SCHEDULE "D"

Grantor:	TN Square Inc. ("Owner")
Grantee:	The City of Winnipeg ("City")
Purpose:	The Owner to grant the City the right of access to the land identified in yellow as True North Legacy Squares on the Map titled Map of Proposed Public Investment Component Locations and Costs attached hereto as Schedule "E" (the "Plaza") to inspect the Pathway to be constructed within the Plaza, to ensure that it is kept in good repair and operating condition
Construction:	Owner to construct the Plaza to ensure that a six (6) metre hard surfaced pedestrian pathway connecting Carlton Street to Hargrave Street (the "Pathway") can be operated and maintained within the Plaza. The Pathway will be constructed in compliance with the City's Accessibility Design Standards and to the satisfaction of the City's Director of Public Works
Use:	Upon completion of construction, the Pathway will be used by members of the public at large and the Owner will not obstruct, interfere with or restrict such use in any manner whatsoever Prior written approval of the City's Chief Administrative Officer is required in the event that the Owner wishes to restrict public access to the Pathway for any reason. In providing such approval, it shall not be unreasonable of the City's Chief Administrative Officer to impose terms and conditions of such restriction.
Other:	Operating, repair and maintenance costs of the Pathway to be the responsibility of the Owner. The Owner will permit the City to register a caveat against the Plaza evidencing the rights contained herein. The Owner will be responsible for all costs associated with the registration. The Owner must provide and maintain adequate lighting at all times to ensure a pedestrian friendly Pathway.

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