

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

Construction Act

Town of Pelham

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

124 Highway 20 E

(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:

Construction of New Wendy's Restaurant

(short description of the improvement)

to the above premises was substantially performed on **October 7, 2022**

(date substantially performed)

Date certificate signed: **October 18, 2022**

Ernie C. Beneventi

Digitally signed by Ernie C. Beneventi
DN: c=CA, e=ernie.beneventi@wendys.com,
o=Wendy's Restaurants of Canada Inc,
ou=Construction Manager, CN=Ernie C. Beneventi
Date: 2022.10.18 17:12:56-04'00'

(payment certifier where there is one)

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

Name of owner: **JKC Capital Inc**

Address for service: **230 Cedar Street South, Timmins ON P4N 2H1**

Name of contractor: **Stolk Construction Ltd**

Address for service: **11 Peterburg Circle, Port Colborne Ontario L3K 5V4**

Ernie Beneventi, Construction

Name of payment certifier (where applicable): **Manager, Wendy's Canada**

Address: **5515 North Service Rd, Ste. 201, Burlington, ON**

(Use A or B, whichever is appropriate)

- A. Identification of premises for preservation of liens:
FIRSTLY: PT THOROLD TP LT 167 THOROLD; PT LT 3 PL 717 FONTHILL PT 1 59R2008 EXCEPT PT 1 59R8831; T/W RO766842 (PARTIAL RELEASE AS TO PT 9, 59R14224; SECONDLY: PT THOROLD TP LT 167 THOROLD PT 1 59R10843; T/W RO766748; TOWN OF PELHAM

(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, 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)