

**FORM 9**  
**CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE**  
**CONTRACT UNDER SECTION 32 OF THE ACT**

*Construction Act*

TORONTO, ONTARIO

(County/District/Regional Municipality/Town/City in which premises are situated)

81 BAY STREET

(street address and city, town, etc., or, if there is no street address, the location of the premises)

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

81 BAY STREET FOOD HALL & NORTH LOBBY INTERIOR IMPROVEMENTS / LEVEL 4 AMENITY

(short description of the improvement)

to the above premises was substantially performed on OCTOBER 13, 2022

(date substantially performed)

Date certificate signed: OCTOBER 13, 2022

N/A

(payment certifier where there is one)

DocuSigned by:

*Lucas Bizek*

BE801EB29C1D4D8

HENRY CHEUNG

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

Name of owner: HINES 81 BAY STREET INC., 45 BAY STREET PROPERTY II INC., AND 45 BAY STREET PROPERTY III INC.

Address for service: 81 BAY STREET, SUITE 3500, TORONTO, ONTARIO

Name of contractor: ELLISDON GOVAN BROWN JOINT VENTURE

Address for service: 1004 MIDDLEGATE ROAD, SUITE 1000, MISSISSAUGA, ONTARIO

Name of payment certifier (where applicable): N/A

Address: N/A

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

81 BAY STREET FOOD HALL & NORTH LOBBY INTERIOR IMPROVEMENTS / LEVEL 4 AMENITY

(if a lien attaches to the premises, a legal description of the premises,  
including all property identifier numbers and addresses for the premises)

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

(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)