

**AFFIDAVIT OF
STEPHEN MCGREGOR
REGARDING SIGNBOARDS AT
25 BURNSIDE DRIVE,
TORONTO, ONTARIO**

AFFIDAVIT OF STEPHEN MCGREGOR

I, Stephen McGregor, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am the National Director of Real Estate at CBS Outdoor, a division of CBS Canada Holdings Inc. ("CBS"), and as such I have personal knowledge of the matters hereinafter deposed to, except where I identify the source of my information and belief.

CBS and Its Predecessors

2. CBS carries on business in Ontario and elsewhere in Canada in the outdoor advertising industry through its CBS Outdoor division.
3. CBS was formerly known as Mediacom Inc. and Viacom Canada Inc.
4. I believe that Claude Neon Industries Limited, Posters Limited, E.L. Ruddy Co. Ltd. and Ontario Outdoor Advertising Limited are also predecessors of (or were acquired by) Mediacom Inc. and thus are also predecessors of CBS.

The History of the Signboards at 25 Burnside Drive

5. CBS has signboards located at 25 Burnside Drive in Toronto, Ontario (the "Property"). These signboards have been in place since at least 1951.
6. The first lease in our file for these signboards is one dated May 1, 1968 between **section 14 applies** who I believe was the then owner of the Property, and Ontario Outdoor Advertising Limited (one of CBS's predecessors). The lease is for a term of five years and refers to the Property as "Bathurst and Davenport". Attached as **Exhibit "A"** is a copy of this first lease.
7. The second lease in our file is an unsigned file copy of a lease dated May 1, 1973 between **section 14 applies** the owner referred to in the first lease, and Posters Limited and E.L.Ruddy Co. Ltd. (also CBS's predecessors). The term of this second lease

commences at the expiry of the term of the first lease and is for a term of five years. The Property is referred to as being located "W/S OF BATHURST N/O DAVENPORT RD." The Property is indeed located on the west side of Bathurst north of Davenport Rd. Attached as **Exhibit "B"** is a copy of this second lease.

8. The third lease in our file is one dated May 5, 1977 between **section 14 applies** the owner referred to in the first and second lease, and Claude Neon Industries Limited (also one of CBS's predecessors). The term of this third lease commences at the expiry of the term of the second lease and is for a term of five years. This lease refers to the lease of "such portion of the property known as w/s Bathurst n/o Davenport Road." The number of this lease is shown on the top left-hand corner as 10,013. Attached as **Exhibit "C"** is a copy of this third lease.
9. The fourth lease in our file is one dated March 1, 1983 between **section 14 applies** the owner referred to in the first, second and third lease, and Mediacom Inc. (also CBS's predecessor). The term of this fourth lease commences at the expiry of the term of the third lease and is for a term of five years. This lease refers to the lease of "such portion of the property known as w/s Bathurst & n/o Davenport Road." The number of this lease is shown in the top left hand corner, but the last 2 digits have been removed. I believe that the number of this lease is 10,013. Attached as **Exhibit "D"** is a copy of this fourth lease.
10. The fifth lease in our file is one dated January 18, 1988 between **section 14 applies** the owner referred to in the first, second, third and fourth lease, and Mediacom Inc. (which was also the tenant in the fourth lease). The term of this fifth lease commences at the expiry of the term of the fourth lease and is for a term of five years. This lease refers to the premises municipally known as "w/s Bathurst n/o Davenport Road." Furthermore, the lease provides that it "is designated by Mediacom as Lease No. 1023/10,013". CBS changed its lease numbering system during the 1980s. 10,013 was the original lease number. 1023 was the new lease number. Attached as **Exhibit "E"** is a copy of this third lease.
11. Attached as **Exhibit "F"** is a copy of a notice of assessment for taxation commencing January 1, 1980 issued to Mediacom Incorporated by the City of Toronto in respect of


signboards at 25 Burnside Road. The signboards are described as billboard type I 2 with serial number 10013. This serial number is the same as the original lease number of the leases for the Property. The lease number was given to the City of Toronto by CBS to enable CBS to track the payment of tax on its various leases. The roll number on this assessment is shown as 19 04 053 290 083 00 0020.

12. Attached as Exhibit "G" is a copy of a Notice of Violation from Christine Muccilli regarding the signboards on the Property. The roll number shown on this notice is 1904053290083000000 and is virtually identical to the roll number except for the second last digit. I am advised that the difference in the digits reflects the fact that the roll number for the notice of assessment was for a tenant of the Property while the roll number for the notice of violation was for the owner of the Property (CBS is now the owner of the Property). As such, the notice of assessment and the notice of violation relate to the same property.
13. It would appear, therefore, that according to records of the City of Toronto the signboards were on the Property as early as 1980.
14. In addition, I can advise that I have had first-hand knowledge of the signboards in question since 1988, and, to my knowledge, the signboards have not been substantially altered since at least that time.

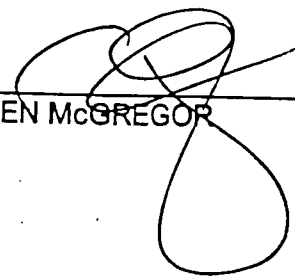
- Purpose

15. I make this affidavit in support of the fact that the signboards displayed by CBS at 25 Burnside Drive, Toronto, Ontario have legal non-conforming status, as defined in Chapter 297 of the Municipal Code and for no other or improper purpose.

SWORN before me at the City of Toronto,
Province of Ontario this 6th day of March, 2007



A Commissioner etc.



STEPHEN MCGREGOR

HAM_LAW 1633894

Francesca Nicole Ricci, a Commissioner, etc.,
Province of Ontario, while a Student-at-Law.
Expires September 15, 2009.