -\$269,109.	Actual Price December 2009	\$288,400
	\$Difference	-\$269,109
Diminution in Value: -48.27%.	%Difference	<b>-48.27%</b>

This property did NOT have a wind turbine situated on its land. The closest wind turbine was on land situated across the road on land owned by a neighbour. Canadian Hydro Developers, Inc. listed the property on the MLS® system with Royal LePage RCR Realty. It was sold by Re-Max. The selling Realtor® Jerry Snel, was interviewed on January 18, 2012 at 11:30am by Ben Lansink. Mr. Snel estimated the turbine was about 1,000 feet from the dwelling located at 375557 6<sup>th</sup> Line and he stated:

*‘...when standing next to the house the noise from the turbine was very loud, like the sound of a aircraft...’.*

Distances from wind turbines to 375557 6<sup>th</sup> Line, Amaranth



Source: [www.bing.com](http://www.bing.com)



Source: Ben Lansink



Date Listed:	<b>October 27, 2009</b>
Date Sold:	<b>November 12, 2009</b>
Marketing Time:	<b>16 days</b>
Marketing Method:	<b>MLS</b>
Seller:	<b>Canadian Hydro Developers, Inc</b>
Buyer:	<b>McDonald</b>
Lot Area:	<b>1.884 Acres</b>

The 1.884 acre site with 269.01 front feet is improved with a detached 1.5 storey building designed and constructed to house a three bedroom dwelling. MLS states the main floor has a kitchen, living room, and dining room and the second floor has three bedrooms. There are granite counter tops, ceramic floor with walk out to deck and private backyard, new electric furnace, hardwood floors in living room, new carpet upstairs, and up-graded bathrooms. MLS also states located in area of wind turbines, hydro clause to be inserted with all offers.

The property is located on the east side of 6th Line south of Highway 89 in a rural residential and agriculture neighbourhood. Previously sold November 2007 for \$500,000, buyer Canadian Hydro Developers, Inc. Dwelling is about 2,531 feet, and 2,678 feet from two Industrial Wind Turbines.

Sale Price: <b>\$ 288,400</b>
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Land Registry Information - PIN: 340550033				 <a href="#">Print</a> <a href="#">Store</a> <a href="#">Parcel Register</a>	
Address:	N/A				
Municipality:	AMARANTH	LRO:	07	Area:	7,624 m2
Land Registry Status:	ACTIVE	Registration Type:	LT	Perimeter:	350 m
Description:	PT LT 29, CON 5, PT 1, 7R787 ; AMARANTH				
Party To:	MCDONALD, MALCOLM KEITH;				
Assessment Information					
Assessment Roll Number	220800000321580		<a href="#">Store</a> <a href="#">Assessment Reports</a>		
2011 Tax Year, Phased In Assessment:	\$283,500	Depth:	0.00 F	Frontage:	269.01 F
Assessed Value based on January 1, 2008:	\$293,000	Property Type:	301 Single-family detached (not on water)		
Sales History Information					
DATE:	TYPE:	AMOUNT:			
12/01/2009	T	\$288,400			
PARTY TO:	MCDONALD, MALCOLM KEITH;				
11/15/2007	T	\$500,000			
PARTY TO:	CANADIAN HYDRO DEVELOPERS, INC.;				
07/20/1998	T	\$184,377			
PARTY TO:	BROWNELL, ROY; BROWNELL, TERESA;				
05/15/1984	T	\$2			
PARTY TO:	DARCH, KENNETH J.; DARCH, SANDRA A.;				

Source: GeoWarehouseTM, Ontario's Land Registry System

Property Address	375557 6TH LINE
Roll Number	2208000003215800000
Legal Description	CON 5 W PT LOT 29 RP 7R787 PART 1
Property Code & Description	301 - Single-Family Detached (Not On Water)
Assessed Value*	\$ 293,000
2011 Taxation Year Phased-In Assessment**	\$ 283,500
Year Built	1988
Frontage	269.01
Depth	-
Site Area	1.88 A
Last Sale Date	2009/12
Last Sale Amount	\$ 288,400
* NOTE: Assessed Value in this report is based on a January 1, 2008 Valuation Date and reflects the value returned to the municipality on the 2010 Assessment Roll for the 2011 taxation year. For more information regarding Assessment Updates visit <a href="http://www.mpac.ca">www.mpac.ca</a> and click on "About MPAC".	

Source: Municipal Property Assessment Corporation (MPAC)



**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 34055 – 0033 PT LT 29, CON 5, PT 1, 7R787 ; AMARANTH

BY: BROWNELL, ROY  
BROWNELL, TERESA

TO: CANADIAN HYDRO DEVELOPERS, INC.

Registered Owner

**1. JOHN D. KEATING AND KENT E. BROWN**

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_\_ described in paragraph(s) ( ) above.
- ☒ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for CANADIAN HYDRO DEVELOPERS, INC. described in paragraph(s) (c) above.
- ☐ (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.

**2. I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land being conveyed herein:**

contains at least one and not more than two single family residences.

**3. The total consideration for this transaction is allocated as follows:**

(a) Monies paid or to be paid in cash	500,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	500,000.00
(h) VALUE OF ALL CHATTELS – items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	500,000.00

**PROPERTY Information Record**

A. Nature of Instrument: Transfer  
LRO 7 Registration No. DC81185 Date: 2007/11/15

B. Property(s): PIN 34055 – 0033 Address AMARANTH Assessment 2208000 – 00321580  
Roll No

C. Address for Service: Suite 500  
1324–17 Avenue Southwest  
Calgary, Alberta  
T2T 5S8


D. (i) Last Conveyance(s): PIN 34055 – 0033 Registration No. LTD11172  
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☒ No ☐ Not known ☐

E. Tax Statements Prepared By: Terrance Steven Carter  
211 Broadway St.  
Orangeville L9W 1K4

Source: Deed DC81185

## ID 15797 – 375557 6<sup>th</sup> Line, Amaranth

MLS® dated Oct 27, 2009 listed for \$288,400, Sold Nov 12, 2009 for \$288,400.

	<b>375557 6th Line</b> Amaranth, Ontario Xxxxxx Dufferin Rural Amaranth Pt Lot 29, Con 5 Designated As Pt 1 On Pl 7R787 SPIS: N -- DOM: 16 Taxes: \$0/2009		<b>Sold: \$288,400</b> <b>List: \$288,400</b> 100 % List <b>Last Status: Sld</b>																																			
	Detached Fronting On: W 1 1/2 Storey Acreage: Dir/Cross St: Hwy#10/20Thsdrd/North On 6th Lot: 269.01X0 Feet Irreg:		Rooms: 6 Bedrooms: 3 Washrooms: 2 1x4, 1x2																																			
MLS#: X1731215 PIN#:		Seller: Canadian Hydro Developers Contact After Exp: N Holdover: 90 Occupancy: Vacant																																				
Kitchens: 1 Fam Rm: N Basement: Unfinished Fireplace/Stv: Y Central Vac: Heat: Electric Forced Air A/C: Apx Age: Apx Sqft: Assessment: Addl Mo Fee: Elev/Lift: Laundry Lev: Phys Hdcap-Equip:	Exterior: Wood Drive: Lane GarType/Spaces: None/0 Parking Spaces: 6 UFFI: Pool: None Energy Cert: Cert Level: GreenPIS:	Zoning: Cable TV: N Hydro: Y Gas: N Phone: Y Water: Well Water Supply: Sewers: Septic Spec Desig: Unknown Farm/Agr: Waterfront: Retirement:																																				
<table border="1"> <thead> <tr> <th># Room</th> <th>Level</th> <th colspan="2">Dimensions (m)</th> <th></th> </tr> </thead> <tbody> <tr> <td>1 Kitchen</td> <td>Main</td> <td>3.17 x</td> <td>9.35</td> <td>Granite Counter</td> </tr> <tr> <td>2 Living</td> <td>Main</td> <td>5.00 x</td> <td>4.10</td> <td>Hardwood Floor</td> </tr> <tr> <td>3 Dining</td> <td>Main</td> <td>4.09 x</td> <td>4.08</td> <td>Parquet Floor</td> </tr> <tr> <td>4 Master</td> <td>2nd</td> <td>4.97 x</td> <td>4.11</td> <td>Irregular Rm</td> </tr> <tr> <td>5 2nd Br</td> <td>2nd</td> <td>4.09 x</td> <td>3.04</td> <td>Broadloom</td> </tr> <tr> <td>6 3rd Br</td> <td>2nd</td> <td>4.09 x</td> <td>3.04</td> <td></td> </tr> </tbody> </table>				# Room	Level	Dimensions (m)			1 Kitchen	Main	3.17 x	9.35	Granite Counter	2 Living	Main	5.00 x	4.10	Hardwood Floor	3 Dining	Main	4.09 x	4.08	Parquet Floor	4 Master	2nd	4.97 x	4.11	Irregular Rm	5 2nd Br	2nd	4.09 x	3.04	Broadloom	6 3rd Br	2nd	4.09 x	3.04	
# Room	Level	Dimensions (m)																																				
1 Kitchen	Main	3.17 x	9.35	Granite Counter																																		
2 Living	Main	5.00 x	4.10	Hardwood Floor																																		
3 Dining	Main	4.09 x	4.08	Parquet Floor																																		
4 Master	2nd	4.97 x	4.11	Irregular Rm																																		
5 2nd Br	2nd	4.09 x	3.04	Broadloom																																		
6 3rd Br	2nd	4.09 x	3.04																																			
<b>Remarks For Clients:</b> A Cape Cod Style 1 1/2 Storey Home Situated On Private Setting. Nice Home With Little Work To Finish Off & You Have A Great House. Kitchen Offers Granite Counter Tops, Ceramic Floor & W/O To Deck And Private Backyard. New Electric Furnace. Freshly Painted Throughout. Hardwood Floors In Living Room. Up-Graded Bathrooms. New Carpet Upstairs. <b>Extras:</b> All Measurements To Be Verified By Buyer. Lot Size Frontage Is 269.01 X (Depth Is N/A). <b>Remarks for Brokerages:</b> Located In Area Of Wind Turbines. Hydro Clause To Be Inserted With All Offers Is Located Under Schedules In Fax Documents Under Schedule B. Incl: Washer & Dryer, Fridge, Stove, B/I Microwave, B/I Dishwasher.(As Is)																																						
<b>Mortgage Comments:</b>																																						
<b>List:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432 FRANK GRAY JR., Salesperson 519-941-5151 905-450-3355 Co-Op: RE/MAX REAL ESTATE CENTRE INC., BROKERAGE CB Comm: 2.5% Jerry Snel, Broker Contract Date: 10/27/2009 Sold Date: 11/12/2009 Leased Terms: Expiry Date: 1/29/2010 Closing Date: 12/1/2009 Original Price: \$288,400 Last Update: 11/12/2009																																						

Source: Toronto Real Estate Board

LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34055 – 0033 PT LT 29, CON 5, PT 1, 7R787 ; AMARANTH	
BY: CANADIAN HYDRO DEVELOPERS, INC.	
TO: MCDONALD, MALCOLM KEITH	Registered Owner
1. MCDONALD, MALCOLM KEITH	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input checked="" type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposited to.	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	288,400.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	288,400.00
(h) VALUE OF ALL CHATTELS – items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	288,400.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
	LRO 7 Registration No. DC105170 Date: 2009/12/01
B. Property(s):	PIN 34055 – 0033 Address 375557 6TH LINE AMARANTH Assessment 2208000 – Roll No 003215800000
C. Address for Service:	375557 6TH LINE AMARANTH R.R. #1 SHELBURNE, ONTARIO L0N 1S5
D. (i) Last Conveyance(s):	PIN 34055 – 0033 Registration No. DC81185
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Wayne Douglas Ball 20 First St. Orangeville L9W 2C7

Source: Deed DC105170

Notice from Canadian Hydro Developers, Inc.  
to  
Malcolm Keith McDonald

LRO # 7    **Notice**

Registered as DC105449 on 2009 12 09 at 14:48

*The applicant(s) hereby applies to the Land Registrar.*

yyyy mm dd    Page 1 of 4

**Properties**

**PIN**                34055 – 0033    LT  
**Description**    PT LT 29, CON 5, PT 1, 7R787 ; AMARANTH  
**Address**         375557 6TH LINE  
                         AMARANTH

**Consideration**

**Consideration**    \$2.00

**Applicant(s)**

The notice is based on or affects a valid and existing estate, right, interest or equity in land

**Name**                CANADIAN HYDRO DEVELOPERS, INC.  
**Address for Service**    500 – 1324 17th Avenue Southwest  
                         Calgary, Alberta  
                         T2T 5S8

I, KEITH O'REGAN, CHIEF OPERATING OFFICER, have the authority to bind the corporation.  
This document is not authorized under Power of Attorney by this party.

**Party To(s)**

*Capacity*

*Share*

**Name**                MCDONALD, MALCOLM KEITH  
**Address for Service**    375557 6th LINE AMARANTH  
                         R.R. #1  
                         SHELBURNE, ONTARIO  
                         L0N 1S5

This document is not authorized under Power of Attorney by this party.

**Statements**

This notice is pursuant to Section 71 of the Land Titles Act.  
This notice is for an indeterminate period  
Schedule: See Schedules

Source: Deed DC105449



Attachment to Notice:

*Appendix A, Bulletin 96001*

***Land Titles Act***  
**Application to register Notice of an unregistered estate, right, interest or equity**  
**Section 71 of the Act**

To: The Land Registrar for the Land Titles Division of Dufferin County

I, Nancy Elizabeth Claridge, am the solicitor for the Canadian Hydro Developers, Inc.

I confirm that the applicants have an unregistered estate, right or interest in the land described as Part Lot 29, Concession 5, being Part 1 on 7R787, in the Township of Amaranth, County of Dufferin [PIN 34055-0033 (LT)].

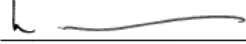
The land is registered in the name of Malcolm Keith McDonald, and I hereby apply under section 71 of the *Land Titles Act* for the entry of a Notice in the register for the said parcel.

This notice will be effective for an indeterminate time.

The address for service of the applicants is:

500 – 1324 17<sup>th</sup> Avenue Southwest  
Calgary, Alberta  
T2T 5S8

Dated: December 9, 2009

  
Signature of the solicitor for the applicant

**SCHEDULE**

**TRANSFER OF EASEMENT IN GROSS**

**Transferor:** Malcolm Keith McDonald  
**Transferee:** Canadian Hydro Developers, Inc.  
**Re:** Part Lot 29, Concession 5, Part 1 on Plan 7R787, Amaranth (PIN: 34055-0033 (LT))

The Transferor hereby transfers, sells, grants, and conveys to the Transferee, to use and enjoy for the benefit of the Transferee, the right, liberty, privilege, and free and unencumbered easement (hereinafter "Easement") in perpetuity commencing on the date hereof, over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated on the Transferee's leasehold interests located within the Townships of Melancthon and Amaranth, in the County of Dufferin, for the Transferee's Melancthon EcoPower Centre, which shall include but not be limited to any and all options to lease and lease agreements and any renewals, extensions, amendments or replacements thereof, in any abutting, adjoining, neighbouring or other lands (hereinafter, collectively, the 'Leasehold Lands'). The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for, of and from any of the Transferor's complaints, claims, demands, suits, actions, or causes of action of every kind known or unknown which may arise directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement. In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from any and all liabilities, claims, demands, costs and expenses arising from any direct, indirect or consequential damages arising out of a complaint, claim, action or cause of action initiated by the Transferor as against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands.

This Easement and all acknowledgements contained herein shall enure to the benefit of and be binding upon the Transferor and Transferee and their respective heirs, executors, successors, servants, agents and assigns, as the case may be. This Easement will also be registered on title and shall remain with the Transferor's Lands.

This is an easement in gross.

Source: Attachment to Deed DC105449

<b>Sale and Resale, Property: 97121 4th Line, Melancthon</b>		
The average Orangeville & District Real Estate Board Residential MLS® price October 2007 was \$291,323 and November 2010 when 97121 4th Line, Melancthon resold the average price was \$351,479 resulting in a Change of 20.65%.	Average Price October 2007	\$291,323
	Average Price November 2010	\$351,479
	\$Change	\$60,156
	%Change	20.65%
The property, 97121 4th Line, Melancthon, was purchased by Canadian Hydro Developers, Inc. in October 2007 for \$350,000 but would have resold November 2010 for \$422,272 as a result of the passage of time.	Actual Price October 2007	\$350,000
	%Change	20.65%
	\$Change	\$72,272
	Adjusted Price November 2010	\$422,272
However the Actual Price when the property resold to Bal Farms Ltd in November 2010 was \$175,000, a loss of -\$247,272.	Actual Price November 2010	\$175,000
	\$Difference	-\$247,272
Diminution in Value: -58.56%.	%Difference	<b>-58.56%</b>

Distance from Dwelling to Industrial Wind Turbines:



Map Source: Bing, Illustrations by Lansink Appraisals

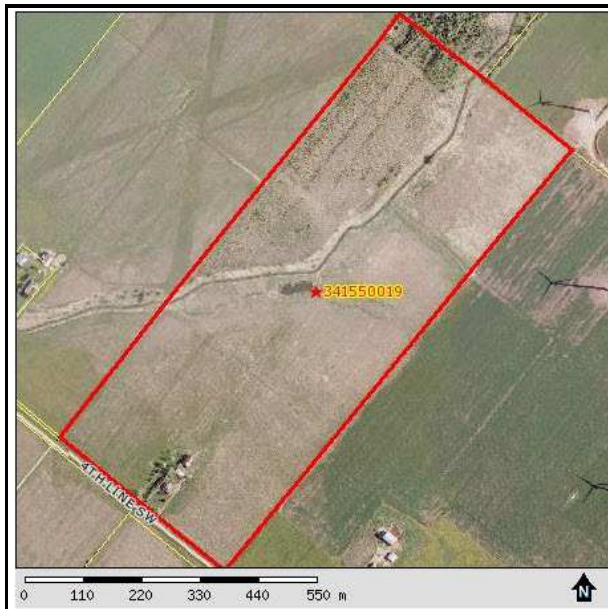


Source: Ben Lansink





Date Listed: **August 1, 2010**  
Date Sold: **September 16, 2010**  
Marketing Time: **46 days**  
Marketing Method: **MLS**  
Seller: **Canadian Hydro Developers, Inc**  
Buyer: **Bal Farms Ltd**  
Lot Area: **100.490 Acres**



The 100.490 acre site was improved with a dwelling and Quonset building when sold October 2007 for \$350,000, buyer Canadian Hydro Developers Inc. The County of Dufferin advises a demolition permit was issued to Canadian Hydro Developers Inc. September 18, 2008. The property resold as vacant land September 2010 for \$175,000. 2010 MLS states Noise Easement Clause must be inserted in all offers.

The property is located on the east side of 4th Line north of County Road 17 in a rural agriculture neighbourhood. Dwelling is about 1,902 feet from an Industrial Wind Turbine.

Sale Price:  
**\$ 175,000**

Land Registry Information - PIN: 341550019				<a href="#">Print</a> <a href="#">Store</a> <a href="#">Parcel Register</a>	
Address:	N/A				
Municipality:	MELANCTHON	LRO:	07	Area:	406,668 m2
Land Registry Status:	ACTIVE	Registration Type:	LT	Perimeter:	2,836 m
Description:	PT LTS 284 & 285, CON 4 SWTS AS IN MF163913 ; MELANCTHON				
Party To:	BAL FARMS LTD.;				
Assessment Information					
Assessment Roll Number	221900000521900				<a href="#">Store</a> <a href="#">Assessment Reports</a>
2011 Tax Year, Phased In Assessment:	\$184,167	Depth:	0.00 F	Frontage:	0.00 F
Assessed Value based on January 1, 2008:	\$195,000	Property Type:	100 Vacant residential land not on water		
Sales History Information					
DATE:	TYPE:	AMOUNT:			
11/12/2010	T	\$175,000			
PARTY TO:	BAL FARMS LTD.;				
10/30/2007	T	\$350,000			
PARTY TO:	CANADIAN HYDRO DEVELOPERS, INC.;				
12/09/1988	T	\$85,000			
PARTY TO:	BENVENETE, WALTER MARK;				


Source: GeoWarehouseTM, Ontario's Land Registry System

Property Address	97121 4TH LINE SW
Roll Number	2219000005219000000
Legal Description	CON 4 SW PT LOT 284 TO 285
Property Code & Description	261 - Land Owned By A Non-Farmer Improved With A Non-Farm Residence With A Portion Being Farmed
Assessed Value*	\$ 195,000
2011 Taxation Year Phased-In Assessment**	\$ 184,167
Year Built	1976
Frontage	-
Depth	-
Site Area	99.5 A
Last Sale Date	2010/11
Last Sale Amount	\$ 175,000
* NOTE: Assessed Value in this report is based on a January 1, 2008 Valuation Date and reflects the value returned to the municipality on the 2010 Assessment Roll for the 2011 taxation year. For more information regarding Assessment Updates visit <a href="http://www.mpac.ca">www.mpac.ca</a> and click on "About MPAC".	

Source: Municipal Property Assessment Corporation (MPAC)

## ID 15798 – 97121 4<sup>th</sup> Line, Melancthon

MLS® dated July 14, 2007 for \$365,000, Sold Oct 29, 2007 for \$350,000.

	<b>097121 4th Line S</b>		<b>Sold: \$350,000</b>
	Melancthon, Ontario N0C1B0 Dufferin Rural Melancthon		<b>List: \$365,000</b>
Con 4 Pt Lt 284 To 285		96 % List	
SPIS: Y --	DOM: 107	Taxes: \$2,024.74/2006	<b>Last Status: Sld</b>
Farm		Fronting On: E	Rooms: 13
2-Storey		Acreage: 50-99.99	Bedrooms: 4
Dir/Cross St: Dufferin Rd 17 & C 4			Washrooms: 2
Lot: 99.5X0 Acres Irreg:			1x4, 1x2
MLS#: X1185958		Seller: Walter Mark Benvenete	Contact After Exp: N
PIN#:			Holdover: 90
			Occupancy: Owner
Kitchens: 1	Exterior: Wood	Zoning:	
Fam Rm: Y	Drive: Private	Cable TV: N	Hydro: Y
Basement: Part Bsmt	GarType/Spaces: None/0	Gas: N	Phone: Y
Unfinished	Parking Spaces: 15	Water: Well	
Fireplace/Stv: Y Central Vac:	UFFI:	Water Supply: Drilled Well	
Heat: Electric	Pool: None	Sewers: Septic	
Baseboard	Lake/Pond	Spec Desig: Unknown	
A/C:	Level	Farm/Agr: Hobby	
Apx Age: 100+	Golf	Waterfront:	
Apx Sqft: 3500-5000	Rec Centre	Retirement:	Drive Shed
Assessment:	Energy Cert:		
Addl Mo Fee:	Cert Level:		
Elev/Lift:	GreenPIS:		
Laundry Lev:			
Phys Hdcap-Equip:			
<b># Room</b>	<b>Level</b>	<b>Dimensions (m)</b>	
1 Living	Main	6.27 x 3.63	
2 Kitchen	Main	7.55 x 3.96	Combined W/Kitchen
3 Master	2nd	3.00 x 4.52	
4 2nd Br	2nd	3.23 x 3.50	
5 3rd Br	Main	1.62 x 1.98	
6 4th Br	2nd	3.27 x 2.82	
7 Family	Main	6.75 x 11.43	
8 Laundry	Main	3.20 x 2.51	
9 Family	Main	2.54 x 3.60	
<b>Remarks For Clients:</b> 99.5 Acres Mostly Tillable Of Loam Soil That Can Be Certified Organic, Large Spring Fed Pond That Is Excellent For Swimming, Fish Pond Or For Use As A Irrigation Source. The Large 3500 Sq. Ft. 2 Storey Home Has A Newer Addition, Large Principal Rooms & Family Room.			
<b>Extras:</b> Also Present Is A Large Quonset Building 40' X 60' For Storage. The Property Is Located Only Minutes For Shelburne In The Heart Of Wind Farms.			
<b>Mortgage Comments:</b> Treat As Clear At Seller's Request			
<b>List:</b> RE/MAX HIGH COUNTRY REALTY INC., BROKERAGE 519-924-3513 Fax: 519-924-3838			
JEAN E. BOYNTON, Broker of Record 519-924-3513; GLENN RICHARD BOYNTON, Salesperson 519-924-3513			
<b>Co-Op:</b> RE/MAX HIGH COUNTRY REALTY INC., BROKERAGE CB Comm: 2.5%			
Jean E. Boynton, Broker Of Record			
<b>Contract Date:</b> 7/14/2007	<b>Sold Date:</b> 10/29/2007	<b>Leased Terms:</b>	
<b>Expiry Date:</b> 10/30/2007	<b>Closing Date:</b> 10/31/2007	<b>Original Price:</b> \$365,000	
<b>Last Update:</b> 10/29/2007			

Source: Toronto Real Estate Board




LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34155 – 0019 PT LTS 284 & 285, CON 4 SWTS AS IN MF163913 ; MELANCTHON ; SUBJECT TO EXECUTION 95-0014, IF ENFORCEABLE. ; SUBJECT TO EXECUTION 97-0097, IF ENFORCEABLE. ;	
BY:	BENVENETE, WALTER MARK
TO:	CANADIAN HYDRO DEVELOPERS, INC
1. JOHN D. KEATING AND KENT E. BROWN	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input checked="" type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for CANADIAN HYDRO DEVELOPERS, INC. described in paragraph(s) (c) above. <input type="checkbox"/> (f) A transferee described in paragraph() and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to.	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	350,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	350,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	350,000.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
	LRO 7 Registration No. DC80536 Date: 2007/10/30
B. Property(s):	PIN 34155 – 0019 Address MELANCTHON Assessment 2219000 – 00521900 Roll No
C. Address for Service:	Suite 500 1324 17th Avenue Southwest Calgary, Alberta T2T 5S8
D. (i) Last Conveyance(s):	PIN 34155 – 0019 Registration No. MF163913
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Terrance Steven Carter 211 Broadway St. Orangeville L9W 1K4

Source: Deed DC80536

## ID 15798 – 97121 4<sup>th</sup> Line, Melancthon

MLS® dated Aug 1, 2010, listed for \$199,000, Sold Sep 16, 2010 for \$175,000.

	<b>97121 Fourth Line</b> Melancthon, Ontario Xxxxxx Dufferin Rural Melancthon Pt Lts 284 & 285, Con 4 Swts As In Mf163913 SPIS: N -- DOM: 46 Taxes: \$0/2010		<b>Sold: \$175,000</b> <b>List: \$199,000</b> 88 % List <b>Last Status: Sld</b>																			
	Vacant Land Dir/Cross St: Hwy #89/ 17/ 4th Line Sw Lot: 100X0 Acres Irreg:		Fronting On: E Acreage: 100+ Rooms: Bedrooms: Washrooms: 0																			
MLS#: X1931295 PIN#:		Seller: Transalta Contact After Exp: N Holdover: 90 Occupancy: Vacant																				
Kitchens: Fam Rm: Basement:  Fireplace/Stv: Central Vac: Heat:  A/C: Apx Age: Apx Sqft: Assessment: Addl Mo Fee: Elev/Lift: Laundry Lev: Phys Hdcap-Equip:	Exterior:  Drive: GarType/Spaces: Parking Spaces: UFFI: Pool: Energy Cert: Cert Level: GreenPIS:	Zoning: Rural Residential Cable TV: N Hydro: N Gas: N Phone: N Water: None Water Supply: Sewers: None Spec Desig: Unknown Farm/Agr: Waterfront: None Retirement:																				
<table border="1"> <thead> <tr> <th># Room</th> <th>Level</th> <th>Dimensions (m)</th> </tr> </thead> <tbody> <tr> <td colspan="3"> <b>Remarks For Clients:</b> 100 Acres. Just Ne Of Hwy#89 Off 17 On The 4th Line Sw. Surrounding Farms Are Used For Potatoes &amp; Cash Crop.         </td> </tr> <tr> <td colspan="3"> <b>Remarks for Brokerages:</b> Noise Easement Clause Must Be Inserted In All Offers, Located In Faxable Documents Under Other Property Information.         </td> </tr> <tr> <td colspan="3"> <b>Mortgage Comments:</b> </td> </tr> <tr> <td colspan="3"> <b>List:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432            FRANK GRAY JR., Salesperson 519-941-5151 905-450-3355  <b>Co-Op:</b> COUNTRY LIVING REALTY LIMITED, BROKERAGE CB Comm: 2.5%            Ido P Visentin, Salesperson         </td> </tr> <tr> <td colspan="2"> <b>Contract Date:</b> 8/1/2010  <b>Expiry Date:</b> 12/17/2010  <b>Last Update:</b> 10/1/2010         </td> <td colspan="2"> <b>Sold Date:</b> 9/16/2010  <b>Closing Date:</b> 11/12/2010    <b>Leased Terms:</b>  <b>Original Price:</b> \$199,000         </td> </tr> </tbody> </table>				# Room	Level	Dimensions (m)	<b>Remarks For Clients:</b> 100 Acres. Just Ne Of Hwy#89 Off 17 On The 4th Line Sw. Surrounding Farms Are Used For Potatoes & Cash Crop.			<b>Remarks for Brokerages:</b> Noise Easement Clause Must Be Inserted In All Offers, Located In Faxable Documents Under Other Property Information.			<b>Mortgage Comments:</b>			<b>List:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432 FRANK GRAY JR., Salesperson 519-941-5151 905-450-3355 <b>Co-Op:</b> COUNTRY LIVING REALTY LIMITED, BROKERAGE CB Comm: 2.5% Ido P Visentin, Salesperson			<b>Contract Date:</b> 8/1/2010 <b>Expiry Date:</b> 12/17/2010 <b>Last Update:</b> 10/1/2010		<b>Sold Date:</b> 9/16/2010 <b>Closing Date:</b> 11/12/2010  <b>Leased Terms:</b> <b>Original Price:</b> \$199,000	
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<b>Contract Date:</b> 8/1/2010 <b>Expiry Date:</b> 12/17/2010 <b>Last Update:</b> 10/1/2010		<b>Sold Date:</b> 9/16/2010 <b>Closing Date:</b> 11/12/2010  <b>Leased Terms:</b> <b>Original Price:</b> \$199,000																				

Source: Toronto Real Estate Board

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 34155 – 0019 PT LTS 284 &amp; 285, CON 4 SWTS AS IN MF163913 ; MELANCTHON

BY: CANADIAN HYDRO DEVELOPERS, INC.

TO: BAL FARMS LTD.

Registered Owner

## 1. BALJIT SINGH

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_\_ described in paragraph(s) ( ) above.
- ☒ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for BAL FARMS LTD. described in paragraph(s) (c) above.
- ☐ (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposited to.

## 3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	175,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	175,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	175,000.00

**PROPERTY Information Record**

A. Nature of Instrument: Transfer  
LRO 7 Registration No. DC115539 Date: 2010/11/12

B. Property(s): PIN 34155 – 0019 Address MELANCTHON Assessment 2219000 –  
Roll No 005219000000

C. Address for Service: 40 HOTSPRING ROAD  
BRAMPTON, ONTARIO  
L6R 3H9

D. (i) Last Conveyance(s): PIN 34155 – 0019 Registration No. DC80536  
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☒ No ☐ Not known ☐

E. Tax Statements Prepared By: Andrew John Osyany  
155 Main St P.O. Box 780  
Shelburne L0N 1S0

Source: Deed DC115539

Notice from Canadian Hydro Developers, Inc  
To Bal Farms Ltd

LRO # 7 <b>Notice</b>	Registered as DC115540 on 2010 11 12 at 13:08		
<i>The applicant(s) hereby applies to the Land Registrar.</i>			
yyyy mm dd    Page 1 of 4			
<b>Properties</b>			
PIN	34155 – 0019 LT		
Description	PT LTS 284 & 285, CON 4 SWTS AS IN MF163913 ; MELANCTHON		
Address	MELANCTHON		
<b>Consideration</b>			
Consideration	\$0.00		
<b>Applicant(s)</b>			
The notice is based on or affects a valid and existing estate, right, interest or equity in land			
Name	CANADIAN HYDRO DEVELOPERS, INC.		
Address for Service	C/O TRANS ALTA CORPORATION BOX 1900, STATION M 110 – 12TH AVENUE S.W. CALGARY, ALBERTA T2P 2M1		
I, BRETT GELLNER and KEN STICKLAND, have the authority to bind the corporation. This document is not authorized under Power of Attorney by this party.			
<b>Party To(s)</b>			
Name	BAL FARMS LTD.		
Address for Service	40 HOTSPRING ROAD BRAMPTON, ONTARIO L6R 3H9		
I, BALJIT SINGH, have the authority to bind the corporation This document is not authorized under Power of Attorney by this party.			
<b>Statements</b>			
This notice is pursuant to Section 71 of the Land Titles Act.			
This notice is for an indeterminate period			
Schedule: See Schedules			
<b>Signed By</b>			
Nancy Elizabeth Claridge	211 Broadway St. Orangeville L9W 1K4	acting for Applicant(s)	Signed    2010 11 12
Tel	5199420001		
Fax	5199420300		
I have the authority to sign and register the document on behalf of the Applicant(s).			
<b>Submitted By</b>			
CARTERS PROFESSIONAL CORPORATION	211 Broadway St. Orangeville L9W 1K4	2010 11 12	
Tel	5199420001		
Fax	5199420300		

Source: Deed DC115540



Attachment to Notice:

*Appendix A, Bulletin 96001*

**Land Titles Act**  
**Application to register Notice of an unregistered estate, right, interest or equity**  
**Section 71 of the Act**

To: The Land Registrar for the Land Titles Division of Dufferin County

I, Nancy Elizabeth Claridge, am the solicitor for the Canadian Hydro Developers, Inc.

I confirm that the applicant has an unregistered estate, right or interest in the land described as Part Lots 284 & 285, Concession 4 SWTS, as in MF163913, in the Township of Melancthon, County of Dufferin [PIN 34155-0019 (LT)].


The land is registered in the name of Bal Farms Ltd., and I hereby apply under section 71 of the *Land Titles Act* for the entry of a Notice in the register for the said parcel.

This notice will be effective for an indeterminate time.

The address for service of the applicants is:

c/o Trans Alta Corporation  
Box 1900, Station M  
110 – 12<sup>th</sup> Avenue Southwest  
Calgary, Alberta  
T2P 2M1

Dated: November 12, 2010

  
Signature of the solicitor for the applicant

**SCHEDULE**

**TRANSFER OF EASEMENT IN GROSS**

**This is an Easement in Gross**  
**Transferor: Bal Farms Ltd.**  
**Transferee: Canadian Hydro Developers, Inc.**  
**Re: Part Lots 284 & 285, Concession 4 SWTS, as in MF163913, in the Township of Melancthon, County of Dufferin (PIN 34155-0019 (LT))**

The Transferor hereby transfers, sells, grants, and conveys to the Transferee, to use and enjoy for the benefit of the Transferee, the right, liberty, privilege, and free and unencumbered easement (hereinafter "Easement") in perpetuity commencing on the date hereof, over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, or any other adverse effect or combination thereof resulting directly or indirectly for the operation of the Transferee's wind turbine facilities situated on the Transferee's leasehold interests located within the Townships of Melancthon and Amaranth, in the County of Dufferin, for the Melancthon EcoPower Centre, which shall include but not be limited to any and all options to lease and lease agreements and any renewals, extensions, amendments or replacements thereof, in any abutting, adjoining, neighbouring or other lands (hereinafter, collectively, the "Leasehold Lands"). The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for any of the Transferor's complaints, claims, actions, or other items arising directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement. In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from costs or direct, indirect or consequential damages arising out of the Transferor filing a complaint, issuing a claim, commencing an action against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands.

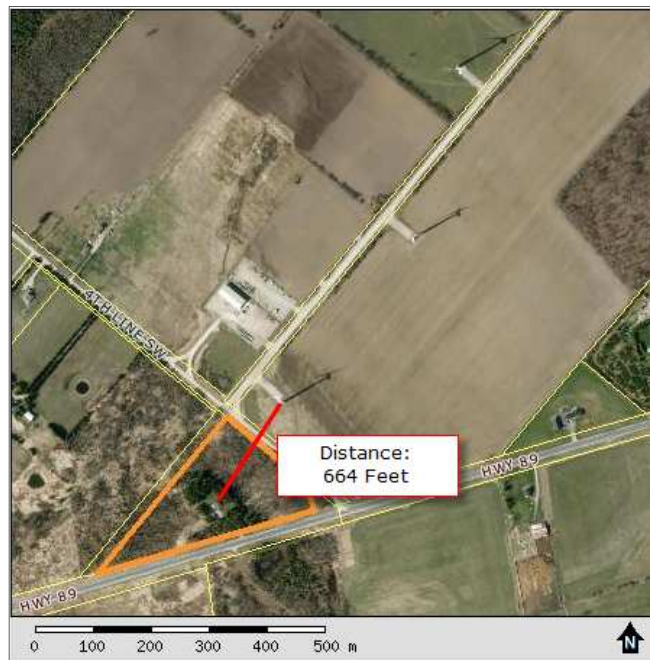
This Easement and all acknowledgements contained herein shall enure to the benefit of and be binding upon the Transferor and Transferee and their respective heirs, executors, successors, servants, agents and assigns, as the case may be. This Easement will also be registered on title and shall remain with the Transferor's Lands.

This is an easement in gross.

Source: Attachment to Deed DC115540

<b>Sale and Resale, Property: 504059 Highway 89, Melancthon</b>		
The average Orangeville & District Real Estate Board Residential MLS® price January 2007 was \$254,803 and August 2009 when 504059 Highway 89, Melancthon resold the average price was \$302,550 resulting in a Change of 18.74%.	Average Price January 2007	\$254,803
	Average Price August 2009	\$302,550
	\$Change	\$47,747
	%Change	18.74%
The property, 504059 Highway 89, Melancthon, was purchased by Canadian Hydro Developers, Inc. in January 2007 for \$305,000 but would have resold August 2009 for \$362,153 as a result of the passage of time.	Actual Price January 2007	\$305,000
	%Change	18.74%
	\$Change	\$57,153
	Adjusted Price August 2009	\$362,153
However the Actual Price when the property resold to Egresits / Gooder in August 2009 was \$278,000, a loss of -\$84,153.	Actual Price August 2009	\$278,000
	\$Difference	-\$84,153
Diminution in Value: -23.24%.	%Difference	<b>-23.24%</b>

Distance from Dwelling to Industrial Wind Turbines:



Map Source: GeoWarehouseTM, Illustrations by Lansink Appraisals



Source: Ben Lansink





Date Listed:	<b>July 24, 2009</b>
Date Sold:	<b>August 3, 2009</b>
Marketing Time:	<b>10 days</b>
Marketing Method:	<b>MLS</b>
Seller:	<b>Canadian Hydro Developers, Inc</b>
Buyer:	<b>Egresits / Gooder</b>
Lot Area:	<b>10.012 Acres</b>





The 10.012 acre site with 560 front feet is improved with a detached two storey building designed and constructed to house a three bedroom dwelling with a two car garage. MLS states the main floor has a kitchen and living room and the second floor has three bedrooms. There is a walk out from the two bedrooms to a deck. MLS also states located in area of wind turbines, Hydro Clause to be inserted with all offers.

The property is located on the north west corner of Highway 89 and 4th Line in a rural agriculture neighbourhood. Previously sold January 2007 for \$305,000, buyer Canadian Hydro Developers, Inc. Dwelling is about 664 feet from an Industrial Wind Turbine.

Sale Price:

**\$ 278,000**

Land Registry Information - PIN: 341590005				 <a href="#">Print</a>  <a href="#">Store</a>  <a href="#">Parcel Register</a>	
Address:	N/A				
Municipality:	MELANCTHON	LRO:	07	Area:	40,516 m2
Land Registry Status:	ACTIVE	Registration Type:	LT	Perimeter:	965 m
Description:	PT LT 1, CON 5 SWTS AS IN MF157736 ; MELANCTHON SUBJECT TO AN EASEMENT IN GROSS OVER PT LT 1, CON 5 SWTS AS IN MF157736 AS IN DC102016				
Party To:	EGRESITS, ERIC DARRELL; GOODER, ASHLEY LYNNE;				
Assessment Information					
Assessment Roll Number	221900000401800			 <a href="#">Store</a>  <a href="#">Assessment Reports</a>	
2011 Tax Year, Phased In Assessment:	\$254,250	Depth:	0.00 F	Frontage:	560.00 F
Assessed Value based on January 1, 2008:	\$267,000	Property Type:	301 Single-family detached (not on water)		
Sales History Information					
DATE:	TYPE:	AMOUNT:			
08/31/2009	T	\$278,000			
PARTY TO:	EGRESITS, ERIC DARRELL; GOODER, ASHLEY LYNNE;				
01/31/2007	T	\$305,000			
PARTY TO:	CANADIAN HYDRO DEVELOPERS, INC.;				
05/15/1998	T	\$160,000			
PARTY TO:	BARLOW, DAVID CHARLES; BARLOW, SHERYL ANN;				
06/15/1988	T	\$41,900			
PARTY TO:	DECASTRO, MARCELLINE; DECASTRO, NINA;				


Source: GeoWarehouseTM, Ontario's Land Registry System

Property Address	504059 HWY 89
Roll Number	2219000004018000000
Legal Description	CON 5 SW PT LOT 1
Property Code & Description	301 - Single-Family Detached (Not On Water)
Assessed Value*	\$ 267,000
2012 Taxation Year Phased-In Assessment*	\$ 267,000
Year Built	1991
Frontage	560.00
Depth	-
Site Area	10.12 A
Last Sale Date	2009/08
Last Sale Amount	\$ 278,000
* NOTE: Assessed Value in this report is based on a January 1, 2008 Valuation Date and reflects the value returned to the municipality on the 2011 Assessment Roll for the 2012 taxation year. For more information regarding Assessment Updates visit <a href="http://www.mpac.ca">www.mpac.ca</a> and click on "About MPAC".	

Source: Municipal Property Assessment Corporation (MPAC)

## ID 15799 – 504059 Highway 89, Melancthon

MLS® dated Oct 14, 2006 listed for \$319,888, Sold Dec 29, 2006 for \$305,000.

	<b>504059 Highway 89</b> Amaranth, Ontario L0N1S5 Dufferin Rural Amaranth Pt Lot 1, Con 5, Swtstr SPIS: Y -- DOM: 76 Taxes: \$2,207/2005		<b>Sold: \$305,000</b> <b>List: \$319,888</b> 95 % List <b>Last Status: Sld</b>																																				
	Detached Fronting On: N 2-Storey Acreage: 10-24.99 Dir/Cross St: Hwy 89/4th Line Sw Lot: 400.95X229.8 Metres Irreg: Irreg (Triangle)		Rooms: 6 Bedrooms: 3 Washrooms: 1 1x4																																				
MLS#: X1009246 Seller: David Charles Barlow & Sheryl Ann Barlow Contact After Exp: N Holdover: 90 PIN#: Occupancy: Owner																																							
<b>Kitchens:</b> 1 <b>Fam Rm:</b> N <b>Basement:</b> None  <b>Fireplace/Stv:</b> Y <b>Central Vac:</b> <b>Heat:</b> Electric Forced Air  <b>A/C:</b> <b>Apx Age:</b> <b>Apx Sqft:</b> 1500-2000 <b>Assessment:</b> <b>Addl Mo Fee:</b> <b>Elev/Lift:</b> <b>Laundry Lev:</b> <b>Phys Hdcap-Equip:</b>		<b>Exterior:</b> Brick  <b>Drive:</b> Private <b>GarType/Spaces:</b> Detached/2 <b>Parking Spaces:</b> 4 <b>UFFI:</b> <b>Pool:</b> None Bush <b>Energy Cert:</b> <b>Cert Level:</b> <b>GreenPIS:</b>																																					
		<b>Zoning:</b> <b>Cable TV:</b> N <b>Hydro:</b> Y <b>Gas:</b> N <b>Phone:</b> Y <b>Water:</b> Well <b>Water Supply:</b> <b>Sewers:</b> Septic <b>Spec Desig:</b> Unknown <b>Farm/Agr:</b> <b>Waterfront:</b> <b>Retirement:</b> Garden Shed																																					
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<b>Remarks For Clients:</b> Unique Property - 10 Acres - Almost All Treed - Yet Has Highway Access. Home Features Walk-Out From Master To 10 X 30 Deck And W/O From 3rd Bedroom To 18 X 18 Deck. Home Is Well Built - Hydro Equal Billing \$143 Per Month Includes Most Heat. (Some Wood From Property Is Used). <b>Extras:</b> 24 X 28' Insulated Garage Is A Recent Addition (Wired For 220 Service). Property Is Well Maintained. Home Has Several Features That Add To Country Living. Located On Highway 89, 6 Kms West Of Shelburne. <b>Remarks for Brokerages:</b> There Is No Basement To House. Located In Area Of Wind Turbines. See Faxed Attachment Of Schedule 'B'																																							
<b>Mortgage Comments:</b> Treat As Clear As Per Seller's Instructions																																							
<b>List:</b> RE/MAX SELECT REALTY LTD., BROKERAGE 888-568-5536 Fax: 519-925-2707 BOB MCINNES, Broker 888-568-5536 Co-Op: ROYAL LEPAGE RCR REALTY, BROKERAGE CB Comm: 2.5% Robert Milton Gillies, Broker <b>Contract Date:</b> 10/14/2006 <b>Sold Date:</b> 12/29/2006 <b>Leased Terms:</b> <b>Expiry Date:</b> 1/31/2007 <b>Closing Date:</b> 1/31/2007 <b>Original Price:</b> \$319,888 <b>Last Update:</b> 12/29/2006																																							

Source: Toronto Real Estate Board



**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 34159 – 0005 PT LT 1, CON 5 SWTS AS IN MF157736 ; MELANCTHON

BY: BARLOW, DAVID CHARLES  
 BARLOW, SHERYL ANN  
 TO: CANADIAN HYDRO DEVELOPERS, INC.

**1. JOHN D. KEATING**

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_\_ described in paragraph(s) ( ) above.
- ☒ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for CANADIAN HYDRO DEVELOPERS, INC. described in paragraph(s) (C) above.
- ☐ (f) A transferee described in paragraph(i) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to.

**3. The total consideration for this transaction is allocated as follows:**

(a) Monies paid or to be paid in cash	305,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	305,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	305,000.00

**PROPERTY Information Record**

A. Nature of Instrument: Transfer  
 LRO 7 Registration No. DC70069 Date: 2007/01/31

B. Property(s): PIN 34159 – 0005 Address MELANCTHON Assessment 2219000 – 00401800  
 Roll No

C. Address for Service: 500 – 1324 17th Avenue S. W., Calgary, Alberta T2T 5S8

D. (i) Last Conveyance(s): PIN 34159 – 0005 Registration No. LTD9504  
 (ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☒ No ☐ Not known ☐


E. Tax Statements Prepared By: Terrance Steven Carter  
 211 Broadway St.  
 Orangeville L9W 1K4

Source: Deed DC70069



## ID 15799 – 504059 Highway 89, Melancthon

MLS® dated Jul 24, 2009 listed for \$288,400, Sold Aug 3, 2009 for \$278,000.

	<b>504059 Highway 89</b> Amaranth, Ontario L0N1S5 Dufferin Rural Amaranth Pt Lot 1, Con 5, Swtstr Township Of Melancthon SPIS: N -- DOM: 10 Taxes: \$0/2008		<b>Sold: \$278,000</b> <b>List: \$288,400</b> 96 % List <b>Last Status: Sld</b>																																				
	Detached Fronting On: N 2-Storey Acreage: 10-24.99 Dir/Cross St: Hwy 89/4th Line Sw Lot: 400.95X229.8 Metres Irreg: Irreg (Triangle)		<b>Rooms: 5</b> <b>Bedrooms: 3</b> <b>Washrooms: 1</b> 1x4																																				
<b>MLS#:</b> X1672368 <b>Seller:</b> Canadian Hydro Developers <b>Contact After Exp:</b> N <b>PIN#:</b> 341590005		<b>Holdover:</b> 90 <b>Occupancy:</b> Vacant																																					
<b>Kitchens:</b> 1 <b>Fam Rm:</b> N <b>Basement:</b> Finished  <b>Fireplace/Stv:</b> Y <b>Central Vac:</b> <b>Heat:</b> Electric Forced Air  <b>A/C:</b> <b>Apx Age:</b> <b>Apx Sqft:</b> 1500-2000 <b>Assessment:</b> <b>Addl Mo Fee:</b> <b>Elev/Lift:</b> <b>Laundry Lev:</b> <b>Phys Hdcap-Equip:</b>	<b>Exterior:</b> Brick  <b>Drive:</b> Private <b>GarType/Spaces:</b> Detached/2 <b>Parking Spaces:</b> 4 <b>UFFI:</b> <b>Pool:</b> None Bush <b>Energy Cert:</b> <b>Cert Level:</b> <b>GreenPIS:</b>	<b>Zoning:</b> <b>Cable TV:</b> N <b>Hydro:</b> Y <b>Gas:</b> N <b>Phone:</b> Y <b>Water:</b> Well <b>Water Supply:</b> <b>Sewers:</b> Septic <b>Spec Desig:</b> Unknown <b>Farm/Agr:</b> <b>Waterfront:</b> <b>Retirement:</b> N																																					
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<b>Remarks For Clients:</b> Solid Brick 2-Storey Home On Very Unique Property. 10.1 Acres Lot Surrounded By Mature Trees With Highway Access. This Home Features W/O From Master To A Large Deck & W/O From 3rd Bedroom As Well To Deck. Ideal Home For Entertaining Or Just Enjoying The Country & It Sounds. <b>Extras:</b> 2 Car Garage. Would Also Be A Great Shop (Wired For 200 Amp) Service. Located On Highway 89, 6 Kms West Of Shelburne. <b>Remarks for Brokerages:</b> Located In Area Of Wind Turbines. Hydro Clause To Be Inserted With All Offers Is Located In Fax Documents Under Schedules. All Measurements & Taxes To Be Verified By Seller.																																							
<b>Mortgage Comments:</b>																																							
<b>List:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432 FRANK GRAY JR., Salesperson 905-450-3355 <b>Co-Op:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE CB Comm: 2.5 Donald Bruce Hume, Salesperson <b>Contract Date:</b> 7/24/2009 <b>Sold Date:</b> 8/3/2009 <b>Leased Terms:</b> <b>Expiry Date:</b> 11/2/2009 <b>Closing Date:</b> 8/31/2009 <b>Original Price:</b> \$288,400 <b>Last Update:</b> 8/18/2009																																							

Source: Toronto Real Estate Board

LAND TRANSFER TAX STATEMENTS			
In the matter of the conveyance of: 34159 – 0005 PT LT 1, CON 5 SWTS AS IN MF157736 : MELANCTHON			
BY:	CANADIAN HYDRO DEVELOPERS, INC.		
TO:	EGRESITS, ERIC DARRELL	Joint Tenants	
	GOODER, ASHLEY LYNNE	Joint Tenants	
1. EGRESITS, ERIC DARRELL AND GOODER, ASHLEY LYNNE			
I am			
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input checked="" type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (f) A transferee described in paragraph(i) and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to.			
3. The total consideration for this transaction is allocated as follows:			
(a) Monies paid or to be paid in cash			278,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)			0.00
(ii) Given Back to Vendor			0.00
(c) Property transferred in exchange (detail below)			0.00
(d) Fair market value of the land(s)			0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject			0.00
(f) Other valuable consideration subject to land transfer tax (detail below)			0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))			278,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property			0.00
(i) Other considerations for transaction not included in (g) or (h) above			0.00
(j) Total consideration			278,000.00
6. Other remarks and explanations, if necessary:			
1. Fraction of parties who are qualifying home purchasers: All and the agreement of purchase and sale was entered into after December 13, 2007.			
2. Eric Darrell Egresits and Ashley Lynne Gooder is/are (a) first time home purchaser(s) as defined in the Land Transfer Tax Act, and			
3. The purchaser(s) will occupy the qualifying home as his/her/their principal residence on 2009/08/31 (Note: must be within 9 months of the date of registration or disposition), and			
4. No purchaser(s) is/are a "spouse" as defined in section 29 of the Family Law Act			
PROPERTY Information Record			
A. Nature of Instrument:	Transfer		
	LRO 7	Registration No. DC102007	Date: 2009/08/31
B. Property(s):	PIN 34159 – 0005	Address 504059 HIGHWAY #89 MELANCTHON	Assessment 2219000 – Roll No 004018000000
C. Address for Service:	504059 HIGHWAY #89 R.R. #6 (Township of Melancthon) DUNDALK, ONTARIO N0C 1B0		
D. (i) Last Conveyance(s):	PIN 34159 – 0005 Registration No. DC70069		
	(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>		
E. Tax Statements Prepared By:	Megan Lynne Celhoffer 380 Main Street East, PO Box 520 Dundalk N0C 1B0		

Source: Deed DC102007

LRO # 7	<b>Transfer Easement</b>	Registered as DC102016 on 2009 08 31 at 16:48
The applicant(s) hereby applies to the Land Registrar.		yyyy mm dd Page 1 of 5

**Properties**

PIN	34159 – 0005 LT	Interest/Estate	Easement	<input checked="" type="checkbox"/> Add Easement
Description	SERVIENT LANDS: PT LT 1, CON 5 SWTS AS IN MF157736 ; MELANCTHON			
	DOMINANT LANDS: EASEMENT IN GROSS			
Address	MELANCTHON			

**Consideration**

Consideration	\$2.00
---------------	--------

**Transferor(s)**

The transferor(s) hereby transfers the easement to the transferee(s).

Name	EGRESITS, ERIC DARRELL
Address for Service	504059 Highway 89, RR # 0, Dundalk ON L0N 1S5

I am at least 18 years of age.  
 I am not a spouse  
 This document is not authorized under Power of Attorney by this party.

Name	GOODER, ASHLEY LYNNE
Address for Service	504059 Highway 89, RR # 0, Dundalk ON L0N 1S5

I am at least 18 years of age.  
 I am not a spouse  
 This document is not authorized under Power of Attorney by this party.

<b>Transferee(s)</b>	<i>Capacity</i>	<i>Share</i>
----------------------	-----------------	--------------

Name	CANADIAN HYDRO DEVELOPERS, INC.
Address for Service	Suite 500, 1324 – 17th Avenue S.W., Calgary AB T2T 5S8

**Statements**

Schedule: See Schedules

Source: Deed DC102016

Attachment to Transfer Easement (Page 2of2):

SCHEDULE

WHEREAS the Transferor is the registered owner of an estate in fee simple, of all that certain parcel or tract of land and premises in the Township of Melancthon, in the County of Dufferin and Province of Ontario, being more particularly described as PT LT 1, CON 5 SWTS AS IN MF157736. Now known as P.I.N. 34159-0005(LT) (hereinafter called the "Transferor's Lands");

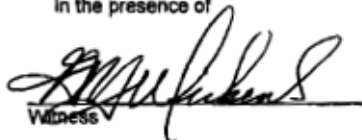
Continued - Interest/Estate Transferred

The Transferor hereby transfers, sells, grants, and conveys to the Transferee, to use and enjoy for the benefit of the Transferee, the right, liberty, privilege, and free and unencumbered easement (hereinafter "Easement") in perpetuity commencing on the date hereof, over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated on the Transferee's leasehold interests located within the Townships of Melancthon and Amaranth, in the County of Dufferin for the Transferee's Melancthon EcoPower Centre, which shall include but not be limited to any and all options to lease and lease agreements and any renewals, extensions, amendments or replacements thereof, in any abutting, adjoining, neighbouring or other lands (hereinafter, collectively, the "Leasehold Lands"). The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for, of and from any of the Transferor's complaints, claims, demands, suits, actions, or causes of action of every kind known or unknown which may arise directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement. In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from any and all liabilities, claims, demands, costs and expenses arising from any direct, indirect or consequential damages arising out of a complaint, claim, action or cause of action initiated by the Transferor as against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands.


This Easement and all acknowledgements contained herein shall enure to the benefit of and be binding upon the Transferor and Transferee and their respective heirs, executors, successors, servants, agents and assigns, as the case may be. This Easement will also be registered on title and shall remain with the Transferor's Lands.

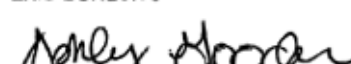
IN WITNESS WHEREOF the parties hereto have executed and delivered these presents as of the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in the presence of

  
Witness

) TRANSFEROR

)   
) ERIC EGRESITS

)   
) ASHLEY GOODER

) TRANSFEE  
) CANADIAN HYDRO DEVELOPERS, INC.

Source: Attachment to Deed DC102016



**ID 15800 – 582340 County Road 17, Melancthon**

<b>Sale and Resale, Property: 582340 County Road 17, Melancthon</b>		
The average Orangeville & District Real Estate Board Residential MLS® price August 2007 was \$317,478 and April 2010 when 582340 County Road 17, Melancthon resold the average price was \$307,515 resulting in a Change of -3.14%.	Average Price August 2007	\$317,478
	Average Price April 2010	\$307,515
	\$Change	-\$9,963
	%Change	-3.14%
The property, 582340 County Road 17, Melancthon, was purchased by Canadian Hydro Developers, Inc. in August 2007 for \$302,670 but would have resold April 2010 for \$293,172 as a result of the passage of time.	Actual Price August 2007	\$302,670
	%Change	-3.14%
	\$Change	-\$9,498
	Adjusted Price April 2010	\$293,172
However the Actual Price when the property resold to Armstrong on April 2010 was \$215,000, a loss of - \$78,172.	Actual Price April 2010	\$215,000
	\$Difference	-\$78,172
Diminution in Value: -26.66%.	%Difference	<b>-26.66%</b>

Distance from Dwelling to Industrial Wind Turbine:



Map Source: GeoWarehouseTM, Illustrations by Lansink Appraisals





Source: Ben Lansink



Date Listed:	<b>February 3, 2010</b>
Date Sold:	<b>March 27, 2010</b>
Marketing Time:	<b>52 days</b>
Marketing Method:	<b>MLS</b>
Seller:	<b>Canadian Hydro Developers, Inc</b>
Buyer:	<b>Armstrong</b>
Lot Area:	<b>1.001 Acres</b>




The 1.001 acre site with 165 front feet is improved with a detached one storey building designed and constructed to house a three bedroom dwelling with attached one car garage. MLS states the main floor has a kitchen, living room, dining room, and three bedrooms, and the lower level is finished with two bedrooms, a recreation room, and a sitting room. MLS also states located in area of wind turbines, Hydro Clause to be inserted with all offers.

The property is located on the east side of County Road 17 in a rural residential and agriculture neighbourhood. Previously sold August 2007 for \$302,670. Dwelling is about 1,136 feet, from an Industrial Wind Turbine.

Sale Price:

**\$ 215,000**

**Land Registry Information - PIN: 341540030**

[Print](#)
[Store](#)
[Parcel Register](#)

Address: 58234 COUNTRY ROAD 17

Municipality: SHELburnE LRO: 07 Area: 4,050 m2

Land Registry Status: ACTIVE Registration Type: LT Perimeter: 262 m

Description: PT LT 291, CON 2 SWTS, PT 2, 7R924 ; MELANCTHON

Party To: ARMSTRONG, DARREL WAYNE;

**Assessment Information**

Assessment Roll Number 221900000613850 [Store](#) [Assessment Reports](#)

2011 Tax Year, Phased In Assessment: \$275,500 Depth: 264.00 F Frontage: 165.00 F

Assessed Value based on January 1, 2008: \$290,000 Property Type: 301 Single-family detached (not on water)

**Sales History Information**

DATE:	TYPE:	AMOUNT:
04/13/2010	T	\$215,000
PARTY TO:	ARMSTRONG, DARREL WAYNE;	
08/17/2007	T	\$302,670
PARTY TO:	CANADIAN HYDRO DEVELOPERS, INC.;	
03/11/1975	T	\$2
PARTY TO:	FRASER, BRUCE; FRASER, HELEN;	

Source: GeoWarehouseTM, Ontario's Land Registry System

Property Address	582340 COUNTY RD 17
Roll Number	2219000006138500000
Legal Description	CON 2 SW PT LOT 291 RP 7R924 PART 2
Property Code & Description	301 - Single-Family Detached (Not On Water)
Assessed Value*	\$ 290,000
2011 Taxation Year Phased-In Assessment**	\$ 275,500
Year Built	1975
Frontage	165
Depth	264
Site Area	1 A
Last Sale Date	2010/04
Last Sale Amount	\$ 215,000
* NOTE: Assessed Value in this report is based on a January 1, 2008 Valuation Date and reflects the value returned to the municipality on the 2010 Assessment Roll for the 2011 taxation year. For more information regarding Assessment Updates visit <a href="http://www.mpac.ca">www.mpac.ca</a> and click on "About MPAC".	

Source: Municipal Property Assessment Corporation (MPAC)

## Caution to the Wind

Updated Sat. Dec. 27 2008 6:55 PM ET

### W-FIVE Staff



Portions of the News Report Follow:

*Helen Fraser wasn't at the opening of the Melancthon EcoPower Centre. But she's all-too familiar with the turbines. According to Fraser, she and her husband lived just over 400 meters from one of the turbines erected in phase one of the project. At first she had no problem with the fact that a wind farm was coming to her rural area.*

*"I thought this was absolutely amazing. [I was] all for green" said Fraser. But soon after the 45 meter blades -- longer than the wingspan of a Boeing 737 -- started spinning, she said she knew something was wrong.*

*"It was like a whoosh sound. It would just go whoosh-whoosh, like a steady beat with it. And there would be times my heart would actually beat to the pulse of the turbine," she recalled.*

*Even though the turbines' distance from the Fraser's home satisfied the Ontario government's noise guidelines, the sound and strobing effect when the sun was shining through the spinning blades made them too close for comfort - at least for the Frasers.*

*"I had terrible headaches, body aches. I couldn't sleep at night," said Fraser. "My husband's blood sugar, because he has diabetes, was all over the map." When the couple went away on vacation, they say the problems stopped.*

*Fraser and her family eventually sold their property to Canadian Hydro Developers, the company behind the wind farm, and their former home sits in the shadow of a giant, spinning wind turbine.*

Source: W-FIVE Staff




LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34154 – 0030 PT LT 291, CON 2 SWTS, PT 2, 7R924 ; MELANCTHON	
BY:	FRASER, BRUCE FRASER, HELEN
TO:	CANADIAN HYDRO DEVELOPERS, INC.
1. JOHN D. KEATING AND ANGELITO DE LA PAZ	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input checked="" type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for CANADIAN HYDRO DEVELOPERS, INC. described in paragraph(s) (C) above. <input type="checkbox"/> (f) A transferee described in paragraph(i) and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to.	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	302,670.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	302,670.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	302,670.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
LRO	7
Registration No.	DC77599
Date:	2007/08/17
B. Property(s):	PIN 34154 – 0030 Address COUNTY ROAD 17 MELANCTHON
Assessment	2219000 – 00613850
Roll No	
C. Address for Service:	Suite 500 1324 17th Avenue Southwest Calgary, Alberta T2T 5S8
D. (i) Last Conveyance(s):	PIN 34154 – 0030 Registration No. MF68694
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Terrance Steven Carter 211 Broadway St. Orangeville L9W 1K4

Source: DC77599



## ID 15800 – 582340 County Road 17, Melancthon


MLS® dated Jul 24, 2009, **Expired Feb 2, 2010**, listed for \$284,900.

	<b>582340 County Rd 17</b> <span style="float: right;"><b>\$284,900 For Sale</b></span> Melancthon, Ontario L0N1S9 Dufferin Rural Melancthon See Legal Discription In Comments Section Below SPIS: N -- DOM: 193 Taxes: \$2,733.10/2009 Last Status: Exp																																													
	Detached Bungalow Dir/Cross St: Hwy 10 North/ Cty Rd 17 Lot: 1X0 Acres Irreg:	Fronting On: S Acreage: Rooms: 6+4 Bedrooms: 3+2 Washrooms: 2 1x5, 1x3																																												
MLS#: X1672411 Seller: Canadian Hydro Developers Contact After Exp: N Holdover: 90 PIN#: Occupancy: Tenant																																														
Kitchens: 1 Fam Rm: N Basement: Finished  Fireplace/Stv: Y Central Vac: Heat: Electric Radiant  A/C: Apx Age: Apx Sqft: Assessment: Addl Mo Fee: Elev/Lift: Laundry Lev: Phys Hdcap-Equip:	Exterior: Brick  Drive: Lane GarType/Spaces: Attached/1 Parking Spaces: 4 UFFI: Pool: None Energy Cert: Cert Level: GreenPIS:	Zoning: Cable TV: N Hydro: Y Gas: N Phone: Y Water: Well Water Supply: Sewers: Septic Spec Desig: Unknown Farm/Agr: Waterfront: Retirement: N																																												
<table border="1"> <thead> <tr> <th>#</th> <th>Room</th> <th>Level</th> <th>Dimensions (m)</th> </tr> </thead> <tbody> <tr><td>1</td><td>Kitchen</td><td>Main</td><td>5.11 x 4.54</td></tr> <tr><td>2</td><td>Living</td><td>Main</td><td>4.06 x 7.95</td></tr> <tr><td>3</td><td>Dining</td><td>Main</td><td>4.65 x 3.04</td></tr> <tr><td>4</td><td>Master</td><td>Main</td><td>4.55 x 3.66</td></tr> <tr><td>5</td><td>2nd Br</td><td>Main</td><td>2.72 x 3.61</td></tr> <tr><td>6</td><td>3rd Br</td><td>Main</td><td>2.74 x 3.61</td></tr> <tr><td>7</td><td>4th Br</td><td>Lower</td><td>3.84 x 4.50</td></tr> <tr><td>8</td><td>5th Br</td><td>Lower</td><td>3.88 x 4.14</td></tr> <tr><td>9</td><td>Rec</td><td>Lower</td><td>6.30 x 4.47</td></tr> <tr><td>10</td><td>Sitting</td><td>Lower</td><td>3.84 x 3.12</td></tr> </tbody> </table>			#	Room	Level	Dimensions (m)	1	Kitchen	Main	5.11 x 4.54	2	Living	Main	4.06 x 7.95	3	Dining	Main	4.65 x 3.04	4	Master	Main	4.55 x 3.66	5	2nd Br	Main	2.72 x 3.61	6	3rd Br	Main	2.74 x 3.61	7	4th Br	Lower	3.84 x 4.50	8	5th Br	Lower	3.88 x 4.14	9	Rec	Lower	6.30 x 4.47	10	Sitting	Lower	3.84 x 3.12
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10	Sitting	Lower	3.84 x 3.12																																											
<b>Remarks For Clients:</b> Legal Discription: Part Lot 291, Con 2 Swrts, Designated As Part 2 On Plan 7R924. Country Roads ...Take Me Home! Brick Bungalow On 1 Acre Ideal For A Family Looking For The Country Life. Great Home With Ample Room For Your Growing Family. 5 Bedrooms, Large Living Room & Dining Room , W/O To Rear Yard. <b>Remarks for Brokerages:</b> Located In Area Of Wind Turbines. Hydro Clause To Be Inserted With All Offers Is Located Under Schedules In Fax Documents Under Schedule B. All Measurements & Taxes To Be Verified By Seller																																														
<b>Mortgage Comments:</b> List: ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432 FRANK GRAY JR., Salesperson 905-450-3355 Co-Op: CB Comm: 2.5%  Contract Date: 7/24/2009 Sold Date: Leased Terms: Expiry Date: 2/2/2010 Closing Date: Original Price: \$293,550 Last Update: 2/3/2010																																														

Source: Toronto Real Estate Board

## ID 15800 – 582340 County Road 17, Melancthon

MLS® dated Feb 3, 2010 for \$249,900, Sold Mar 27, 2010 for \$215,000.

	<b>582340 County Rd 17</b>		<b>Sold: \$215,000</b>
	Melancthon, Ontario L0N1S9 Dufferin Rural Melancthon See Legal Description In Comments Section Below		<b>List: \$249,900</b> 86 % List
SPIS: N -- DOM: 52 Taxes: \$2,733.10/2009		<b>Last Status: Sld</b>	
Detached Bungalow		Fronting On: S Acreage:	Rooms: 6+4 Bedrooms: 3+2 Washrooms: 2
Dir/Cross St: Hwy 10 North/ Cty Rd 17		Lot: 1X0 Acres	Irreg: 1x5, 1x3
MLS#: X1782265		Seller: Canadian Hydro Developers Contact After Exp: N	
PIN#:		Holdover: 90 Occupancy: Vacant	
Kitchens: 1	Exterior: Brick	Zoning:	
Fam Rm: N	Drive: Lane	Cable TV: N Hydro: Y	
Basement: Finished	GarType/Spaces: Attached/1	Gas: N Phone: Y	
Fireplace/Stv: Y Central Vac:	Parking Spaces: 4	Water: Well	
Heat: Electric	UFFI:	Supply:	
Radiant	Pool: None	Sewers: Septic	
A/C:	Energy Cert:	Spec Desig: Unknown	
Apx Age:	Cert Level:	Farm/Agr:	
Apx Sqft:	GreenPIS:	Waterfront:	
Assessment:		Retirement: N	
Addl Mo Fee:			
Elev/Lift: Laundry Lev:			
Phys Hdcap-Equip:			
#	Room	Level	Dimensions (m)
1	Kitchen	Main	5.11 x 4.54
2	Living	Main	4.06 x 7.95
3	Dining	Main	4.65 x 3.04
4	Master	Main	4.55 x 3.66
5	2nd Br	Main	2.72 x 3.61
6	3rd Br	Main	2.74 x 3.61
7	4th Br	Lower	3.84 x 4.50
8	5th Br	Lower	3.88 x 4.14
9	Rec	Lower	6.30 x 4.47
10	Sitting	Lower	3.84 x 3.12
Wood Stove Walk-Up			
<b>Remarks For Clients:</b> Legal Description: Part Lot 291, Con 2 Swts, Designated As Part 2 On Plan 7R924. County Roads ....Take Me Home. Brick Bungalow Situated On 1 Acre Lot, Ideal For A Family Looking For The Country Life. Great Home With Ample Room For Your Growing Family. 5 Bedrooms, Large Living Room & Dining Room. W/O To Rear Yard.			
<b>Extras:</b> Heat Source Is Mostly Radiant Heat In The Ceilings Upstairs. Each Room Has It's Own Controller. Electric Baseboards In Basement.			
<b>Remarks for Brokerages:</b> Located In Area Of Wind Turbines. Hydro Clause To Be Inserted With All Offers Is Located Under Schedules In Fax Documents Under Schedule B. All Measurements & Taxes To Be Verified By Seller. If At All Possible, Pl Book Sunday Showings Prior To Sunday.			
<b>Mortgage Comments:</b>			
<b>List:</b> ROYAL LEPAGE RCR REALTY, BROKERAGE 519-941-5151 Fax: 519-941-5432			
FRANK GRAY JR., Salesperson 905-450-3355			
<b>Co-Op:</b> IPRO REALTY LTD., BROKERAGE CB Comm: 2.5%			
Glenna Jean Burke, Salesperson			
<b>Contract Date:</b> 2/3/2010	<b>Sold Date:</b> 3/27/2010	<b>Leased Terms:</b>	
<b>Expiry Date:</b> 5/3/2010	<b>Closing Date:</b> 4/23/2010	<b>Original Price:</b> \$277,800	
<b>Last Update:</b> 4/7/2010			

Source: Toronto Real Estate Board

LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34154 – 0030 PT LT 291, CON 2 SWTS, PT 2, 7R924 ; MELANCTHON	
BY: CANADIAN HYDRO DEVELOPERS, INC.	
TO: ARMSTRONG, DARREL WAYNE	Registered Owner
1. ARMSTRONG, DARREL WAYNE	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input checked="" type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	215,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	215,000.00
(h) VALUE OF ALL CHATTELS –items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	215,000.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
	LRO 7 Registration No. DC108646 Date: 2010/04/13
B. Property(s):	PIN 34154 – 0030 Address 582340 COUNTY RD 17 Assessment 2219000 – MELANCTHON Roll No 006138500000
C. Address for Service:	582340 COUNTY RD 17 RR 6 SHELBURNE, ONTARIO L0N 1S9
D. (i) Last Conveyance(s):	PIN 34154 – 0030 Registration No. DC77589
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Douglas James King 155 Main St. P.O. Box 760 Shelburne L0N 1S0

Source: Deed DC108646

Notice from Canadian Hydro Developers, Inc. to  
Darrel Wayne Armstrong

LRO # 7 <b>Notice</b>	Registered as DC108649 on 2010 04 13 at 16:30
The applicant(s) hereby applies to the Land Registrar.	yyyy mm dd    Page 1 of 4

**Properties**

PIN	34154 - 0030 LT
Description	PT LT 291, CON 2 SWTS, PT 2, 7R924 ; MELANCTHON
Address	582340 COUNTY RD 17 MELANCTHON

**Consideration**

Consideration	\$2.00
---------------	--------

**Applicant(s)**

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name	CANADIAN HYDRO DEVELOPERS, INC.
Address for Service	C/O TRANS ALTA CORPORATION BOX 1900, STATION M 110 - 12 AVENUE SW CALGARY, ALBERTA T2P 2M1

I, W. FRANK HAWKINS, VP & Treasurer and MARYSE ST- LAURENT, VP & Corporate Secretary, have the authority to bind the corporation.

This document is not authorized under Power of Attorney by this party.

<b>Party To(s)</b>	<b>Capacity</b>	<b>Share</b>				
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%;">Name</td> <td>ARMSTRONG, DARREL WAYNE</td> </tr> <tr> <td>Address for Service</td> <td>582340 COUNTY RD 17 RR 8 SHELBURNE, ONTARIO L0N 1S9</td> </tr> </table>	Name	ARMSTRONG, DARREL WAYNE	Address for Service	582340 COUNTY RD 17 RR 8 SHELBURNE, ONTARIO L0N 1S9	Registered Owner	
Name	ARMSTRONG, DARREL WAYNE					
Address for Service	582340 COUNTY RD 17 RR 8 SHELBURNE, ONTARIO L0N 1S9					

This document is not authorized under Power of Attorney by this party.

**Statements**

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

**Signed By**

Nancy Elizabeth Claridge	211 Broadway St. Orangeville L9W 1K4	acting for Applicant(s)	First Signed	2010 04 13
Tel        5199420001				
Fax        5199420300				
Nancy Elizabeth Claridge	211 Broadway St. Orangeville L9W 1K4	acting for Applicant(s)	Last Signed	2010 04 16

Source: Deed DC108649



Attachment to Notice:

*Appendix A, Bulletin 96001*

**Land Titles Act**  
**Application to register Notice of an unregistered estate, right, interest or equity**  
**Section 71 of the Act**

To: The Land Registrar for the Land Titles Division of Dufferin County

I, Nancy Elizabeth Claridge, am the solicitor for the Canadian Hydro Developers, Inc.

I confirm that the applicants have an unregistered estate, right or interest in the land described as Part Lot 291, Concession 2 SWTS, being Part 2 on 7R924, in the Township of Melancthon, County of Dufferin [PIN 34154-0030 (LT)].

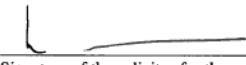
The land is registered in the name of Darrel Armstrong, and I hereby apply under section 71 of the *Land Titles Act* for the entry of a Notice in the register for the said parcel.

This notice will be effective for an indeterminate time.

The address for service of the applicants is:

c/o Trans Alta Corporation  
Box 1900, Station M  
110 – 12<sup>th</sup> Avenue Southwest  
Calgary, Alberta  
T2P 2M1

Dated: April 13, 2010

  
Signature of the solicitor for the applicant

**SCHEDULE**

**TRANSFER OF EASEMENT IN GROSS**

**Transferor:** Darrel Armstrong  
**Transferee:** Canadian Hydro Developers, Inc.  
**Re:** Part Lot 291, Concession 2 SWTS, Part 2 on Plan 7R924, Melancthon  
(PIN: 34154-0030 (LT))

The Transferor hereby transfers, sells, grants, and conveys to the Transferee, to use and enjoy for the benefit of the Transferee, the right, liberty, privilege, and free and unencumbered easement (hereinafter "Easement") in perpetuity commencing on the date hereof, over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated on the Transferee's leasehold interests located within the Townships of Melancthon and Amaranth, in the County of Dufferin, for the Transferee's Melancthon EcoPower Centre, which shall include but not be limited to any and all options to lease and lease agreements and any renewals, extensions, amendments or replacements thereof, in any abutting, adjoining, neighbouring or other lands (hereinafter, collectively, the 'Leasehold Lands'). The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for, of and from any of the Transferor's complaints, claims, demands, suits, actions, or causes of action of every kind known or unknown which may arise directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement. In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from any and all liabilities, claims, demands, costs and expenses arising from any direct, indirect or consequential damages arising out of a complaint, claim, action or cause of action initiated by the Transferor as against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands.

This Easement and all acknowledgements contained herein shall enure to the benefit of and be binding upon the Transferor and Transferee and their respective heirs, executors, successors, servants, agents and assigns, as the case may be. This Easement will also be registered on title and shall remain with the Transferor's Lands.

This is an easement in gross.

Source: Attachment to Deed DC108649



<b>Sale and Resale, Property: 582328 County Road 17, Melancthon</b>		
The average Orangeville & District Real Estate Board Residential MLS® price on June 2005 was \$279,707 and on June 2012 when 582328 County Road 17, Melancthon resold the average price was \$372,995 resulting in a Change of 33.35%.	Average Price June 2005	\$279,707
	Average Price June 2012	\$372,995
	\$Change	\$93,288
	%Change	33.35%
The property, 582328 County Road 17, Melancthon, was purchased by Canadian Hydro Developers Inc. in June 2005 for \$299,000 but would have resold June 2012 for \$398,723 as a result of the passage of time.	Actual Price June 2005	\$299,000
	%Change	33.35%
	\$Change	\$99,723
	Adjusted Price June 2012	\$398,723
However the Actual Price when the property resold to Steffan on June 2012 was \$250,000, a loss of -\$148,723.	Actual Price June 2012	\$250,000
	\$Difference	-\$148,723
Diminution in Value: -37.3%.	%Difference	<b>-37.30%</b>

Distance from Dwelling to Industrial Wind Turbine:



Map Source: GeoWarehouseTM, Illustrations by Lansink Appraisals



Source: Ben Lansink




Date Listed: **March 5, 2012**  
Date Sold: **June 19, 2012**  
Marketing Time: **106 days**  
Marketing Method: **Not Known**  
Seller: **Canadian Hydro Developers Inc**  
Buyer: **Steffan**  
Lot Area: **2.077 Acres**

The 2.077 acre site with 200 front feet is improved with a detached one storey brick veneer building designed and constructed to house a dwelling with attached two car garage.

The property is located on the east side of County Road 17 in a rural residential and agriculture neighbourhood. Previously sold June 2005 for \$299,000. Dwelling is about 1,213 feet from an Industrial Wind Turbine.

Sale Price:  
**\$ 250,000**

## ID 16339 - 582328 County Road 17, Melancthon

Land Registry Information - PIN: 341540094				 <a href="#">Print</a> <a href="#">Store</a> <a href="#">Parcel Register</a>	
Address:	58232 COUNTY ROAD 17				
Municipality:	MELANCTHON	LRO:	07	Area:	8,407 m2
Land Registry Status:	ACTIVE	Registration Type:	LT	Perimeter:	398 m
Description:	PT LT 291, CON 2 SWTS, PT 2, 7R4396 ; MELANCTHON				
Party To:	STEFFAN, MICHAEL;				
Assessment Information					
Assessment Roll Number	221900000613800				<a href="#">Store</a> <a href="#">Assessment Reports</a>
2012 Tax Year, Phased In Assessment:	\$318,000	Depth:	435.00 F	Frontage:	200.00 F
Assessed Value based on January 1, 2008:	\$318,000	Property Type:	301 Single-family detached (not on water)		
Sales History Information					
DATE:	TYPE:	AMOUNT:			
06/19/2012	T	\$250,000			
PARTY TO:	STEFFAN, MICHAEL;				
06/30/2005	T	\$299,000			
PARTY TO:	CANADIAN HYDRO DEVELOPERS INC.;				
01/12/2001	T	\$173,000			
PARTY TO:	WILLIAMS, SANDRA MARIE BLANCHE; WILLIAMS, STEPHEN ROGER BLAINE;				
07/31/1998	T	\$154,205			
PARTY TO:	JENSSON, ALLEN VERNON; JENSSON, NICOLE JUDITH;				
08/08/1997	T	\$2			
PARTY TO:	MCLEAN, DIANE;				

Source: GeoWarehouseTM, Ontario's Land Registry System

Property Address	582328 COUNTY RD 17
Roll Number	2219000006138000000
Legal Description	CON 2 SW PT LOT 291 RP 7R4396 PART 2
Property Code & Description	301 - Single-Family Detached (Not On Water)
Assessed Value*	\$ 318,000
2012 Taxation Year Phased-In Assessment*	\$ 318,000
Year Built	1998
Frontage	200.00
Depth	435.00
Site Area	2.00 A
Last Sale Date	2012/06
Last Sale Amount	\$ 250,000

Source: Municipal Property Assessment Corporation (MPAC)



LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34154 - 0094 PT LT 291, CON 2 SWTS, PT 2, 7R4396; MELANCTHON	
BY:	WILLIAMS, SANDRA MARIE BLANCHE WILLIAMS, STEPHEN ROGER BLAINE
TO:	CANADIAN HYDRO DEVELOPERS INC. Beneficial Owner
1. GEOFF CARNEGIE	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input checked="" type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for CANADIAN HYDRO DEVELOPERS INC. described in paragraph(s) (c) above. <input type="checkbox"/> (f) A transferee described in paragraph() and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to. <input type="checkbox"/> (g) A transferee described in paragraph() and am making these statements on my own behalf and on behalf of _____ who is my same-sex partner described above in paragraph(s) ( ).	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	299,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	299,000.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	299,000.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
	LRO 7 Registration No. DC48597 Date: 2005/06/30
B. Property(s):	PIN 34154 - 0094 Address 58232 COUNTY ROAD, R.R. Assessment - 6 Roll No SHELBURNE/MELANCTHON
C. Address for Service:	500, 1324 - 17 Avenue SW Calgary Alberta T2T 5S8
D. (i) Last Conveyance(s):	PIN 34154 - 0094 Registration No. LTD33017
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Richard Roy Morrow 185 Woolwich St. PO Box 305 Guelph N1H 6K5

Source: Deed DC48597

LAND TRANSFER TAX STATEMENTS	
In the matter of the conveyance of: 34154 - 0094 PT LT 291, CON 2 SWTS, PT 2, 7R4396 ; MELANCTHON	
BY: CANADIAN HYDRO DEVELOPERS INC.	
TO: STEFFAN, MICHAEL	Registered Owner
1. STEFFAN, MICHAEL	
I am	
<input type="checkbox"/> (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed; <input type="checkbox"/> (b) A trustee named in the above-described conveyance to whom the land is being conveyed; <input checked="" type="checkbox"/> (c) A transferee named in the above-described conveyance; <input type="checkbox"/> (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) ( ) above. <input type="checkbox"/> (f) A transferee described in paragraph(i) and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph( ) and as such, I have personal knowledge of the facts herein deposed to.	
3. The total consideration for this transaction is allocated as follows:	
(a) Monies paid or to be paid in cash	250,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	250,000.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	250,000.00
<b>PROPERTY Information Record</b>	
A. Nature of Instrument:	Transfer
	LRO 7 Registration No. DC131767 Date: 2012/06/19
B. Property(s):	PIN 34154 - 0094 Address 582328 COUNTY RD 17 Assessment 2219000 - MELANCTHON Roll No 006138000000
C. Address for Service:	P.O. Box 245 Station A Orangeville, Ontario L9W 2Z6
D. (i) Last Conveyance(s):	PIN 34154 - 0094 Registration No. DC48597
(ii) Legal Description for Property Conveyed: Same as in last conveyance?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not known <input type="checkbox"/>
E. Tax Statements Prepared By:	Jason Andrew Self 269 Broadway Ave. Orangeville L9W 1K8

Source: Deed DC131767

Notice from Canadian Hydro Developers, Inc  
To Michael Steffan

LRO # 7 <b>Notice</b>		Registered as DC131770 on 2012 06 19 at 15:37	
The applicant(s) hereby applies to the Land Registrar.		yyyy mm dd    Page 1 of 4	
<b>Properties</b>			
PIN	34154 - 0094 LT		
Description	PT LT 291, CON 2 SWTS, PT 2, 7R4396 ; MELANCTHON		
Address	582328 COUNTY ROAD 17 MELANCTHON		
<b>Consideration</b>			
Consideration	\$2.00		
<b>Applicant(s)</b>			
The notice is based on or affects a valid and existing estate, right, interest or equity in land			
Name	CANADIAN HYDRO DEVELOPERS, INC.		
Address for Service	C/O TRANS ALTA CORPORATION BOX 1900, STATION M 110-12 AVENUE SW CALGARY, ALBERTA T2P 2M1		
I, KEN STICKLAND, CHIEF LEGAL AND BUSINESS DEVELOPMENT OFFICER AND ROB SCHAEFER, EXECUTIVE VP CORPORATE DEVELOPMENT, have the authority to bind the corporation.			
This document is not authorized under Power of Attorney by this party.			
<b>Party To(s)</b>		<b>Capacity</b>	<b>Share</b>
Name	STEFFAN, MICHAEL		Registered Owner
Address for Service	P.O. BOX 245 STATION A ORANGEVILLE, ONTARIO L9W 2Z6		
This document is not authorized under Power of Attorney by this party.			
<b>Statements</b>			
This notice is pursuant to Section 71 of the Land Titles Act.			
This notice is for an indeterminate period			
Schedule: See Schedules			
<b>Signed By</b>			
Nancy Elizabeth Claridge	211 Broadway St. Orangeville L9W 1K4	acting for Applicant(s)	Signed 2012 06 19
Tel 5199420001			
Fax 5199420300			
I have the authority to sign and register the document on behalf of the Applicant(s).			
<b>Submitted By</b>			
CARTERS PROFESSIONAL CORPORATION	211 Broadway St. Orangeville L9W 1K4	2012 06 19	
Tel 5199420001			
Fax 5199420300			
<b>Fees/Taxes/Payment</b>			
Statutory Registration Fee	\$60.00		
Total Paid	\$60.00		

Source: Deed DC131770

Attachment to Notice:

*Appendix A, Bulletin 96001*

***Land Titles Act***  
**Application to register Notice of an unregistered estate, right, interest or equity**  
**Section 71 of the Act**

To: The Land Registrar for the Land Titles Division of Dufferin County

I, Nancy Elizabeth Claridge, am the solicitor for the Canadian Hydro Developers, Inc.

I confirm that the applicants have an unregistered estate, right or interest in the land described as Part Lot 291, Concession 2 SWTS, being Part 2 on 7R4396, in the Township of Melancthon, County of Dufferin [PIN 34154-0094 (LT)].

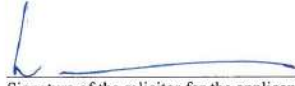
The land is registered in the name of Michael Steffan, and I hereby apply under section 71 of the *Land Titles Act* for the entry of a Notice in the register for the said parcel.

This notice will be effective for an indeterminate time.

The address for service of the applicants is:

c/o Trans Alta Corporation  
Box 1900, Station M  
110 - 12<sup>th</sup> Avenue Southwest  
Calgary, Alberta  
T2P 2M1

Dated: June 19<sup>th</sup>, 2012

  
Signature of the solicitor for the applicant

**SCHEDULE**

**TRANSFER OF EASEMENT IN GROSS**

**Transferor: Michael Steffan**  
**Transferee: Canadian Hydro Developers, Inc.**  
**Re: Part Lot 291, Concession 2 SWTS, Part 2 on Plan 7R4396, Melancthon**  
**(PIN: 34154-0094 (LT))**

The Transferor hereby transfers, sells, grants, and conveys to the Transferee, its successors and assigns, to use and enjoy for the benefit of the Transferee, the right, liberty, privilege, and free and unencumbered easement (hereinafter "Easement") in perpetuity commencing on the date hereof, over, along, and upon the Transferor's Lands for the right and privilege to permit heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated on the Transferee's leasehold interests located within the Townships of Melancthon and Amaranth, in the County of Dufferin, for the Transferee's Melancthon EcoPower Centre, which shall include but not be limited to any and all options to lease and lease agreements and any renewals, extensions, amendments or replacements thereof, in any abutting, adjoining, neighbouring or other lands (hereinafter, collectively, the 'Leasehold Lands'). The Transferor further acknowledges and agrees that the operation of the Transferee's wind turbine facilities located on the Leasehold Lands may affect the living environment of the Transferor and that the Transferee will not be responsible or liable for, of and from any of the Transferor's complaints, claims, demands, suits, actions, or causes of action of every kind known or unknown which may arise directly or indirectly from the Transferee's wind turbine facilities on the Leasehold Lands to the extent permitted by this Easement. In addition, the Transferor hereby covenants and agrees to indemnify, defend, and hold harmless the Transferee from any and all liabilities, claims, demands, costs and expenses arising from any direct, indirect or consequential damages arising out of a complaint, claim, action or cause of action initiated by the Transferor as against the Transferee for anything permitted by this Easement in relation to the Transferee's wind turbine facilities located on the Leasehold Lands.

This Easement and all acknowledgements contained herein shall enure to the benefit of and be binding upon the Transferor and Transferee and their respective heirs, executors, successors, servants, agents and assigns, as the case may be. This Easement will also be registered on title and shall remain with the Transferor's Lands.

This is an easement in gross.

Source: Attachment to Deed DC131770



Source: Deed DC131771

Attachment to Notice:

*Appendix A, Bulletin 96001*

***Land Titles Act***  
**Application to register Notice of an unregistered estate, right, interest or equity**  
**Section 71 of the Act**

To: The Land Registrar for the Land Titles Division of Dufferin County

I, Nancy Elizabeth Claridge, am the solicitor for the Canadian Hydro Developers, Inc.

I confirm that the applicants have an unregistered estate, right or interest in the land described as Part Lot 291, Concession 2 SWTS, being Part 2 on 7R4396, in the Township of Melancthon, County of Dufferin [PIN 34154-0094 (LT)], in the nature of a Right of First Refusal.

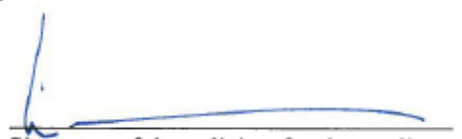
The land is registered in the name of Michael Steffan, and I hereby apply under section 71 of the *Land Titles Act* for the entry of a Notice in the register for the said parcel.

This notice will be effective for an indeterminate time.

The address for service of the applicants is:

c/o Trans Alta Corporation  
Box 1900, Station M  
110 – 12<sup>th</sup> Avenue Southwest  
Calgary, Alberta  
T2P 2M1

Dated: June 19<sup>th</sup>, 2012

  
Signature of the solicitor for the applicant

Source: Attachment to Deed DC131771

## Conclusion - Property Purchases and Re-Sales

Market evidence suggests that 'dwelling properties' will be harmed or injured by the construction, use, and maintenance of wind turbines situated on properties located in the vicinity. Real or perceived nuisances resulting from wind turbines produces buyer resistance that results in price diminution.

<b>Conclusion:</b> Price diminution due to the Melancthon Wind Facility: 133 wind turbines		
1	ID 15797 – 375557 6 <sup>th</sup> Line, Amaranth	-48.27%
2	ID 15798 – 97121 4th Line, Melancthon	-58.56%
3	ID 15799 – 504059 Highway 89, Melancthon	-23.24%
4	ID 15800 – 582340 County Road 17, Melancthon	-26.66%
5	ID 16339 – 582328 County Road 17, Melancthon	-37.30%
Median Loss in Market Price		<b>-37.30%</b>
Average Loss in Market Price		<b>-38.81%</b>

The erection of a wind turbine creates apprehension in the general public, which makes the property less desirable and thus diminishes the prices of neighbouring property. Continuing scientific uncertainty over the adverse health consequences of wind turbines only serves to perpetuate the debilitating effect of wind turbines on property prices.

By including the Transfer of Easement in Gross in the deed/transfer of the properties sold by Canadian Hydro Developments, Inc., it is reasonable to conclude that Canadian Hydro Developers, Inc. was fully aware of problems associated with...*heat, sound, vibration, shadow, flickering of light, noise (including grey noise) or any other adverse effect or combination thereof resulting directly or indirectly from the operation of the Transferee's wind turbine facilities situated...within the Townships of Melancthon and Amaranth, in the County of Dufferin...* and that the turbines ...**'may affect the living environment'...**

The covenants imposed by Canadian Hydro Developments, Inc. and accepted by the five buyers suggest an official admission by Canadian Hydro Developments, Inc. that there are living environment issues with the result that there is a diminution in price as a result of wind turbines.

It is also reasonable to assume that a property that has a wind turbine erected on it will suffer a similar price diminution and will be injuriously affected.

The Future: Given that wind turbines are a relatively new phenomenon in Ontario (2005), it may be that in the future a buyer will simply refuse to purchase a property within the vicinity of a wind turbine. If there is no buyer, there may be no value.



**July 10, 2012,** For immediate release

OTTAWA - Health Canada, in collaboration with Statistics Canada, will conduct a research study that will explore the relationship between wind turbine noise and health effects reported by, and objectively measured in, people living near wind power developments.

"This study is in response to questions from residents living near wind farms about possible health effects of low frequency noise generated by wind turbines," said the Honourable Leona Aglukkaq, Minister of Health. "As always, our Government is putting the health and safety of Canadians first and this study will do just that by painting a more complete picture of the potential health impacts of wind turbine noise."

Health Canada is aware of health-related complaints from individuals living in close proximity to wind turbine establishments. The study is being designed with support from external experts, specializing in areas including noise, health assessment, clinical medicine and epidemiology.

The proposed research design and methodology was posted on Health Canada's web site today for a 30-day public comment period. Feedback obtained will be reviewed by the design committee, compiled and published to the website, along with the design committee's responses.

The study will be focused on an initially targeted sample size of 2,000 dwellings selected from 8-12 wind turbine installation facilities in Canada. In addition to taking physical measurements from participants, such as blood pressure, investigators will conduct face-to-face interviews and take noise measurements inside and outside of some homes to validate sound modelling.

Health Canada has expertise in measuring noise and assessing the health impacts of noise because of its role in administering the Radiation Emitting Devices Act (REDA). As defined under REDA, noise is a form of radiation.

The study results are expected to be published in 2014.

Contact: David S. Michaud, PhD, Principal Investigator, Health Canada  
Consumer and Clinical Radiation Protection Bureau  
Healthy Environments and Consumer Safety Branch  
Email: [wind.turbine.health.study@hc-sc.gc.ca](mailto:wind.turbine.health.study@hc-sc.gc.ca)





**Guelph, ON [January 20, 2012]** – Escalating concerns about industrial wind turbines have prompted the Ontario Federation of Agriculture (OFA) to urge the province of Ontario to suspend further development until farm families and rural residents are assured that their interests are adequately protected. The OFA unveiled its strong stance in a new position statement on industrial wind turbines, released today, that will be presented to government later this month.

Since 2007, when the development of industrial wind turbines began in Ontario, the OFA has worked with government on regulations, cautioned farmer members on the pitfalls of wind leases and expressed concerns about pricing. Many of these issues have not been addressed, causing tremendous tension among rural residents and community neighbours.

“We are hearing very clearly from our members that the wind turbine situation is coming to a head – seriously dividing rural communities and even jeopardizing farm succession planning,” says OFA President Mark Wales. “The onus is on our provincial government to ensure the interests of rural Ontarians are protected. OFA is speaking up to clearly outline the issues that must be addressed right now.”

The OFA's new position statement on industrial wind turbine development addresses a number of concerns of rural Ontarians, including:

- Price paid for wind power
- Inefficiency of wind power – it can't be stored for use during peak demand periods
- Setback issues and induced currents
- Health and nuisance issues
- Removal of municipal input from industrial wind turbine projects

OFA has always supported Ontario's need for a reliable, affordable source of renewable energy for our future. “We must all work together to ensure green energy projects respect concerns for noise, community involvement and price, balanced with the effective provision of energy,” says Wales.

Read the full OFA position statement on industrial wind turbines [here](#).

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, representing 37,000 farm families across the province. As a dynamic farmer-led organization based in Guelph, the OFA works to represent and champion the interests of Ontario farmers through government relations, farm policy recommendations, lobby efforts, community representation, media relations and more. OFA is the leading advocate for Ontario's farmers and is Ontario's voice of the farmer.

Mark Wales, President, Ontario Federation of Agriculture

Copyright 2012 Ontario Federation of Agriculture



Jan 25, 2012

**CanWEA disappointed with OFA statement on wind, will continue to work to ensure farmers enjoy productive relationship with wind energy**

The Canadian Wind Energy Association (CanWEA) is extremely disappointed that the Ontario Federation of Agriculture (OFA) has called for a suspension of wind energy development at a time when farmers across the province are actively participating in, and seeking to participate in, wind energy developments throughout Ontario. In fact, many of the issues that the OFA has identified as areas of concern are already being reviewed and examined through processes like the Ontario Government's Feed-in-Tariff (FIT) Review process.

"We are surprised and disappointed the OFA is proposing to put thousands of jobs at risk in Ontario and limit the ability of farmers to participate in Ontario's clean energy economy," said Robert Hornung, CanWEA president. "We will be seeking a meeting with the OFA to better understand their point of view and discuss their concerns and will remain active participants in the processes that are already in place to discuss many of these issues."

The wind energy industry has a long history of working with the agricultural community and in fact sees farmers as a key partner in wind energy development as thousands of Ontario farmers are participating in Ontario's clean energy economy through FIT and microFIT programs. CanWEA has worked with leaders within the OFA and other agricultural associations to inform our best practices in stakeholder engagement and to ensure the industry continues to be a good partner.

"We will continue to provide fact-based answers to ensure Ontarians have the information they need to make informed choices as Ontario moves towards a cleaner, stronger and affordable energy system," added Robert Hornung.

For more information on wind energy visit: [http://www.canwea.ca/wind-energy/talkingaboutwind\\_e.php](http://www.canwea.ca/wind-energy/talkingaboutwind_e.php)

For information, please contact:  
Ulrike Kucera, Media Relations, Canadian Wind Energy Association  
613 234 8716 ext. 228  
Mobile 613 867 4433

## Ontario wind power bringing down property values – CBC News

OCT 3 Posted by [ccsage](#)

CBC News has published a major investigative report on losses in market values of Ontario residential properties located near wind turbines. It reports actual and anticipated losses of 10-50%, increased time to sell and potential difficulties in obtaining a mortgage. There is also a poll showing the percentage of people willing to live near wind turbines.

Some excerpts from the report:

... The CBC has documented scores of families who've discovered their property values are not only going downward, but also some who are unable to sell and have even abandoned their homes because of concerns nearby turbines are affecting their health."

... The president of the Brampton Real Estate Board [Chris Luxemburger] examined real estate listings and sales figures for the Melancthon-Amaranth area, home to 133 turbines in what is Ontario's first and largest industrial wind farm. "Homes inside the windmill zones were selling for less and taking longer to sell than the homes outside the windmill zones," said Luxemburger. On average, from 2007 to 2010, he says properties adjacent to turbines sold for between 20 and 40 per cent less than comparable properties that were out of sight from the windmills.


... Canadian Hydro Developers bought out four different owners [who threatened legal action] for \$500,000, \$350,000, \$305,000 and \$302,670. The company then resold each property, respectively, for \$288,400, \$175,000 (50% loss), \$278,000 and \$215,000. In total, Canadian Hydro absorbed just over half a million dollars in losses [34%] on those four properties.

... last February, before an environmental review tribunal in Chatham, Environment Ministry lawyer Frederika Rotter said: "...That's what makes them sick is that, you know, they'll get less money for their properties, and that's what's causing all this annoyance and frustration and all of that."

... Getting a mortgage on her house might not be that easy. CBC News has learned that already one bank in the Melancthon area is not allowing lines of credit to be secured by houses situated near wind turbines. In a letter to one family situated close to the turbines, the bank wrote, "we find your property a high risk and its future marketability may be jeopardized."

Reinforcing the information contained in the above report, a CBC News poll indicates that only 23% of more than 1700 responders would be willing to live near wind turbines, thereby reducing the number of potential buyers by three-quarters.

Source: <http://ccsage.wordpress.com/2011/10/03/ontario-wind-power-bringing-down-property-values-cbc-news/>



# Melancthon

The Melancthon wind facility is Ontario's first utility-scale wind facility. It is one of the largest wind projects in Canada, with 133 wind turbines producing 200 megawatts of power. The facility is located near Shelburne, Ontario.

Phase I of the project began commercial operation in 2006, with Phase II beginning commercial operation in late 2008.

The Melancthon facility has the capacity to generate 545,000 megawatt hours each year.

The 20-year Renewable Energy Supply contract with the Ontario government creates long-term pricing stability.

TransAlta owns and operates the Melancthon facility through its wholly owned subsidiary Canadian Hydro Developers.


Note: We gratefully acknowledge Natural Resources Canada (NRCan) for its support for phase II of this project through the eco Energy for Renewable Power (eERP) program. Phase I is supported by the Wind Power Production Incentive Plan.

### At a Glance


- **Technology:** GE 1.5 MW turbines, 80 metre towers


### Environmental Highlights

- The Melancthon facility is EcoLogo<sup>M</sup> certified by the [Environmental Choice Program](#).
- **Transformer station acoustic audits** - [Click here](#).

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### Facts & Figures

- Location: Shelburne, ON
- Fuel: Wind
- Capacity (MW): 200
- Ownership: 100%
- Operator: Yes
- First on-stream: 2006
- Revenue Source: LTC
- Builder: Yes
- Contract Expiry: 2026-28

### Related Documents



NEW - Melancthon Newsletter, October 2010

### Related Pages

- Ontario community page
- Transformer station acoustic audits

Source: <http://www.transalta.com/>

“At the end of 2010, TransAlta became the first company to own and operate more than 1,000MW of installed wind capacity in Canada – almost 30 per cent of the country’s total.”



### Sound, Noise:

“Applicants and regulators should have foreseen the very negative noise response from neighbors living near wind turbine sites. By their not adequately understanding the sound character generated by wind turbines, appropriate corrections to prevent annoyance were not included in the noise predictions. Wind turbine noise has a unique and visceral sound character, which may be perceived as being twice as loud as measured.”

Source: Stephen Ambrose and Robert Rand, Rand Acoustics

### An uncompensated taking:

“A wind “farm” creates an easement in gross over neighboring, non-participating property that impairs value. Thus, it is tantamount to an “inverse condemnation”, or regulatory taking of private property rights.....an uncompensated taking.”

Source: Sept. 22, 2012 by Michael S. McCann, CRA, McCann Appraisal, LLC (Chicago, Illinois, USA).

Ben Lansink’s Canadian interpretation of Mr. McCann’s statement:

A wind “farm” creates an easement in gross over neighboring, non-participating property that impairs value. Thus, it is tantamount to an “inverse expropriation”, or regulatory taking of private property rights, but is effectively an uncompensated taking.

### Reliability, Hierarchy of Evidentiary Value:

1. **Case Study Data:** The most reliable method for determining property value

The most reliable evidence is represented by Case Studies, or individual examples of value loss, directly linked to the cause of value loss.

2. **Paired Sales:** The second most reliable method for determining property value

With that said, the second most reliable basis for demonstrating a “detrimental conditions” valuation opinion, when one does not have enough factual background on Case Studies, is the use of “paired sales.” That is, one sale near turbines and one far away, in order to isolate the impact of the turbines on value.

3. **Regression Analysis:** The least reliable method for determining property value. (This method has been used by the wind industry.)

Regression Analysis is the technique that was used by the now well-circulated Hoen/Lawrence Berkeley National Laboratory report. The Appraisal Institute (US) recognizes this technique as the third and least reliable method, which should only be used in the absence of data, such as the type of Case Study data that is most reliable and preferable, or absent the data to perform a Paired Sales analysis.

Source: Michael S. McCann, CRA, McCann Appraisal, LLC (Chicago, Illinois, USA).

**GARY K. STEWART INSURANCE BROKERS LIMITED**

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RIDGETOWN, Ont. N0P 2C0  
Ph. 519-674-0221

336 St. Main St.  
BOTHWELL, Ont. N0P 1C0  
Ph. 519-685-5718

April 24, 2012

Dear [REDACTED]

On speaking with the Western General Insurance Company in regard to your inquiry about the installation of wind turbines on your property at [REDACTED]

Sarnia, Ontario, the Company has advised that should a wind turbine be erected on the property, the Western General would not insure same and they would no longer remain on risk at that property, and your policy would therefore be cancelled.

The Company has also stated that once the units are erected, you, the owner of the property lose some control on people coming onto the property for repairs or maintenance, along with some injury risk the units could cause, leaving yourself and the Company open to potential liability losses.

Yours very truly

*Laurie E. Maclean*

Laurie E. Maclean, A.I.I.C., C.I.P.  
Principal/Partner

Gary K. STEWART INSURANCE BROKERS  
Limited

LM



An Independent Insurance Broker  
Covers Your Back

## **Aaron: ARB ruling on wind power noise sets precedent**

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**January 9, 2010**   **Bob Aaron**, Toronto Star

In a precedent setting move, a recently discovered decision of the provincial Assessment Review Board (ARB) has cut a homeowner's assessment in half because the house is located near a noisy hydro substation. The hydro plant serves a nearby wind farm producing "clean" electricity.

The decision of ARB member Ana Cristina Marques was issued following an appeal by Paul Thompson of the assessment on his house.

Thompson's one-storey home is located on the 10th Line in Amaranth Township. It was built in 1989 and sits on a lot with a frontage of 183 feet (55.7 meters) and a depth of 240 feet (73.15 meters).

In 2008, the Municipal Property Assessment Corp. assessed the 1,320-square-foot house at \$255,000. Thompson agreed with the assessment except for one thing: The house sits across the road from a Canadian Hydro Developers transformer station. The station converts the output of the nearby Melancthon I wind plant into electricity for the Ontario power grid.

Thompson told me last month that the station emits a "wicked buzz" all day, every day, and that's what prompted him to appeal his assessment.

Evidence presented to the board at Thompson's appeal revealed that in April 2005, the township of Amaranth rezoned a 6.07 hectare (15-acre) parcel across the road from Thompson's home for the purpose of construction of a transformer station.

The station was built 360 meters (1,181 feet) away from Thompson's house. According to the Ontario Power Authority website, it serves the Melancthon I Wind Plant, a 67.5 MW facility in the southern portion of the Melancthon Township, Dufferin County, near the Town of Shelburne.

The first phase of the project utilizes 45 wind turbines. It became operational in March 2006, and the second and much larger phase (88 turbines) began producing electricity in March 2008.

The Ontario Power Authority website says that "manufacturers of modern wind turbines have ... reduced noise levels to that of a quiet whisper."

That may be so, but evidence at the ARB hearing showed that the power station associated with Melancthon I produced a constant hum measured at more than 40 decibels in Thompson's home. (According to a 1999 World Health Organization report, sleep disturbance occurs when there is a continuous noise exceeding its indoor guideline value of 30 decibels.)

Thompson introduced evidence at the hearing showing that the transformer station noise was audible within the house with the windows closed. He described the noise as a "nightmare" and a constant nuisance that not only affects his day-to-day activity, but also impacts the sales value and marketability of his property.

In reaching its decision to cut his assessment in half, board member Marques wrote,

*“The Board finds that the constant hum alleged by Mr. Thompson does exist and significantly reduces the current value of the subject property. The best evidence is the audio portion of the CD (Exhibit No. 1) and the testimony of both parties.*

*“Having heard this nuisance, apparently sanctioned by the Municipality, the Board accepts Mr. Thompson’s testimony that the stigma of noise contamination has a negative impact on the value and marketability of the property, and that after learning of the hum, prospective purchasers will quickly lose interest in purchasing the property. The Board is satisfied that a very substantial reduction is warranted.”*

As I see it, Thompson’s successful appeal of his assessment is only the first of many similar cases that are certain to follow. The result, of course, will be a significant reduction in the tax base of municipalities like Amaranth, which play host to wind turbine farms.

And now that the ARB, an arm of the Ontario government, has upheld a claim for loss of property value due to the proximity of a hydro substation and a wind farm, can a host of court cases and class action lawsuits for noise contamination and property devaluation be far behind?

Bob Aaron is a Toronto real estate lawyer and board member of the Tarion Warranty Corp.  
bob@aaron.ca.

Source: <http://www.yourhome.ca/homes/columnsblogs/article/747191--aaron-arb-ruling-on-wind-power-noise-sets-precedent>

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The Ontario Real Estate Association (OREA) has a Seller Property Information Statement on which the seller discloses to the buyer any “latent or patent defects” about the property the seller is selling.



## **Seller Property Information Statement Residential**

**Form 220**  
for use in the Province of Ontario

**ANSWERS MUST BE COMPLETE AND ACCURATE** This statement is designed in part to protect Sellers by establishing that correct information concerning the property is being provided to buyers. All of the information contained herein is provided by the Sellers to the brokerage/broker/salesperson. Any person who is in receipt of and utilizes this Statement acknowledges and agrees that **the information is being provided for information purposes only and is not a warranty as to the matters recited hereinafter even if attached to an Agreement of Purchase and Sale.** The brokerage/broker/salesperson shall not be held responsible for the accuracy of any information contained herein.

**BUYERS MUST STILL MAKE THEIR OWN ENQUIRIES** Buyers must still make their own enquiries notwithstanding the information contained on this statement. Each question and answer must be considered and where necessary, keeping in mind that the Sellers' knowledge of the property may be inaccurate or incomplete, additional information can be requested from the Sellers or from an independent source such as the municipality. Buyers can hire an independent inspector to examine the property to determine whether defects exist and to provide an estimate of the cost of repairing problems that have been identified.

**This statement does not provide information on psychological stigmas that may be associated with a property.**

The following is the exact wording on the standard form.

### **Environmental:**

1. Are you aware of any environment problems of any kind on the property or in the immediate area? eg: radon gas, toxic waste, underground gasoline or fuel tanks etc.
2. Are there any existing or proposed waste dumps, disposal sites or landfills in the immediate area?
3. Are there any hydro generating projects planned for the immediate area? eg: Wind Turbines?

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## BIRDS, BATS, and BURNING WIND TURBINES

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Billions of birds migrate annually, taking advantage of the same wind currents that are most beneficial for producing wind energy. As many as 440,000 birds are killed by existing wind turbines in the US every year.

### Wind Power: Good Things in Good Places

Nature Canada supports the development of wind energy in Canada, coupled with conservation measures to reduce all forms of fossil fuel consumption.



But wind energy must not be produced at the expense of wildlife.

Wind turbines and wind farms should not be located in places – such as Important Bird Areas – where birds congregate, migrate and breed.

All wind farm proposals should be subject to an environmental assessment prior to development in order to evaluate their impact on all wildlife, including birds and bats.

Regulators such as the provincial and territorial governments should adopt policies and guidelines that exclude wind energy projects from Important Bird Areas and other areas that are known to be of importance to birds and bats.

Any wind farms that already exist within migratory corridors or bottlenecks should be subject to the best practices for mitigating their impacts on birds, especially during migration season.

Source: <http://www.naturecanada.ca/advocate/wind.html?gclid=CNOt9u6027ICFexAMgodIlIgAVQ>

Bats, despite their ability to use sonar to avoid moving objects, are susceptible to "barotrauma", a sense of disorientation caused by the rapid change of air pressure created by a turbines rotating blade.

"Dead bats are turning up beneath wind turbines all over the world. Bat fatalities have now been documented at nearly every wind facility in North America where adequate surveys for bats have been conducted, and several of these sites are estimated to cause the deaths of thousands of bats per year. This unanticipated and unprecedented problem for bats has moved to the forefront of conservation and management efforts directed toward this poorly understood group of mammals. The mystery of why bats die at turbine sites remains unsolved. Is it a simple case of flying in the wrong place at the wrong time? Are bats attracted to the spinning turbine blades? Why are so many bats colliding with turbines compared to their infrequent crashes with other tall, human-made structures?"

Source: <http://www.mesc.usgs.gov/BatsWindmills/>

## Wind Turbines Burn





## Wind Turbines Can Cause Liability Issues



Can this happen to a Wind Turbine?



Source for the Photos: the www



## **Certification by Ben Lansink – CASE STUDY**

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I, Ben Lansink, certify to the best of my knowledge and belief that:

This document is not an appraisal report, a technical review, or a consulting report, as defined by the Appraisal Institute of Canada. It is a Case Study, an analysis of facts pertaining to the wind turbine phenomenon.

The statements of fact contained in this case study are true and correct.

The reported analyses, opinions, and conclusions are my personal impartial and unbiased professional analyses, opinions, and conclusions. No one provided professional analysis assistance to me. I did speak with Michael S. McCann, CRA, McCann Appraisal, LLC (Chicago, Illinois, USA).

I have no bias and no present or prospective personal interest with respect to the Melancthon Wind Turbine Facility, issues that are the subject matter of this Case Study, or to the public who may receive this Case Study.

The writing of this Case Study was not contingent upon developing or reporting predetermined results, the amount of the diminution estimate, or a conclusion favouring anyone.

My analyses, opinions, and conclusions were developed, and this Case Study has been prepared, in conformity with (1) the Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP), Appraisal Institute of Canada; (2) the Uniform Standards of Professional Appraisal Practice (USPAP), Appraisal Standards Board, United States; and (3) the International Valuation Standards (IVS).

I have the knowledge and experience to complete this Case Study competently.

The Appraisal Institute of Canada has a Continuing Professional Development Program. As of September 2012, I have fulfilled the requirements of this Program. I am a member in good standing of the Appraisal Institute of Canada.

Should any evident errors or omissions or additional undisclosed or unavailable facts become known, I reserve the right to revise this Case Study and its findings.

Respectfully submitted,



Ben Lansink, AACI, P.App, MRICS    Date: October 2012  
Lansink Appraisals and Consulting  
Telephone: 519-645-0750    Email: ben@lansink.ca

## **End of Case Study – Last Page**

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This is the last page of this Case Study.