

SCHEDULE 2**AFFECTED LANDOWNER DISPUTE RESOLUTION**

Where the Concessionaire is not able to resolve a dispute with an affected landowner related to one of the matters which are permitted by the *Highway 407 Act* to be referred to the Minister of Transportation of Ontario (the "Minister") the Concessionaire may advise the affected landowner that the matter may be referred to the Minister and thereafter the Concessionaire may refer such matter to the Minister. When any such matter is referred to the Minister, the Minister may authorize the Concessionaire to undertake the proposed action including authorizing the Concessionaire to do anything that the Minister would be permitted to do under section 6 of the *Public Transportation and Highway Improvement Act*.

With respect to any matter referred to the Minister, the Minister shall not determine the damages to which either party is entitled. With respect to any unresolved dispute over damages with an affected landowner, or with respect to any other disputes, the Concessionaire shall, by notice, offer the affected landowner the opportunity to use a form of alternative dispute resolution, such as mediation, binding or non-binding arbitration or the dispute resolution provisions of Article 25 of the Concession Agreement. If within thirty (30) days of receipt of the Concessionaire's notice the affected landowner has not indicated that it agrees to use such alternate dispute resolution procedure, then any party to the dispute may use any other alternative permitted by Laws and Regulations, including an application to a court.