

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

Construction Act

Windsor, Ontario, Canada

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

377 Riverside Drive East, Windsor, Ontario, Canada N9A 7H7

(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:

Enwave Windsor Plant - North Block Plant Heating Plant Upgrades - Phase 2

(short description of the improvement)

to the above premises was substantially performed on June 11th, 2026

(date substantially performed)

Date certificate signed: August 14, 2026

MCW Consultants Ltd.

(payment certifier where there is one)

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

Name of owner: Enwave Energy Corporation

Address for service: 16 York St 22 floor, Toronto, ON M5J 0E6

Name of contractor: Vollmer Inc.

Address for service: 3822 Sandwich St., Windsor, ON N9C 1C1

Name of payment certifier (where applicable): MCW Consultants Ltd.

Address: 207 Queen's Quay West, Suite 615, Toronto, Ontario, Canada M5J 1A7

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

See Schedule A attached

(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)

SCHEDULE A

LEGAL DESCRIPTION OF THE LANDS

North Block:

Firstly: **PIN 01169-0505** (LT), PCL 9-2 SEC WINDSOR-106; PT LTS 9 TO 12, 21 PL 106, LTS 22 TO 24 PL 106, LT 20 PL 122, PT LTS 1, 2, 18, 19, 21, 22 & 23 PL 122, PT LT 2 (S/S SANDWICH ST) & PT LT 2 (N/S STUART ST) PL 123 PT 3 12R13958, T/W A TEMPORARY EASEMENT & RIGHT-OF-WAY TO ENTER OVER, ALONG & UPON PT LTS 9 TO 12, 21 PL 106, PT LTS 1 & 2 PL 122 & PT LT 2 (S/S SANDWICH ST) PL 123 PT 2 12R13958 AS IN LT185727; WINDSOR

Secondly: **PIN 01169-0497** (LT), LT 12 PL 122 WINDSOR; LT 13 PL 122 WINDSOR; LT 14 PL 122 WINDSOR; LT 15 PL 122 WINDSOR; LT 16 PL 122 WINDSOR; LT 17 PL 122 WINDSOR; LT 30 PL 122 WINDSOR; LT 31 PL 122 WINDSOR; LT 32 PL 122 WINDSOR; LT 33 PL 122 WINDSOR; LT 34 PL 122 WINDSOR; LT 35 PL 122 WINDSOR; LT 36 PL 122 WINDSOR; LT 5 S/S STUART ST PL 123 WINDSOR; LT 7 S/S STUART ST PL 123 WINDSOR; LT 2 BLK 4 PL 126 WINDSOR; LT 3 BLK 4 PL 126 WINDSOR; LT 4 BLK 4 PL 126 WINDSOR; LT 5 BLK 4 PL 126 WINDSOR; LT 6 BLK 4 PL 126 WINDSOR; PT LT 25 PL 106 WINDSOR; PT LT 26 PL 106 WINDSOR; PT LT 27 PL 106 WINDSOR; PT LT 28 PL 106 WINDSOR; PT LT 3 PL 122 WINDSOR; PT LT 4 PL 122 WINDSOR; PT LT 5 PL 122 WINDSOR; PT LT 6 PL 122 WINDSOR; PT LT 8 PL 122 WINDSOR; PT LT 9 PL 122 WINDSOR; PT LT 10 PL 122 WINDSOR; PT LT 11 PL 122 WINDSOR; PT LT 18 PL 122 WINDSOR; PT LT 19 PL 122 WINDSOR; PT LT 21 PL 122 WINDSOR; PT LT 22 PL 122 WINDSOR; PT LT 23 PL 122 WINDSOR; PT LT 2 N/S STUART ST PL 123 WINDSOR; PT LT 5 S/S SANDWICH ST PL 123 WINDSOR; PT LT 1 BLK 3 PL 126 WINDSOR; PT LT 2 BLK 3 PL 126 WINDSOR; PT LT 3 BLK 3 PL 126 WINDSOR; PT LT 4 BLK 3 PL 126 WINDSOR; PT LT 5 BLK 3 PL 126 WINDSOR; PT LT 6 BLK 3 PL 126 WINDSOR; PT LT 1 BLK 4 PL 126 WINDSOR; PT WILLIAM ST PL 106 WINDSOR AKA PITT ST CLOSED BY R1307647; PT STUART ST PL 122 WINDSOR AKA PITT ST CLOSED BY R1307647; PT MERCER ST PL 122 WINDSOR CLOSED BY R1307647; PT ALLEY PL 122 WINDSOR CLOSED BY R1307647; PT STUART ST PL 126 WINDSOR AKA PITT ST CLOSED BY R1307647; PT ALLEY PL 126 WINDSOR CLOSED BY R1307647; PT 4, 12R13958; T/W R1313548; WINDSOR

Thirdly: **PIN 01169-0504** (LT), PCL 25-2 SEC WINDSOR-106; PT LTS 25 TO 28, 37 TO 40 PL 106, LTS 24 TO 29, 37 TO 39, PT OF PITT ST E (FORMERLY STUART ST AS CLOSED BY BYLAW R1230673), PT OF PITT ST E (AS CLOSED BY BYLAW 19 REG AS 19), PT ALLEY CLOSED BY BYLAW R561143, PT ALLEY CLOSED BY BYLAW R1148008 PL 122, LT 4 S/S OF PITT ST E (FORMERLY STUART ST), LTS 3 & 4 N/S CHATHAM ST E (FORMERLY ARTHUR ST) PL 123 PTS 6 & 7 12R13958, T/W PT LTS 28, 37 TO 40 PL 106, T/W PTS 8 & 9 12R13958 AS IN LT185727, S/T R1148008 & R1157368; WINDSOR