



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

Construction Act

Old Toronto

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

105 Adelaide Street West, Toronto, Ontario

(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:

11th Floor Terraces Roof Renewal

(short description of the improvement)

to the above premises was substantially performed on

July 31, 2023

(date substantially performed)

Date certificate signed: August 3, 2023

WSP Canada Inc.

(Payment Certifier where there is one)

N/A

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

Name of owner:

Brookfield Properties Canada Management LP, as agent for and on behalf of
Brookfield Properties Inc.,

Address for service:

130 King Street West, Suite 2105, PO Box 2, Toronto, ON M5X 1A9

Name of contractor:

Bothwell-Accurate Co. Inc.

Address for service:

6675 Rexwood Road, Mississauga, ON L4V 1V1

Name of payment certifier:

WSP Canada Inc.

Address:

25 York Street, Suite 700, Toronto, ON M5J 2V5

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:



SCHEDULE A – LEGAL DESCRIPTION OF LANDS

105 Adelaide Street West Toronto, Ontario

PIN 21405-0012 (LT)

Parcel 12-1 Leasehold, Section 66M2164

Part of Lot 12, Plan 66M2164, City of Toronto designated as Parts 1 and 3 on Plan 66R13864 and Parts 1, 2 and 3 on Plan 66R14141 SAVE AND EXCEPT Part 1 on Plan 66R15958.

The southerly limit of Adelaide Street West has been confirmed by Plan BA 1121 under the *Boundaries Act* registered as Plan D464, Instrument No. A677934.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of an easement over part of Lots 6 and 7, Plan 66M2164 designated as Parts 9, 10, 21, 22 and 30 on Plan 66R14112 to permit the unobstructed passage of light and air as set out in Instrument No. C177137.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of an easement over part of Lots 6 and 7, Plan 66M2164 designated as Parts 9, 10, 21, 22 and 30 on Plan 66R14112 for the purpose of maintaining, repairing, and reconstructing the North American Building as set out in Instrument No. C177137.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of an easement over part of Lots 6, Plan 66M2164 designated as Part 10 on Plan 66R14112 in common with all other persons entitled thereto, for ingress to and egress from an entrance or doorway located at ground level in the westerly wall of the North American Building as set out in Instrument No. C177137.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of an easement over part of Lots 6, Plan 66M2164 designated as Part 1 on Plan 66R14143 to maintain, repair and replace the existing two six-inch water lines as set out in Instrument No. C177137.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of easement over part of Lot 12, Plan 66M2164 designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29, 33, 34, 35, 36, 37, 38, 39, 40 and 41 on Plan 66R14112 for the purpose of maintaining, repairing and reconstructing the North American Building as set out in Instrument No. C177138.

TOGETHER WITH a non-exclusive easement, right-of-way or right in the nature of easement over part of Lot 12, Plan 66M2164 designated as Parts 1 and 2 on Plan 66R14142 for ingress to and egress from the rear of the North American Building at the ground level as set out in Instrument No. C177138.

TOGETHER WITH an exclusive easement, right-of-way or right in the nature of an easement over part of Lot 12, Plan 66M2164 designated as Parts 1, 2 and 3 on Plan 66R14142 in common with all other persons entitled thereto for use as a fire escape or exit as set out in Instrument No. C177138.

(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:

N/A

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