December 23, 2016

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: MA 96 2016]

On November 28, 2016, Municipal Affairs received your request for access to the following records:

"I would like all information on file number 1-1361 application number E-82909 for land situated at Mobile. Application is in the name of the [Redacted] Also, any related information associated with this application or any other applications in the name of [Redacted]"

I am pleased to inform you that a decision has been made by the Deputy Minister for Municipal Affairs to provide access to some of the requested information.

Information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

"40. (1): The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal
(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;
(b) the contents of a formal research report or audit report that in the opinion of the head of the public body is incomplete and in respect of which a request or order for completion has been made by the head within 65 business days of delivery of the report; or
(c) draft legislation or regulations."

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.
In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 729-3263 or by email at lisas@gov.nl.ca.

Sincerely,

Lisa Sullivan
ATIPP Coordinator

Enclosures
Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to
(a) a request that is disregarded under section 21;
(b) a decision respecting an extension of time under section 23;
(c) a variation of a procedure under section 24; or
(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
APPLICATION FOR LEASE OF LAND

FOR AGRICULTURE

Under Section 5 of The Crown Lands Act

1. (First Name) (Middle Name) (Family Name) s.40(1)

of

Post Office Address s.40.1

in the Electoral District of Telephone No. s.40.1

MAKE OATH AND SAY AS FOLLOWS:

1. That my present occupation is. s.40.1

2. That my present employer is.

3. That I am a citizen of, residing in.

4. That I am years of age. s.40.1

5. That I hereby apply for a lease of land situate in the District of and bounded as follows:

on the North by .................................................................

on the South by .................................................................

on the East by .................................................................

on the West by .................................................................

and containing an area of ..................................................

6. That I have not heretofore received from the Crown a grant, lease or licence of any land in the Province of Newfoundland except

7. That I intend to enter upon the land leased to me and put under cultivation 10 percent of the land within 2 years, 25 percent within 5 years, 50 percent within 10 years and 75 percent within 15 years from the date of issue of the lease and use the land for 

8. That I intend to use the land continuously for farming and agriculture, that I shall not subdivide the land or use it for any purpose other than agriculture during the entire term of the lease, and that I shall not convey or assign, except by way of mortgage, either in whole or in part the land leased to me without the consent of the Minister of Forestry and Agriculture or the Executive Council as applicable.

9. That I understand the failure to operate the project for three consecutive years will cause the lease to be null and void and the land revert to the Crown.

10. That I understand that I shall pay all municipal, provincial or parliamentary taxes assessed against the land.

11. That I am not aware of any adverse claim on the land either through occupation or other grounds by any person, and that the said land is wholly unoccupied and unimproved, except

(If no improvement, state "None")

SWORN BEFORE ME AT this day of

this

December, 19__

ALEXANDER MORGAN

A Commissioner for Oaths in and for the Province of Newfoundland

Signature of Applicant

NOTE: A deposit fee of ONE DOLLAR must accompany this application.

It is required that this affidavit be carefully read and understood by the applicant.
Dear Sir/Madam:

This is with reference to your application ([4311]) for a Lease of Crown Land situated at Mobile.

The application has been approved for a Permit for Occupancy for a term of three (3) years at an annual rental of one dollar ($1.00). The initial rental is to be paid by you when you sign the documents.

Please note that the parcel of land concerned must not be developed or occupied prior to your receiving the fully executed Permit.

Yours very truly,

[Signature]

Supervisor of Lands

P.S. The area to be occupied is 1860 square metres.
PROVINCE OF NEWFOUNDLAND

PERMIT

for

OCCUPANCY OF CROWN LAND

UNDER SECTION 21,

OF

THE CROWN LANDS ACT, Chapter 71 RSN, 1970 as amended.

S.40(1)

THIS PERMIT ENTITLES ____________________________

to occupy CROWN LANDS, comprising approximately not exceeding 0.18 ha,

located at ____________________________

in the District of ____________________________

being more particularly indicated on a map attached herein and generally described as follows:

An area not to exceed 0.18 ha located on the east side of the highway

at Mobile

for the purpose of ____________________________

Home Gardening
SUBJECT TO the following terms and conditions: including Schedule "A"

1. A fee of $1.00 per annum payable in advance.

2. The permit-holder undertakes to comply with all the relevant provisions of The Crown Lands Act, chapter 71 RSN, 1970 as amended and of any other Act.

3. The permit-holder agrees not to cut, remove, or allow to be cut any timber other than that which is necessary for the purpose designated.

4. The permit-holder agrees to comply in all respects to any additional conditions as outlined in Schedule "A".

5. This permit shall cease to be valid if the permit-holder fails to comply with any of the conditions.

6. The permit is non-transferable and expires three years from date of issuance.

7. The permit does not authorize the permit-holder to enter upon private land, to dispute private claims to land, or to obstruct any public right of way.

[Signature]
Permit-holder

Minister of Forest Resources & Lands

May 25, 1981
Date of Issuance.
1. The permit allows for clearing and cultivating Crown land for home gardening purposes (root crops only).

2. The permit is renewable at the Minister's discretion.

3. The permit-holder agrees to and understands that if the land is required for a more suitable land-use, the permit to occupy will not be renewed.

4. The permit-holder understands the Crown will accept no liability for improvements carried out on the land by the permit-holder in the event the permit to occupy is cancelled or not renewed.

5. The permit-holder must clear and cultivate the land within two years from the date the permit is issued.

6. The permit-holder must establish and maintain visible boundary lines.

7. The permit-holder must not place or erect any buildings on the land except a tool shed and then only with the written consent of the Agriculture Supervisor.

8. The permit does not waive the required consent of, or permission from other government departments or agencies.

9. There is to be no tilling of soil within 30 metres of any water course (pond or stream).

10. There is to be no spreading of manure within 90 metres of any well or public water supply and manure may not be spread on the watershed of any community water supply system.

11. Pesticides used on the property should be applied by the permit-holder or a licenced pesticides applicator.
Department of Forestry and Agriculture

APPLICATION FOR GRANT OF LAND

Under Section 8 of the Crown Lands Act

I, [Redacted], (First Name) (Middle Name) (Family Name),

in the Electoral District of [Redacted], Telephone No. [Redacted],

MAKE OATH AND SAY AS FOLLOWS:

1. That my present occupation is [Redacted].

2. That my present employer is [Redacted].

3. That I am a citizen of Canada, residing in [Redacted].

4. That I am [Redacted] years of age.

5. That I hereby apply for a grant of land situate at [Redacted] in the District of [Redacted] and bounded as follows:

   - on the North by [Redacted].
   - on the South by [Redacted].
   - on the East by [Redacted].
   - on the West by [Redacted].

   and containing an area of [Redacted].

6. That I have not heretofore received from the Crown a grant, lease or licence of any land in the Province of Newfoundland except [Redacted].

7. That I require the said land, for the purposes of [Redacted].

8. That I am not aware of any adverse claim to the land, either through occupation or on other grounds, by any person, and that the said land is wholly unoccupied and unimproved except [Redacted].

(If no claim, occupation or improvement, state "None")

SWORN BEFORE ME AT [Redacted], day of [Redacted], 19[Redacted],

A Commissioner for Oaths in and for Newfoundland. My commission expires the 31st. day of December, [Redacted],

Signature of Official Administering Oath

NOTE: A deposit fee of ONE DOLLAR must accompany this application.

It is required that this affidavit be carefully read and understood by the applicant.
**DESCRIPTION OF BUILDING, IF ANY, TO BE ERECTED UPON LAND DESCRIBED IN APPLICATION**

<table>
<thead>
<tr>
<th>Dwelling House</th>
<th>Summer Cottage</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Indicate type of building)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Length ft.</th>
<th>Width ft.</th>
<th>No. Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**TYPE OF CONSTRUCTION**

- **FRAME**
- **FOUNDATION**—Wooden Posts □ Concrete Posts □ Full Concrete Basement □

**ROOFING**

N.B. Must be fire resistant material.

**WALLS**—Outside

**CHIMNEYS**—No. □ Type □

N.B. Should be claytype, concrete or brick.

**DESCRIBE BRIEFLY WATER AND SEWERAGE FACILITIES YOU PROPOSE TO HAVE**

---

10
Application No. 37940

Location: Witless Bay

This application is for the purpose of obtaining title for an area of Crown Land situated near Witless Bay. The land is required for a septic tank. The St. John's Metropolitan Board, for the following reasons:

FOR OFFICE USE ONLY
APPLICATION FOR LEASE OF LAND

FOR RESIDENCE

Under Section 5 of The Crown Lands Act

I, .............................................. (First Name) .............................................. (Middle Name) .............................................. (Family Name)

of .............................................. (Post Office Address)
in the Electoral District of .............................................. Telephone No. ..............................................

MAKE OATH AND SAY AS FOLLOWS:

1. That my present occupation is ..............................................

2. That my present employer is ..............................................

3. That I am a citizen of ..............................................

4. That I am .............................................. years of age.

5. That I hereby apply for a lease of land situate at .............................................. In the District of .............................................. and bounded as follows:

- on the North by ..............................................
- on the South by ..............................................
- on the East by ..............................................
- on the West by ..............................................

and containing an area of ..............................................

6. That I have not previously received from the Crown a Grant, lease or licence of any land in the Province of Newfoundland except ..............................................

7. That I intend to enter upon the land leased to me and erect and maintain thereon a single dwelling house in conformance with the National Building Code of Canada standards within three years from the date of the lease and use the land continuously for the purpose of residence only.

8. That I understand that the land leased to me shall not be assigned or conveyed in whole or in part, except by way of mortgage, or used for any purpose other than residence without the consent of the Minister of Forestry and Agriculture.

9. That I understand that I shall pay all municipal, provincial or parliamentary taxes assessed against the land.

10. That I am not aware of any adverse claim to the land, either through occupation or on other grounds, by any person, and that the said land is wholly unoccupied and unimproved except ..............................................

SWORN BEFORE ME AT ..............................................

this .............................................. day of .............................................. 19 ..............................................

Official Administering Oath ..............................................

Signature of Applicant ..............................................

NOTE: A deposit fee of ONE DOLLAR must accompany this application.

DERMOT DELANEY

It is required that this affidavit be carefully read and understood by the applicant.

A Commissioner for Oaths in and for Newfoundland. My commission expires the 31st day of December, 1982.
DESCRIPTION OF BUILDING TO BE ERECTED UPON LAND DESCRIBED IN APPLICATION

Length 36 ft. Width 24 ft. No. Stories 2

TYPE OF CONSTRUCTION

FRAME

FOUNDATION—Wooden Posts □ Concrete Posts □ Full Concrete Basement □

ROOFING Shingles

N.B. Must be fire resistant material.

WALLS—Outside Boarded Inside Panel

CHIMNEYS—NO. 1 TYPE Brick

N.B. Should be claytype, concrete or brick.

DESCRIBE BRIEFLY WATER AND SEWERAGE FACILITIES YOU PROPOSE TO HAVE

[Signature]
This application has been approved for an area not to exceed .......................................... acres with a maximum frontage of ........................................ feet.
Date: Oct 4, 1988

Location: Mobile

Complaintant: [Redacted]

Phone #: [Redacted]

Nature of Complaint:
Land approved for agriculture. OPP582709. Some of the land is being fenced. Concerning this application by one [Redacted]. Please investigate.

Complainant's Signature: [Redacted]

Action Taken: 

[Blank lines]
TO WHOM IT MAY CONCERN:

You are hereby notified that unless you are in possession of a permit, lease, grant, bill of sale, or other document permitting lawful occupancy of this land you are in violation of Section 116 and 134 of the Crown Lands Act, and are therefore, unlawfully occupying this land.

Please contact the Regional Lands Office, Department of Forest Resources and Lands, Building T-851, Pleasantville, St. John's, Newfoundland within 30 days of the date of this notice. Failure to do so may result in legal action being initiated against you.

DATE: 88-12-05

Land Use Technician
(Eastern)
BACKGROUND SUMMARY:

1. On 33-02-29, [redacted] was given approval to survey 20 ha. of Crown land required for agricultural purposes.
2. On 33-10-04, a portion of the approved area was reported by [redacted] as being fenced by [redacted].
3. On 33-11-28, [redacted] reported that [redacted] had moved a trailer to the site.

12. On 33-12-12, a field investigation revealed that:
   a. [redacted] had sold the trailer and the building lot to [redacted].
   b. The total area claimed by [redacted] consisted of 15 ha.
   c. The area was not fenced.
   d. [redacted] is presently occupying another portion of the claimed area with a mobile home.

13. On 33-12-13, John Kennedy interviewed [redacted], who produced documentation, registered at the Registry of Deeds on 33-09-24, consisting of:

14. Formalization of this transaction by an indenture between [redacted] dated 33-06-15, and [redacted].
   a. Supporting affidavit by [redacted].
   b. Note: This indenture refers to a schedule "A" which was not attached. Therefore, there is no reference to the amount of land being conveyed.

15. An indenture dated 33-03-19, between [redacted], this indenture indicates the conveyance is as per schedule "A" hereinafter numbered. The type used in the indenture is different from that used in Schedule "A" which leaves one to believe it may have been substituted.

16. An indenture dated 33-11-29, between [redacted], whereby 0.75 ha of land was conveyed, supporting affidavit from [redacted] is attached. This indenture contains the same schedule "A" as in the foregoing-mentioned No. 161.

(Cont'd)

(14) On 89-05-29, interviews were held with the individuals named in the above-noted documentation as supporting claim. In all cases, they are willing to refuse his claim to all but an area of approximately 120 meters by 110 meters which is the area intended to be conveyed in the document noted in No. 131 (A).

RECOMMENDATION:

Based on the information contained in the attached reports, I concur with John Kennedy's recommendation that notice be served on [REDACTED] under Section 128 of the Crown Lands Act. Also, [REDACTED] who purchased a trailer and land from [REDACTED] should be put on notice of our actions.

Walter C. H. Malley
Eastern Regional Lands Manager

[REDACTED]

ATTACH.

JUNE 6, 1959
NOTICE

Take notice that Her Majesty the Queen in Right of Newfoundland claims to be owner of all that piece or parcel of land situated and being at Mobile, Southern Shore as more particularly shown on the map appended hereto by virtue of the said land being Crown Land.

Under the provisions of Section 128.3(2) of The Crown Lands Act, Chapter 71, R.S.N. 1970, as amended, any person having an adverse claim to the title claimed by Her Majesty the Queen in Right of Newfoundland shall make an application under The Quieting of Titles Act to have this title judicially investigated within sixty (60) days of receipt of this notice. If the application is not made, any claim that the adverse claimant may have is barred and the adverse claimant has no right to make an application under The Quieting of Titles Act, Sections 141 to 148 of The Judicature Act, The Crown Lands Act, or any other Act or law with respect to the land leased or granted.

If you require further information or clarification, please contact the Director of Crown Lands Administration at the Howley Building, Higgin's Line, St. John's - Telephone No. 576-3174, Fax 576-6136.

JOHN H. FLEMING
Deputy Minister
October 25, 1989

I am writing subsequent to the letter of John M. Fleming, Deputy Minister of Environment and Lands, dated August 30, 1989 concerning the parcel of land at Mobile on the Southern Shore that Her Majesty the Queen in Right of Newfoundland Claims by virtue of the land being Crown Land.

The aforementioned letter and map is amended to delete the parcel of land containing 0.7344 ha., conveyed by you to [redacted] on November 29, 1988 and registered in Roll 509 Frame 728 of the Registry of Deeds and the parcel of land containing 0.159 ha. conveyed by you on July 07, 1989 to [redacted] and registered in Roll 651 Frame 1638 of the Registry of Deeds and the parcel of land occupied by yourself containing 3.424 ha. as described in the Survey of NLS dated September 24, 1989.

If you require any additional information please contact the undersigned at the above address or telephone.

Yours truly,

[Signature]

Director of Crown Lands
ALL THAT piece or parcel of land situate and being on the
southeast side of the Southern Shore Highway near Mobile in the
electoral district of Ferryland in the Province of Newfoundland,
adjoined and bounded as follows, that is to say: Beginning at a
point on the southeast side of the Southern Shore Highway,
above said the said point having modified three degree transverse
meridian map projection coordinates of north 5,235,362.77 meters
east 536,846.30 meters; thence running by land of
south seventy seven degrees ten minutes twenty six seconds east
two hundred and sixty two decimal four six meters (242.46m); and
thence south seventeen degrees thirty nine minutes forty four
seconds west one hundred and twenty decimal four one meters
(120.41m); thence running by crown land north eighty five
degrees nineteen minutes forty seven seconds west seventy seven
decimal nine six meters (77.96m); thence running by land of
David Penny north eighty four degrees ten minutes two seconds
west one hundred and eight decimal one five meters (100.15m); and
thence south eighty five degrees forty minutes fifty eight
decimals west nineteen decimal zero two meters (19.02m); and
thence south eighty eight degrees nineteen minutes fifty eight
decimals west twenty four decimal two nine meters (24.29m); and
thence north seventy three degrees five minutes two seconds west
thirty one decimal four two meters (31.42m); thence running
along the southeast side of the Southern Shore Highway, aforesaid
north twenty two degrees nine minutes nine seconds east one
hundred and fifty five decimal seven one meters (155.71m) more
or less to the point of beginning and being more particularly
shown delineated on the plan hereto attached and containing in
all an area of 3.424 hectares. All bearings are referred to grid
north.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
ALL THAT piece or parcel of land situate and being East of the Southern Shore Highway [40 m wide], near Mobile, in the Electoral District of Ferryland, in the Province of Newfoundland, bounded and abutted as follows, that is to say commencing at a point, the said point having T.M. Grid Co-ordinates of N 5,235,543.113 and E 316,989.878;

THEN run North fifty-six degrees fifty-four minutes forty-one seconds West [N 56° 54' 41" W], a distance of one hundred twenty-one decimal nine two meters (121.92 m) by land of Kevin Hyde;

THEN run North twenty-four degrees thirteen minutes forty-seven seconds East [N 24° 13' 47" E], a distance of sixty decimal nine six meters (60.96 m) by land of the Southern Shore Highway [40 m wide] to the point of commencement and containing in all an area of 0.7344 hectares as more particularly described and delineated on the plan hereto annexed.

ALL bearings are referred to Grid North.

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**SCHEDULE "A"**

---

**SOUTHERN SHORE HIGHWAY, near MOBILE**

- **LIS ASSOCIATES LTD.** (Surveyors)
- **NEWFOUNDLAND ADJOINT 2KD**

<table>
<thead>
<tr>
<th>Points Used for Control</th>
<th>to be acquired by</th>
<th>Scale:</th>
<th>Job no.</th>
</tr>
</thead>
<tbody>
<tr>
<td>N 5,233,478</td>
<td>D.W.V.</td>
<td>1:750</td>
<td>88-148</td>
</tr>
<tr>
<td>E 317,732,223</td>
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<tr>
<td>N 5,208,751,957</td>
<td>D.W.V.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E 317,345,920</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Drawn by:** D.W.V.  **Surveyed by:** R.T.W.  **Checked by:** D.W.V.  **Date:** NOV. 88  **Job No.:** 88-148
THIS INDENTURE is made at Mobile, Electoral District of Ferryland, in the Province of Newfoundland, this 28th day of November, Anno Domini One Thousand Nine Hundred and Eighty-Eight,

BETWEEN:媌

OF Mobile, in the Province of Newfoundland,

(hereinafter called the "Confirmor")

OF THE ONE PART

AND:

OF Mobile, in the Province of Newfoundland,

(hereinafter called the "Confirmee")

OF THE OTHER PART

WHEREAS by Indenture of Conveyance made the 15th day of June, A.D. 1972 between 媌 as Vendor of the one part and 媌 as Purchaser of the other part and registered in Volume 3391 of the Registry of Deeds for Newfoundland at Folios 559-564, assigned and conveyed unto 媌 the lands and premises therein described (and hereinafter more particularly described in Schedule "A" hereto annexed):

AND WHEREAS by Indenture of Conveyance made the 19th day of March, A.D. 1973 between 媌 as Vendor of the one part and 媌 as Purchaser of the other part and registered in Volume 3391 of the Registry of Deeds for Newfoundland at Folios 565-568, assigned and conveyed unto � the lands and premises therein described (and hereinafter more particularly described in Schedule "A" hereto annexed):

AND WHEREAS the Confirmor, � has been asked to join in this Deed to confirm title to the Confirmee of the lands and premises hereinbefore recited (and hereinafter more particularly described in Schedule "A" hereto annexed):

.../1
NOW THEREFORE THIS INDENTURE WITNESSETH that for and in consideration of the sum of one dollar ($1.00) in hand well and truly paid by the Confirmor to the Confirmee on or before the execution of these presents (the receipt whereof is hereby acknowledged) the Confirmor HEREBY RATIFIES AND CONFIRMS that the piece or parcel of land hereinbefore recited and hereinafter more particularly described in Schedule "A" hereeto is the same piece or parcel of land assigned, transferred and conveyed by [Redacted] by Indenture of Conveyance dated the 15th day of June, A.D. 1972 and registered in Volume 3391 of the Registry of Deeds for Newfoundland at Folios 559-564, which said piece or parcel of land was assigned, transferred and conveyed by [Redacted] by Indenture of Conveyance dated the 15th day of March, A.D. 1973 and registered in Volume 3391 of the Registry of Deeds for Newfoundland at Folios 565-568 AND HEREBY FURTHER RATIFIES AND CONFIRMS title to the said piece or parcel of land to the Confirmor.

IN WITNESS WHEREOF the Confirmor hereeto has hereunto his hand and seal subscribed and set the day and year first before written.

SIGNED, SEALED AND DELIVERED

by the Confirmor

in the presence of:

A Commissioner for Oaths in and for Newfoundland, being a Welfare Officer appointed under the Department of Public Welfare Act.
This Lease requires that development be completed by 88.12.08.

After this date, a representative from the Agrifoods Division, Department of Forest Resources and Agrifoods will conduct an inspection to determine whether or not you have complied with the terms and conditions of your Lease.

Should you require further information or clarification, please contact this office at the above address or telephone number.

Yours truly,

[signature]

LANDS OFFICER

C.C. Agrifoods Division
An inspection by a Departmental Official reveals that the development conditions of this Lease have not been complied with. The Lease will be null and void thirty (30) days from the date of this letter.

If you have any information to the contrary, contact this office before expiration of the thirty (30) day period.

Yours truly,

[Signature]

REGIONAL LANDS MANAGER
DATE: 29 04 14

TO: [Redacted] c/o Captain's Table Restaurant, Mobile

NUMBER: 334-2278

From     GARY MYLER, Crown lands

TELEPHONE NUMBER: 729-0193

NUMBER OF PAGES (including cover sheet): 2

COMMENTS: The attached letter has been returned to this office stamped "no such address". It concerns your agricultural lease located across the road. You have thirty days from the date of this fax to respond to this letter or the lease will be cancelled as per the letter. Can you please inform this office of your mailing address?
To: Agricultural

From: Gary Myler

Re: lease E-71100 — s.40(1)

Back in 1998 your Branch recommended that this lease be canceled because of non-development. The lease was about to be canceled when the applicant phoned and informed me that he had approval from your branch to plant ST. John Wort. I informed Grant Martin and he was going to check into it and get back to me. Can you please review this matter and get back to me on whether the lease should be canceled or not.
January 11, 2000

Mr. Gary Myler  
Department of Government Services and Lands  
Eastern Regional Lands Office  
5 Mews Place  
St. John’s, NF

Dear Mr. Myler:

RE: A.L. E-71100 - s.40(1)

The Agrifoods Branch has recently conducted a site inspection of the above noted lease and found that there are approximately 2.0 acres of land cleared.

I have been informed by the lessee that he plans to seed the 2.0 acres and clear additional land this coming spring.

Therefore, it is

If there are any further questions, please call me at 729-6692.

Sincerely yours,

KEN BAILEY  
Agriculture Technician II (East)

/db

Cc. Mr. Granville Martin  
Land Use Planner

P.O. Box 8700, Brookfield Rd., St. John’s, Newfoundland, Canada, A1B 4J6  
http://www.gov.nf.ca/agric
From: Gary Myler
To: Kevin Glynn
Date: 2/7/00 11:16AM
Subject: Agricultural lease E 71100

Please have the performance date on this lease increased to Dec 08, 2000 on the recommendation of the Agricultural Branch thanks
DEPARTMENT OF GOVERNMENT SERVICES AND LANDS

Application for Crown Lands

For Department Use Only

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Receipt No.</th>
<th>File No.</th>
<th>Date Registered</th>
<th>Initial</th>
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(A) APPLICATION INFORMATION

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<tr>
<th>First Name</th>
<th>Middle Name</th>
<th>Family Name</th>
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Mailing Address

Postal Code

Telephone No.: Home | Business | Age

1. Are you a resident of the Province of Newfoundland and Labrador? YES | NO

2. Are you an employee of the Department of Government Services & Lands? YES | NO

3. Have you, your spouse, or any dependent children ever applied for, or received land from the Crown? YES | NO If yes, specify Title No.(s).

(B) PROPOSED TENURE AND USE

1. Type of Application: | Lease | Grant | Licence to Occupy

2. Land Use: | Residence | Cottage | Agriculture (provide details below) | Aquaculture | Commercial (provide detailed description below) | Other (provide details below)

3. Describe buildings to be erected (if applicable) | Dimensions: Length | Width

4. Proposed water and sewage facilities (if applicable)

   | Well | Septic | Municipal Water | Municipal Sewer | Other | (provide details below)

(C) LAND DESCRIPTION

1. The land is situated at

   in the Electoral District of

2. Is the land applied for located within municipal boundaries? YES | NO

   If yes, you must enclose a Municipal Recommendation Form.

   NOTE: This form is available from the Municipal Council, Regional Lands Office, & Government Service Centres.

3. Approximate dimensions of the land: Frontage | metres | Depth | metres

4. Distance to closest waterbody: | metres | Name

5. Is the site accessible by road? YES | NO

   If no, will the site require new road construction for access? YES | NO

   If yes, what will be the approximate length of the road? | metres

   For sites without road access, please indicate method of transportation:

   Walking | A.T.V. | Boat | Snowmobile | Aircraft

   For sites without road access, location of access route must be indicated on the map attached to the application and access by A.T.V. must be in accordance with A.T.V. Regulations.

6. Is the site presently occupied: fences, buildings, signs, clearing, local understanding? YES | NO

   If yes, state year occupation commenced, area occupied and name of person who developed or occupied the land

7. Are you aware of any evidence of previous land use, such as fences, buildings, signs, clearing, local understanding, etc.? YES | NO If yes, state year occupation commenced, area occupied and person who developed the land

35
Enclosed is your Amendment No. E-117441, which has been issued by the Minister of Government Services and Lands and registered in the Registry of Crown Titles.

Yours very truly,

LANDS OFFICER
AMENDMENT TO CROWN LEASE 71100

This Agreement made this 31st day of July, and in the Province of Newfoundland, Canada.

Between

THE HONOURABLE THE MINISTER OF GOVERNMENT SERVICES AND LANDS for and on behalf of Her Majesty the Queen in Right of Newfoundland (hereinafter called the "Minister")

OF THE ONE PART

and

OF MOBILE in the Electoral District of Ferryland in the Province of Newfoundland, (hereinafter called the "Lessee")

OF THE OTHER PART

WHEREAS by Indenture of Lease under the provisions of subsection (1) of Section 5 of The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970, as amended, dated 8th day of December A.D. 1986, made between the Crown as Lessor and [Name of Lessee] as Lessee and registered in the Registry of Crown Grants for the Province of Newfoundland as Lease number 71100 A.D. THAT piece or parcel of land therein described TOGETHER with the appurtenances thereto belonging or in any wise appertaining thereto was demised unto the Lessee, therein for the full term of fifteen (15) years from the 8th day of December A.D. 1986, SUBJECT TO the rents, covenants and conditions in the said Indenture of Lease contained and on the part of the Lessee to be paid, observed and performed;

AND WHEREAS it has become necessary to amend the said Lease as hereinafter described;

AND WHEREAS this agreement is supplemental to the said Lease;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of $1.00 (receipt of which is hereby acknowledged) Crown Lease number 71100 is hereby amended in the following manner:

1. That the description and diagram contained in the said Lease are hereby revoked and the description and diagram contained in Schedule "A" and Schedule "B" attached to this Agreement are hereby substituted in place of the former description and diagram.

2. That except for the land hereby leased, the issuance of this Amendment by the Minister of Government Services and Lands does not constitute an acknowledgement of any right, title or interest in or to any of the other parties identified in the survey description and plan attached hereto as Schedules A and B.

3. The Lease is hereby confirmed in every other respect.
IN WITNESS WHEREOF the Parties have executed this Indenture.

SIGNED AND SEALED by the Minister of Government Services and Lands and the Seal of the Department of Government Services and Lands was affixed on the day of in the presence of:

Witness

Minister of Government Services and Lands

SIGNED AND SEALED by the Lessee: on the 12th day of July in the presence of:

Witness

Lessee

MARIIETTE BYRNE
A Commissioner for Coelts In and for Newfoundland. By commission given December 24, 1896.
All that piece or parcel of land situate and being to the west of the Southern Shore Highway, near Mobile, in the electoral district of Ferryland in the Province of Newfoundland, being bounded and abutted as follows, that is to say beginning at a point said point having coordinates of north 5,236,205.239 m., and east 317,213.479 m., thence along lands leased to the Southern Shore Physical Recreation Assoc. and crown land, north 77 degrees, 10 minutes, 22 seconds west, 271.375 m., thence by crown land, north 24 degrees, 29 minutes, 29 seconds east, 73.050 m., thence by crown lands and a reservation along a frog marsh, south 77 degrees, 10 minutes, 22 seconds east, 281.795 m., thence along the proposed western limit of the Southern Shore Highway, south 32 degrees, 15 minutes, 18 seconds west, 75.852 m., to the principal point of beginning. RESERVING NEVERTHELESS out of the above described parcel a stream and its reservation 10 m. wide along each side. The above described parcel contains in all an area of 1.817 ha. and is more particularly shown on the attached plan no. 2048. All bearings being referred to Grid North NAD 83.
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

October 11, 2000

Mr. Wayne Dawe
Department of Government Services
and Lands
Howley Building, Higgin’s Line

Re: Agriculture Lease No. 71100

A parcel of the above-noted lease is required by this Department to facilitate the upgrading of Route 10, Southern Shore Highway, near Mobile.

An area measuring some 655.60 square metres is required by this department, therefore leaving a balance of 1.817 hectares. See copies of both parcels enclosed.

I have spoken to [REDACTED] who advised that I forward all information to you and that you would have the Lessee, [REDACTED], execute a Deed of Surrender for the parcel of land required by this Department and thereafter convey title to this Department. I will also instruct the surveyor, Mr. Richard Young, to forward legal surveys and information to you in order to renew [REDACTED]’s lease.

If you require any further information please contact the undersigned at 709-729-5445.

I thank you for your attention to this matter.

Yours very truly,

HERMAN AVERY
Senior Property Administrator

HA/tp
Encl.
The survey returns which you have submitted under Section 10 of The Lands Act, on behalf of the above referenced application, do not comply with the Crown Lands Survey Guidelines and cannot be utilized for the title document. Please refer to the attached list for the reasons of the non-acceptance.

Could you review your records and supply this information at your earliest convenience.

If satisfactory survey returns are not received by 2001.05.21, the application will be considered cancelled in accordance with Section 10 of The Lands Act. Should an extension be necessary a written request by the applicant must be received by this Department before the expiry date.

We will place this application on hold for 14 days from the date of this letter. If we have not received your reply by this date we will be notifying the applicant that you have been written requesting further information on the survey.

If you require any additional information concerning this application please contact the Lands Office at the above address. Please quote No. 117441 when replying.
LIST OF REASONS FOR NON-ACCEPTANCE OF SURVEY

E - 117440

1. Incorrect value on Mon No. 83G3400.
2. The first distance from the monument should be shown as a horizontal ground distance.
3. All distances between the monument and a coordinate value shown on plan should be reduced to grid for calculating coordinate values.
4. We cannot derive the bearings shown on the plan of survey using the angles shown on the plan of field notes.
5. The bearings shown on the plan of survey do not agree with those on the original leases.
6. Incorrect scale shown on plans.

E - 117441

7. See above.

E - 117442

8. See above.
9. The plan of field notes were not submitted.
DOCUMENT PREPARATION FORM
(Revised 21 June 2000)

Application No. (include Region initial E, C, W, or L) 117 4 & 1

Name of Applicant

Address of Applicant (full address if Commercial Lease)

Electoral District of Applicant

Location of Land

Electoral District of Land

Is this a (Lease, Grant, Transfer or Easement? (include Type and Section of Lands Act)

Purpose

Is this an Existing Development? Yes

Consideration for Grant

Annual Rental of Lease Fee (do NOT include H.S.T. in fees) $ 8. 00

Five-Year Purchase (or Buy-out) Fee

Term of Lease 15 years

Extra Conditions and/or Clauses (i.e. Easements, Sub-Division, Nfld. Power, etc.)

Completed by (initials): Date: 2001-05-19

11800 Lease #
31 May 2001

Accommodations & Realty Services
Works Branch
Dept. of Works, Services and Transportation
West Block, Confederation Building
St. John's, NF

Attn: Mr. Herman Avery
Senior Property Administrator

Dear Sir,

Re: Amendment to Lease Nos. 71100 and 82595

Enclosed are duplicate draft Lease Amendment documents which must be signed by the lessees in the presence of a witness, in the space provided for “Lessee”, and by the witness, who will sign in the space provided for “Witness”.

The signed documents must then be returned to this Department. A return envelope is included for your convenience.

These Amendments are required in order to accommodate a transfer of portions of the leases to your Department.

A copy of the Amendment will be forwarded to the lessees upon registration in the Registry of Crown Titles. Should you require further information, please contact this office.

Yours truly,

REGISTRAR
WD/
Encl.
July 12, 2001

Roy Bailey
Registrar, Lands Branch
Dept. of Government, services and Lands
Howley Bldg., Higgins Line
P.O. Box 8700
St. John’s, NF
A1B 4J6

Dear Sir:

Re: Amendment to Lease Nos. 71100 and 82595, Mobile

Further to your letter to Herman Avery dated May 31, 2001, please find enclosed the Lease Amendment documents that have been executed by the “Lessees” with respect to the above stated subject.

I trust the above is satisfactory.

Yours truly,

Mariette Byrne
Property Appraiser

/mb

Encl.
Lease no's 71100, 82595

Surveyors report

The legal surveys of these properties were conducted in the summer and fall of 2000. The original survey pins placed by [redacted] were found and used for the initial survey, however crown lands wanted the revised surveys re-tied to the Grid System. This produced a difference in bearings of 09'-53" on all the bearings of both surveys.
PROVINCE OF NEWFOUNDLAND

LEASE FOR AGRICULTURE

Under the provisions of Subsection (1) of Section 5 of The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970 as amended, the Honourable The Minister of Forest Resources and Lands for and on behalf of Her Majesty in right of Newfoundland (hereinafter called the "Crown") doth hereby LEASE and DEMISE unto

in the Province of Newfoundland (hereinafter called the "Lessee") his heirs, executors, administrators and assigns ALL THAT piece or parcel of land described in the attached Schedule A, with the appurtenances, except and reserved nevertheless out of this present lease to the Crown all minerals, limestone, granite, slate, marble, gypsum, marl, clay, sand, gravel, building stone, volcanic ash, peat, coal, natural gas, oil and salt in and under the said piece or parcel of land TO HAVE AND TO HOLD the said piece or parcel of land unto the Lease for the term of 15 YEARS FROM the 5th day of February A.D., 1970 SUBJECT to the reservation terms and conditions in these Presents contained, YIELDING AND PAYING unto the Crown, subject to the rental renewal clause hereinafter appearing, as the price and consideration of the said lease, the sum of $6.00 per year payable on the 5th day of February in each year.

PROVIDED always and it is a condition of this lease

THAT the Lessee shall clear and cultivate the land hereby demised as follows:

Ten percentum (10%) within two (2) years
Twenty-five percentum (25%) within five (5) years
Fifty percentum (50%) within ten (10) years
Seventy-five percentum (75%) within fifteen (15) years

THAT the land hereby demised shall be used solely for the establishment and maintenance of agriculture for the term of the lease.

THAT the rent reserved as set out in this lease shall be subject to review every five years with the possibility of a revision (if any) not to exceed 100% of the annual amount levied during the immediately preceding year.

THAT the land hereby demised or any part thereof shall not be assigned or conveyed, except by way of mortgage, or used for other than its intended purpose in whole or in part without the consent of the Crown and then only on such terms as the Crown in its absolute discretion may prescribe.

THAT the use of the land hereby demised will, for its intended purpose, be subject to and in accordance with all provincial acts and regulations respecting the promotion of efficient agricultural husbandry and environmental control.

THAT the Lessee will not permit the demised land to be impounded in its intended purpose for a period in excess of three consecutive years.

THAT all buildings and erections to be constructed within the boundaries hereby demised shall be in accordance with the specifications written in the attached Schedule "B" and should the specifications not be so written building or erection shall be undertaken without the prior written consent of the Crown. In any event, the Regional Resource Director must be consulted as to construction and location.

THAT the Lessee covenants and agrees to comply in all respects to the additional conditions as outlined in Schedule "B" to these Presents.

AND PROVIDED FURTHER that this present lease is subject to the condition that the said land shall be held upon, under and subject to all other regulations under and conditions of The Crown Lands Act, Chapter 71 of The Revised Statutes of Newfoundland, 1970 as amended, and to such regulations as are now in force or which may at any time hereafter be made by law for the improvement or cultivation of lands within the Province of Newfoundland and subject to all such regulations as are now in force or which may at any time hereafter be made by law for making roads, sewers, drains, canals, bridges or other public works or improvement or cultivation of lands within the Province of Newfoundland and subject to all such regulations as are now in force or which may at any
DEC 18 1966

FILMED


08 12 1966

SITUATE

FROM

FOR TERM OF 15 YEARS

SCE JOHN A.

TO

FOR AGRICULTURAL

LEASE

NO. 7100

S 40(1)
time hereafter be made by law for making roads, sewers, drains, canals, bridges or other public works or improvements within the Province of Newfoundland or any part thereof and for subjecting any land therein situate, or the owners and occupiers of such land to rates and assessments or other duties and services for the purposes aforesaid, or for any of them AND that the Lessee, his heirs, executors, administrators and assigns shall at all times peaceably quit and deliver up possession to the Crown of all such parts of the said land as may be required for the purposes aforesaid or any of them upon receiving compensation (if any) as by any law now in force or hereafter to be made in that respect may be provided.

AND IT FURTHER PROVIDED that in case the Lessee, his heirs, executors, administrators and assigns shall make default in the performance of any of the provisions or conditions herein contained then this lease shall be null and void and the land hereby leased shall revert to the Crown and the Crown its servants or agents may immediately enter on and take possession of the same freed from all liability;

AND IT IS FURTHER PROVIDED that should the Lessee wish to terminate this lease shall submit notice to that effect to the Minister of Forest Resources and Lands and six months after date of receipt of such notice the herein described land will revert to the Crown.

IN WITNESS WHEREOF the Minister of Forest Resources and Lands has hereto subscribed his hand and affixed the Seal of the Department of Forest Resources and Lands on the 26th day of Dec., A.D., 19...[signature], AND the Lessee has hereto subscribed his hand and seal.

SIGNED by the Minister of Forest Resources and Lands and the Seal of the Department of Forest Resources and Lands hereto affixed in the presence of:

[Signature]

Minister of Forest Resources and Lands

SIGNED SEALED AND DELIVERED by the Lessee on the 26th day of Dec., A.D., 19...[signature], in the presence of:

[Signature]

SCHEDULE

All that piece or parcel of land situate and being near Faica in the Electoral District of Ferryland, abutted and bounded as follows, that is to say:

Beginning at a point in the northwesterly limit of the Highway, thirty acres wide, the said point being the northeast angle of land described in Lease No. 82995 issued by the Crown to Southern Shore Physical Recreation Association; thence running by the said land and by Crown land north seventy degrees twenty minutes fifteen seconds east two hundred and eighty-five decimal five zero metres; thence running by Crown land north twenty-four degrees twenty-one minutes thirty-six seconds east seventy-three decimal zero five metres; thence running by Crown land and along the southerly limit of the reservation, ten metres wide, extending along the southerly shoreline of Frog Marsh south seventy-seven degrees twenty minutes fifteen seconds east two hundred and eighty-six decimal zero zero metres, more or less, thence running along the aforesaid northwesterly limit of the Highway south forty-four degrees forty-four minutes forty-five seconds west seventy-three decimal one five metres, more or less, to the point of beginning; reserving nevertheless out of the above described piece or parcel of land the brook flowing through the said land together with the land underwhich the brook and a reservation, ten metres wide, on each side thereof for public use; the above described piece or parcel of land containing an area of 1.869 ha, more or less, all bearings being referred to the meridian of fifty-three degrees west longitude of the Three Degree Transverse Mercator Projection.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Environmental Guidelines for Agriculture Development
Livestock/Poultry Operations Less Than Five Animal Units

Objective

To provide environmental management to small scale livestock/poultry production less than five animal units in size. Manure storage, manure spreading, land requirements, odour controls, nuisance factors and neighbouring land use conflict are the primary factors in review rather than control of pollution in its broader sense.

Guidelines

1. All manure storage systems must be impervious and should be covered to reduce odour.

**SCHEDULE "B"**

1. The Lessee must obtain the written permission of the nearest Forest Management Unit Officer prior to any land clearing to ensure "merchantable timber" is salvaged (merchantable timber means that portion of a tree crop which can be harvested and marketed on a commercial basis under given economic conditions).

2. The Lessee is required to adhere to all environmental guidelines for agriculture development as stipulated by the Department of Environment.

3. All requirements of the St. John’s Metro Board, as outlined in a letter to the Lessee dated November 16, 1984, must be strictly adhered to.
Are you a resident of the Province of Nfld? Yes ☑ No ☐

Are you an employee of the Department of Forest Resources and Lands? Yes ☐ No ☑

The land is situated at MOBILE in the Electoral District of TERRY LAND.

Indicate purpose for which land is required:

☐ Recreation Cottage
☐ Residence
☐ Commercial (Provide Details below)
☐ Agriculture
☐ Other (Give details below)

If land is to be used for agriculture, check type of farming planned:

Part-time farm ☐ Commercial farm ☐ Part-time commercial ☑ Hobby ☐

(See brochure on Agriculture Leasing Policy for details)

Root Crops

STRAWBERRIES - June P Cottage

Distance to the nearest road ______ metres.

Distance to the nearest water body ______ metres.

Give approximate dimensions of land: Frontage 15 m Rearage 300 m

Bounded on the North by
Bounded on the East by
Bounded on the South by CROWN LAND + Dillon
Bounded on the West by CROWN LAND

and containing an area of ______ hectares (approx.)

Describe building(s) to be erected (if applicable)

Length ______ Width ______ No. of stories ______

If you, your spouse, or any dependent children ever received land from the Crown?

Yes ☐ No ☑ If yes, specify title No.(a)

Is there any evidence of adverse claim to the land, such as, fences, buildings, signs, clearing, etc.?

Yes ☐ No ☑ If yes, provide details

NOTE: An application fee of FIFTY ($50.00) DOLLARS must accompany this application.
SKETCH OF LAND
(Map must be enclosed)

Distance to prominent landmark such as a bridge or road intersection must be provided. (Nearby buildings, fences, etc., must be shown).

REFER to Crown Land Lease
# 18955

AFFIDAVIT OF APPLICANT
(to be read carefully)

I, ____________________________, do hereby make oath and declare as follows:

1) That the information contained in this application is true and correct to the best of my knowledge and belief.

2) That I have inspected the land applied for and have found no evidence of occupation or development.

3) That I am not aware of any adverse claim to the land applied for, valid or otherwise, by any person(s).

4) THAT I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
at ________________________
this day of ________________________ 19___

Signature of Applicant

REG KING
Official Commissioner of Oaths for the Province of New Brunswick.
My commission expires the 31st day of December 1986.
METHOD RECOMMENDED FOR PROCESSING:

☐ (1) ☐ (2) ☐ (3) ☐ (4)

COMMENTS: (existing development must be described)

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<td>☐ Other</td>
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SUMMARY OF AGENCY REFERRALS:

RECOMMENDATION AND COMMENTS:

IF APPROVAL RECOMMENDED, STATE ACREAGE

RECOMMENDATIONS OF C.L.C. Commer - Rep lease 2.25 ha - Subject to conditions of Min of Fed and Agriculture

MINISTER'S DECISION: ☐ APPROVED ☐ REFUSED ☐ DEFERRED ☐ TO CABINET

SPECIAL INSTRUCTIONS:

DATE 8.6.01-07

INITIAL 1985
Date and Time Received
Receipt No. 32876 Amount $50.00 Date 08-08-03
Status of Land 10 Initial A
Indicated on Plan No. 1N7112 Topo No. 15260
Date Registered 08-15-84 Registrar

Survey Received ---------------- Checked by
Title Drafted 08-10-84 Initial A
Description Written Initial Checked by
Title sent for signature Returned 
Title Issued Under Section of
☐ The Crown Lands Act
☐ The Land Development Act
☐ The Labrador Land (Reservation) Act
Dear Sir/Madam:

This is with reference to your application for a lease of Crown land situated at Mobile.

The application has been approved for a lease for Agriculture and you must now have the land surveyed by a registered member of the Association of Newfoundland Land Surveyors. A list of the registered members of the Association can be obtained from this office upon request.

The area to be surveyed must not exceed 2.25 ha and the road frontage must not exceed 75 meters. The survey returns must be received in this office on or before January 7, 1987 or the application will be considered cancelled by you in accordance with Section 17 of the Crown Lands Act.

The lease will be for a term of (15) fifteen years at an annual rental of (4.00) four dollars per hectare. The initial rental is to be paid by you when you sign the title document.

Please note that the parcel of land concerned must not be developed or occupied prior to your receiving the fully executed document of title.

Yours truly,

[Signature]

Supervisor of Lands.

N.B. The approval of this application is subject to the following conditions:

1. All requirements of the St. John's Metro Board, as outlined in a letter to you dated November 16, 1984, must be strictly adhered to.
2. You must clear and cultivate twenty-five percent (25%) of the land within two (2) years and seventy-five percent within five (5) years.

(cont'd ... 2)
Hr. ___ is hereby authorized to survey at the expense of the applicant the land forming the subject of application no. E-71100. Satisfactory survey returns must be submitted to this Department (see above address) before Jan. 9, 1977, otherwise the application will be cancelled in accordance with Section 12 of The Crown Lands Act.

DATE: 76-04-17

APPLICATION NO: E-71100

NAME OF APPLICANT: William J. Jackson

ADDRESS OF APPLICANT: [redacted]

FILE NO: 1-1-34

LOCATION OF LAND APPLIED FOR: [redacted]

LAND BOUNDED ON THE NORTH BY: [redacted]

LAND BOUNDED ON THE SOUTH BY: [redacted]

LAND BOUNDED ON THE EAST BY: [redacted]

LAND BOUNDED ON THE WEST BY: [redacted]

ACREAGE APPROVED: 3.25 acres

FRONTAGE APPROVED: 75 miles

APPROVED LOCATION INDICATED ON ATTACHED PLAN: X

NOTE: If, for some reason, the parcel of land concerned cannot be surveyed according to the above specifications, the surveyor must contact this Office before proceeding with the survey.

Crown land surveys that exceed the approved frontage and areas will not be accepted. In cases where a small area of Crown Land would remain isolated, permission to include such an area in the survey may be given provided a written request explaining the circumstances is received by this Office prior to survey.

A surveyor's report (explanation) should accompany returns when the survey is bounded by one or more Crown titles and there is a difference in the bearings and/or measurements.

The surveyor is responsible for making his own searches of Crown titles and other records, and for obtaining any special instructions from the Regional Lands Office before commencing his survey.

SPECIAL INSTRUCTIONS: [redacted]
AID TO STAFF IN CHECKING SURVEY RETURNS
(To be submitted to H.Q. with returns)

Arthur J. Jackman APPLICATION NO. E-7100 LOCATION Mobile

FOR COMPLETION BY REGIONAL OFFICE

Was the application approved by the A.D.M.? YES

Was authorization received prior to survey? YES

Was the survey received within the deadline date? YES

Is the area over 50 acres? NO If yes, was it approved by Cabinet? 

Is the applicant employed by the Department of Forest Resources & Lands? N

If yes, was it approved by Cabinet? 

Does survey conform to specifications outlined in survey authorization? YES

If no, explain why 

GENERAL REMARKS

1. No field notes.
2. Do we require plan to be done with mechanical lettering?
3. Name of highway not identified on plan.

Following information is to be forwarded to the Land Titling Supervisor:

Original application including location map of approved location.

Original survey plan and description.

Field notes and calculation sheet (if necessary).

Copy of approval notice (NOTICE TO INCLUDE ALL CONDITIONS TO BE CONTAINED IN TITLE DOCUMENT).

Copy of Order-in-Council. If applicable.

IMPORTANT TO NOTE THE FILE SHOULD BE REVIEWED BEFORE FORWARDING SURVEY.

Signature July 29/81
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
Department of Government Services and Lands  
P.O. Box 8700  
St. John's, NL  
A1B-4J6

Re: Lease # 71100

Dear Sir:

I wish to advise that I have applied to Crown Lands to change my existing Agricultural Lease No. 71100 from agricultural use to recreational use.

The Department of Forest Resources and Agrifoods does not object to the cancellation of my Agricultural Lease No. 71100 - please see copy attached.

I am willing to forfeit my existing agriculture lease for a new recreational lease or for the outright purchase of the said parcel of land under Agricultural Lease No. 71100.

Please advise at your earliest convenience. Thank-you for your time and consideration.

Yours truly,
The Agrifoods Branch of the Department of Forest Resources and Agrifoods does not object to you cancelling your Agriculture Lease No. 71100 and utilizing the land for other uses.

If you require further information, please contact me at 729-6647.

Yours truly,

GRANVILLE H. MARTIN
Land Management Specialist
Application No. 12 3731
Receipt No. 111 348
Date Registered 0 3. 02. 21

(A) APPLICATION INFORMATION

<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Name</th>
<th>Family Name</th>
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</table>

Mailing Address

<table>
<thead>
<tr>
<th>Telephone No.: Home</th>
<th>Business</th>
<th>Postal Code</th>
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<tbody>
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</table>

1. Are you a resident of the Province of Newfoundland and Labrador? YES 0 NO 0
2. Are you an employee of the Department of Government Services & Lands? YES 0 NO 0
3. Have you, your spouse, or any dependent children ever applied for or received land from the Crown? YES 0 NO 0
   If yes, specify Title No(s). 71/00

(B) PROPOSED TENURE AND USE

1. Type of Application: 0 Lease 0 Grant 0 Licence to Occupy
2. Land Use: 0 Residence 0 Cottage 0 Agriculture (provide details below) 0 Aquaculture
   0 Commercial (provide detailed description below) 0 Other (provide details below)

Recreational Facility for Horse Shoe Pitching & Mini Golf Course

3. Describe buildings to be erected (if applicable) Dimensions: Length TBA Width TBA
4. Proposed water and sewage facilities (if applicable)
   Well 0 Septic 0 Municipal Water 0 Municipal Sewer 0 Other 0 (provide details below)

(C) LAND DESCRIPTION

1. The land is situated at WEST OF THE SOUTHERN STORE HIGHWAY, NEAR MOBILE.

<table>
<thead>
<tr>
<th>Distance to closest waterbody:</th>
<th>19 metres</th>
<th>Name of Waterbody = Fun Marsh Golf (if applicable)</th>
</tr>
</thead>
</table>

5. Is the site accessible by road? YES 0 NO 0
   If no, will the site require new road construction for access? YES 0 NO 0
   If yes, what will be the approximate length of the road? 0 000 metres (off road today)

For sites without road access, please indicate method of transportation:
   Walking 0 A.V. 0 Snowmobile 0 Aircraft

For sites without road access, location of access route must be indicated on the map attached to the application and access by A.V. must be in accordance with A.V. Regulations.

6. Is the site presently occupied: fences, buildings, signs, clearing, local understanding? YES 0 NO 0
   If yes, state year occupation commenced, area occupied and name of person who developed or occupied the land 1986 - See C.L. no. 71/00 - Developed/Cleared by

7. Are you aware of any evidence of previous land use, such as fences, buildings, signs, clearing, local understanding, etc.? YES 0 NO 0
   If yes, state year occupation commenced, area occupied and person who developed the land...
DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site on the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

Bounded on the North by SEE SCHEDULE "A" & SCHEDULE "B" ATTACHED.
Bounded on the South by
Bounded on the East by
Bounded on the West by

PLEASE NOTE: It is the policy of the Crown Lands Division to accept applications on a first come, first serve basis. Applications must be fully completed, with a map showing the exact location of the land applied for together with the application fee. The approved Municipal Recommendation Form from Council, if applicable, must also be attached. Only then will the application be accepted and deemed registrable by this Department.

S.40(1) AFFIDAVIT OF APPLICANT

I, (to be read confidentiality), do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on Page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At
this 26 day of September 1930

GERARD M. HARVEY
A JUSTICE OF THE PEACE IN
AND FOR THE DISTRICT OF

70.00 DOLLARS ($100.00 plus 15% H.S.T. for a total of $115.00) must accompany this application.

Cheques or money orders are to be made payable to NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

<table>
<thead>
<tr>
<th>Agency Referral</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments</th>
<th>Attached</th>
<th>Date Sent</th>
<th>Date Received</th>
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**Officers Comments:**

__________________________________________

Date

Lands Management/Lands Officer

**Recommendation of Regional Office:**

__________________________________________

Date

Regional Lands Manager

This section to be completed by Regional Office when approval is recommended:

Area approved: 1883

Frontage: 70

Consideration/Rental: $2,701.50

Back Rental: $2,701.50

Cabinet approval required?: □ YES □ NO

Special Instructions to surveyor (if any):

__________________________________________

Date

Director of Lands Management

67
DESCRIBE PROPOSED DEVELOPMENT

PARK RECREATIONAL FACILITY FOR BASEBALL PITCHING & MINI GOLF COURSE

NUMBER AND USE OF PROPOSED BUILDINGS

<table>
<thead>
<tr>
<th>IN USE</th>
<th>SIZE</th>
<th>SET BACK FROM ROAD CENTER</th>
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<td>N/A</td>
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</table>

SIZE OF LAND DEVELOPMENT

- AREA: 21.374
- FRONTAGE: 75.652
- MSA: 281.785

LOCATION

- USE OF THE SOUTHERN SHORE HIGHWAY, IN MOBILE.
- ADJACENT TO SOUTHERN SHORE HOME.

DATA RECEIVED W/ ACCESS ROAD.

In the Province of Newfoundland, do solemnly declare that the plans, specifications and statements herein contained in the said application conform to the best of my belief to the requirements of the above noted, and are made with full knowledge of the circumstances connected with same, and that the above specifications will be compiled within the development whether stipulated herein or not. I make this solemn declaration, conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DATED: 26th day of September, 2022

GERARD M. HARVEY
A JUSTICE OF THE PEACE IN AND FOR THE DISTRICT OF ST. JOHN'S
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
TO: Martin Goebel, Water Resources, Dept. Environment, Confederation Bldg.

DATE: 23 October 2002

An application has been received from Mobile for permission to develop under the PROTECTED ROAD ZONING REGULATIONS.

KIND OF DEVELOPMENT: Recreation facility for horseshoe pitching & Mini-Golf Course

LOCATION: Mobile

ENCLOSURES: Application, Location plan

Note: Please send original back to this office; remaining copies for your files.

TO: REGIONAL SUPPORT SUPERVISOR

RECOMMENDATIONS

No concerns, provided that a minimum 15 metre wide buffer is maintained along Mobile River. Should any construction be required within this buffer, a permit will be required from this Division.

RETURN TO: Government Service Centre
Department of Govt Services & Lands
P.O. Box 8709
St. John's, Newfoundland
A1B 4J6
709-729-3699

Signature
TO: Hazen Scarth, Manager of Operations, St. John's
DATE: 23 October 2002

An application has been received from _ for permission to develop under the s.40(1)

PROTECTED ROAD ZONING REGULATIONS

KIND OF DEVELOPMENT: Recreation facility for Horseshoe pitching & Mini Golf Course

LOCATION: Mobile

ENCLOSURES: Application, Location plan

(s.40.1) Regional Support Supervisor

Note: Please send original back to this office; remaining copies for your files.

DATE: 23 Oct. 2002

TO: REGIONAL SUPPORT SUPERVISOR

RECOMMENDATIONS

Approach, subject to supplied plans, on the rear of the proposed facilities.

RETURN TO: Government Service Centre
Department of Govt Services & Lands
P.O. Box 8700
St. John's, Newfoundland.
A1B 4J6
709-729-3699

Signature
Mr. Bruce Pike  
Government Service Centre (St. John's)  
5 Mews Place  
P.O. Box 8700  
St. John's, NF  
A1B 4J6  

Dear Mr. Pike:

This application was referred to the Environmental Assessment Division and it has been determined that registration is NOT required under Section 4 of the Environmental Assessment Act, 2000, SN 2000, c E-14.1.

Registration is not required for construction of a 2.1 hectare recreational facility for horseshoes and miniature golf in Mobile.

Please be aware that this Department must be notified of any significant changes to the undertaking. All proponents are required to comply with all relevant legislation including permits and approvals from this Department and any other municipal, provincial or federal regulatory authorities.

If you have any questions regarding this matter please contact Mr. Paul Carter at (709) 729-0188, toll free at 1-800-563-6181 or email PCarter@mail.gov.nf.ca.

Sincerely,

Bas Cleary  
Director (A)
Dear Sir/Madam:

RE: [Redacted] - Recreation Facility (163/H/20672)

A buffer zone of 15 meters should be maintained between the proposed site and adjacent watercourses and/or water bodies or drainages to such. If the applicant proposes to undertake any work(s) within the 15 meter buffer zone referred to above he should submit an "Application for Authorization for Works or Undertakings Affecting Fish Habitat" to this office before starting such work(s).

Yours truly,

F. Walsh
Area Habitat Biologist
Marine Environment and Habitat Management Science Branch
Dear Sir/Madam:

This is with reference to your request to cancel your agricultural lease E71100 and reapply for the site for commercial purposes.

Please be advised that Agricultural lease E71100 is now declared Null and Void and land reverted back to the Crown. Until you commercial Crown land application is accepted and approved, any occupation by you of this site would be contrary to the Lands Act and liable for prosecution.

Your Crown land application for commercial proposes is incomplete and could no be accepted. You had included a map with your application which only showed a block of land for parking, a block of land for horse shoe pits and the rest for a miniature golf course.

This Department has set up a new policy on accepting commercial applications. A 5-year development plan must be included with commercial applications. This plan would indicate how you plan to develop the site over the first five years. Each yearly phase should describe the number of buildings, road construction and/or any other improvements you plan to make to the land. Dimensions for each yearly phase should be indicated on the plan. Such things that should be included are the size and number of parking spots, the location and number of horse shoe pits, the location and size of any proposed building such as public washrooms, administration offices, storage sheds, the size of the miniature golf course, how many holes, and the location of each fairway and hole. This could be a preliminary plan that can be prepared by you.

This plan will then be incorporated into your lease documents. The plan is required to verify
the need for the land applied for, to provide a brief explanation of your proposal to other referral agencies and to determine, after five years, if the development conditions of the lease have been met.

The yearly rental fee will be based on you paying 20% (plus HST) of the assessed value placed on the site. After five years you may be eligible to a grant to the leased land if: a) the site had been developed as per your development plan, b) the assessed value of the land has been paid in full and c) administration fees are paid at the time of the grant application.

Before your application can be accepted for commercial development, you must submit to this office the five-year development plan.

It is Lands Branch policy to accept only completed applications for Crown land on a first come, first serve basis. Since this lease was previously approved for an agricultural lease this office will give you thirty (30) days from the date of this letter to submit the development plan or we will have no other choice but to accept Crown land applications from other individuals who may be interested in applying for this site.

If you have any further questions please contact this office at the address listed below.

Yours truly,

LANDS OFFICER

Attachments
Fax

Name: Mr. Gary Myler

Organization: Dept. Of Govt. Services & Lands - Lands Branch
Eastern Regional Lands Office

Fax: 729-0726
Phone: 729-2654

Date: 23 December 2002
Subject: File Ref.# 1001361

Pages: 1

Dear Mr. Myler,

Further to our telephone conversation on December 18, 2002, I would like to thank you for offering to provide an extension regarding the additional submission of a 5-year Development Plan to accompany my Commercial Application for Crown Land previously acknowledged on 26 November 2002 as per the above file reference number.

As a matter of record, the extension offered by you on December 18, 2002 was:

"Before your application can be accepted for commercial development, you must submit to this office a five-year development plan, no later than January 31, 2003. After this date we will accept Crown Land applications from other individuals who may be interested in applying for this site."

Please authorize this extension by providing your signature above and return fax to:

Thank-you again for your professional assistance and consideration.

Yours truly,
Dear Sir/Madam:

RE: APPLICATION NO.: 123731

TYPE: Lease
PURPOSE: Commercial
LOCATION: MOBILE

This will acknowledge receipt of the above referenced application for a Crown title. The application has now been registered and via a copy of this letter, the Department and/or agencies on the attached schedule have been asked to forward their comments and recommendations on your application to the Regional Lands Office.

Your application will be reviewed and a final decision will be made when the recommendations have been received from these Departments and/or agencies.

To assist inspectors in locating the area applied for and to avoid delays in processing your application it is advisable to place your name and application number on the site. Your application is being processed for the site indicated on the attached map.

Please note that the land is not to be occupied until you receive a fully executed title document. If you require any additional information concerning the processing of this application please contact the Regional Lands Office at the address below.

Yours truly,

[Signature]

LANDS OFFICER

Attachment(s)
February 27, 2003

FILE NO: 163/H/20672

Jan Van DeHulst
Regional Lands Manager
Eastern Regional Lands Office
Government Service Centre

RE: PROTECTED ROAD ZONING REGULATIONS

This refers to application # 123731 from [REDACTED] for land at Mobile to construct a Recreational Facility - Mini Golf/Horseshoe Pitch.

Please be advised that we have no objections to this proposal and will issue an Approval in Principle, if and when we receive a copy of the approval to survey.

The application has also been approved by Health, Environment, Municipal and Provincial Affairs, Tourism and Works Services and Transportation. Copies of their comments are available if required.

John Ralph
Regional Support Supervisor

JR/ac
This referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies on the attached schedule. YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION.

Please be advised that the site on the attached map cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant: [Redacted]

Telephone: (H): [Redacted] (O): [Redacted]
Application Number: 123731
Application Type: Lease
Purpose: Commercial
Location: MOBILE
Area (hectares): 1.883
Frontage (metres): 70
Map Number: 1N6-106
Comments: Use: Mini-golf/Horse shoe pits/ parking lot

RECOMMENDATION:

[ ] Approval [ ] Refusal [ ] Held for further investigation

COMMENTS:

[Handwritten note: See enclosed for rest of application.]

Signature: [Redacted] Phone No.: [Redacted] Date: [Redacted]
This referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies on the attached schedule. YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION.

Please be advised that the site on the attached map cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant: [REDACTED]

Telephone: (H): (O):
Application Number: 123731
Application Type: Lease
Purpose: Commercial
Location: MOBILE
Area (hectares): 1.883
Frontage (metres): 70
Map Number: 1N6-106
Comments:

RECOMMENDATION:

✓ Approval    Refusal    Held for further investigation

COMMENTS:

Signature: [REDACTED]  Phone No.:  Date: 05/03/07

99
This referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies on the attached schedule. YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION.

Please be advised that the site on the attached map cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant: [Redacted]

Telephone: (H): (O):
Application Number: 123731
Application Type: Lease
Purpose: Commercial
Location: MOBILE
Area (hectares): 1.883
Frontage (metres): 70
Map Number: IN6-106
Comments: Use: Mini-golf/Horse shoe pits/ parking lot

RECOMMENDATION:

[ ] Approval  [ ] Refusal  [ ] Held for further investigation

COMMENTS:

[Redacted]

ACCESS TO BE BUILT TO DEPARTMENT STANDARDS.
This referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies on the attached schedule. YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION.

Please be advised that the site on the attached map cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant: [Redacted]

Telephone: (H): (O):
Application Number: 123731
Application Type: Lease
Purpose: Commercial Use: Mini-golf/Horse shoe pits/parking lot
Location: MOBILE
Area (hectares): 1.883
Frontage (metres): 70
Map Number: 1N6-106

RECOMMENDATION:

_____ Approval  ______ Refusal  _____ Held for further investigation

COMMENTS:

LAND SUBJECT TO 150 M OF TOWN LINE DEVIATION FROM PROPOSED ROAD JOINING PLAN. REZONING AND REZ. REQUIRED FROM G.C.

Signature  Phone No.  Date

S. 40.1
TO: Eastern Lands Office

Dept. of Government Services & Lands
5 Mews Place
P.O. Box 8700
St. John's, NL A1B 4J6

RE: Applicant: [Redacted] s.40(1)
Application No. 123731 Area 1,883 ha./sq.m
Location Mobile
Purpose Commercial
C.L. File No. 1001361 Agr. File No. 03-19

RECOMMENDATION

☑ Approved.
☐ Approved subject to conditions listed below.

Area Recommended
☐ lease ................ ha or ______ m²
☐ reserve ................ ha or ______ m²
☐ licence ................ ha or ______ m²
☐ grant pursuant ...... ha or ______ m²

Term ______ years

Conditions, Recommendation, Comments

☐ Held for further investigation.
☐ Not Approved - reasons outlined below.
☐ Applicant cannot be contacted.
☐ Applicant no longer interested.

Granville H. Martin
Land Management Specialist
March 4, 2003

White – Crown Lands; Yellow – Agriculture Representatives; Pink – Land Use Section; Golden Rod – File Copy

102
DATE: March 10, 2003

TO: Barry Butt

FAX NUMBER:

FROM: Jan van de Hulst, Regional Lands Manager, East

TEL: (709) 729-2654

NUMBER OF PAGES (Including cover sheet): 5

RE: application 123731 for Recreational Facility

COMMENTS: Referral for the above application to Tourism was made through Development Control. Attached are a copy of the comments from Tourism, a copy of the referral as send to Tourism and the letter from Development Control to Lands. In this case Crown Lands does not send a referral to Tourism.
TO: Norm Morris, Tourism, Culture and Recreation, St. John's

DATE: 23 October 2002

An application has been received from [person] of Mobile for permission to develop under the PROTECTED ROAD ZONING REGULATIONS.

KIND OF DEVELOPMENT: Recreation facility for Horseshoe pitching & Mini Golf Course

LOCATION: Mobile

ENCLOSURES: Application, Location plan

Note: Please send original back to this office; remaining copies for your files.

DATE: Nov 14/02

TO: REGIONAL SUPPORT SUPERVISOR

RECOMMENDATIONS

No Concern

RETURN TO: Government Service Centre
Department of Government Services & Lands
P.O. Box 8700
St. John's, Newfoundland
A1B 4J5
709-729-3699
Eastern Regional Lands Office
Lands Branch
Dept. of Government Services and Lands

Re: File Reference No. 1001361
Applicant: [Redacted] Location: Mobile

Approval in principle is hereby granted subject to the following requirements:

1. Building near Highway Regulations 1980 prohibits the erection of any buildings, fence, etc., within 20 metres of the centerline of the Southern Shore Highway, Route 10.

2. Sufficient parking area to accommodate all staff and customer parking is to be provided off the highway right of way as no parking will be permitted within 10 metres centerline of the Southern Shore Highway, Route 10.

3. A commercial access permit is required to construct an access to the highway. Contact Mr. Arthur Payne at 334-3267. The conditions of this permit must be strictly adhered to.

4. The existing highway drainage system to be maintained.

Yours truly,

P.J. Murphy
Superintendent of Operations
Subdivision 110 (Avalon East)

/mn
Re: Application E-123731, Recreational Facility For Horse Shoe Pitching & Mini Golf at Mobile.

Dear [Redacted],

I am writing to request clarification in reference to the above noted application. Appendix “A” of the five year development plan, which you submitted with the application makes reference to an octagonal chalet to be used for 2 public washrooms, storage and administration area. However Appendix “B” Chalet Plan shows an interior plan of a residential structure.

In order for Crown Lands to finalize processing your application, could you please provide more detail on the purpose and interior lay out of the chalet, preferably in the form of a sketch of the interior lay out.

If you require further information or would like to discuss the request please contact me at the address below.

Yours truly,

[Redacted]

Regional Lands Manager

5 Mean Place, P0 Box 8700, St. John's, NL, A1B 1H6. Telephone (709) 729-2654, Facsimile (709) 729-0726
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Dear Sir/Madam:

RE: APPLICATION NO.: 123731
TYPE: Lease
PURPOSE: Commercial
LOCATION: MOBILE
ASSESSED VALUE: $22700.00
RENTAL FEE: $4540.00

Your application for title to Crown land has been conditionally approved as per the location on the attached map and as per the development plan submitted by you. A lease/purchase agreement will be prepared at the rental of $4540.00 per year for five (5) years. After five (5) years, the lease may be converted to a freehold grant (ownership) provided: (a) the assessed value is paid in full; (b) the site has been developed; and (c) applicable administration fees in place at the time of grant application are paid.

A $200.00 title document fee will be required for the preparation and registration of the documents at the Registry of Crown Titles. The rental/assessed value fee has been established on the basis of the frontage and/or area approved for survey, but may change depending on the frontage and/or area described in the final survey submitted to this Department. Please do not remit any monies until requested to do so.

Before processing of your application can be completed, you are responsible for fulfilling the following requirement(s):

1. **APPROVAL FOR SEWAGE DESIGN/WATER SUPPLY SYSTEM**

   It is your responsibility to have the land evaluated for the installation of an on-site sewage disposal and/or water supply system. You must now hire a registered designer to complete the land evaluation report and have the report submitted to the Government Service
Centre for final approval. The onus is on you, the applicant, to ensure that this office receives a copy of the approval. Please contact the nearest Government Service Centre for a list of registered designers and any pertinent information required to have the land evaluated and approved.

2. CROWN LAND SURVEY

You must have the land surveyed by a registered member of the Association of Newfoundland Land Surveyors. A list of registered surveyors is available from the Regional Lands Office.

The land survey must not exceed an area of 1.883 hectare(s).

The land survey must not exceed a frontage of 70 metre(s).

To avoid unnecessary expenses, it is recommended that a land survey not be carried out until after the site has been approved for a sewage disposal and/or water supply system. The Department will not be responsible for any costs incurred for a land survey, or sewage disposal and/or water supply system design, should the site be determined unsuitable.

The land survey and your approval for an on-site sewage disposal and/or water supply system must be received by this Office one year from the date of this letter, or your application will be considered cancelled by you in accordance with Section 10 of the Lands Act 1991, as amended and Departmental Policy.

In addition, this approval is subject to the attached conditions.

Please note that the land is not to be occupied until you receive a fully executed title document.

Should you require any further information concerning this approval, please contact the Regional Lands Office listed below.

Yours truly,

REGIONAL LANDS MANAGER

Attachment(s)

cc Government Service Centre
You must contact the Government Service Centre to obtain all the necessary permits under the Protected Road Zoning Regulations prior to any construction commencing.

**Department of Environment**

A 15 metre buffer zone must be maintained between the proposed development and Mobile River. Should any construction be required within this buffer zone, a permit must be obtained from the Water Resource Division.

**Department of Works, Services and Transportation**

No building is permitted within 20 metres of the centre line of Route 10.

No parking is permitted within 10 metres of the centre line of Route 10. Sufficient parking to accommodate staff and customers is to be provided off the highway right of way.

A commercial Access Permit is required to construct an access to the highway; in this regard you must contact Mr. Arthur Payne at Ph. 334-3267 before any construction commences.

The existing highway drainage must be maintained.

**Fisheries and Oceans Canada**

A 15 metre buffer zone must be maintained between the proposed site and the adjacent watercourses.

If any work(s) are proposed within the 15 metre buffer zone you are required to submit an "Application for Authorization for Works or Undertakings Affecting Fish Habitat" to this office before starting such work(s).
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
RE: PROTECTED ROAD ZONING REGULATIONS

I am pleased to inform you that your application of September 26, 2002, has been approved in principle. A permit will be issued for the development upon submission of a satisfactory completed detailed application form (Building Specification), Fire Commissioner's (NBC) form, Building Accessibility Form and Registration Fees and Title to the land from the Crown Lands Division. The detailed application should consist of the following:

1. Three (3) copies of a detailed layout plan showing location and boundaries of the development site, location of all buildings whether existing or proposed, means of access, parking facilities, and landscaping proposals in relation to the highway. The parking stall(s) for the disabled should be clearly shown.

2. Three (3) copies of detailed building plans or blueprints and specifications showing means of construction, interior layout, foundation plans and front and side elevations of the building. The floor layout, showing all dimensions, must include the location of fixtures and counters (also height of the sales counter). The location and dimensions of the fixtures in the washroom should be shown. The elevation drawings must show the height of the first floor above grade and if a ramp is provided, please indicate the slope ratio and dimensions.

3. A registration fee must be submitted with the plans, cheque made out to the Newfoundland Exchequer Account. The cost of the review of plans will depend on the size of the buildings being constructed and will be determined at the time of submission.

The following conditions must also be complied with and should be incorporated in your detailed application in order for a permit to be issued:
(a) The provision of a satisfactory means of water supply and sewage disposal; in this regard it is your responsibility to have the land evaluated for the installation of an on-site sewage disposal and/or water supply. This evaluation must be conducted by a registered designer and submitted to this office for final approval. Attached is a list of the approved designers.

(b) Any building must be set back a minimum of 30 metres from the centre line of the highway.

(c) A minimum 15 metre buffer should be maintained along the Mobile River. Should any construction be required within this buffer, then a permit will be required from Water Resources Division, Dept. of Environment as well as the Dept. of Fisheries and Oceans.

(d) A commercial access permit is required. This maybe obtained by contacting Mr. Art Payne @ 334-3267. The conditions of this permit must be strictly adhered to.

(e) A parking area sufficient to accommodate all staff and customer parking must be provided off the highway right of way as no parking will be permitted within 20 metres of the Southern Shore highway.

This approval in principle expires on December 15, 2004, and if no detailed application is submitted within that time, the approval will be cancelled or become null and void. Approval in Principle does not constitute permission to commence construction; a Permit to Develop must first be obtained.

Yours sincerely

JOHN RALPH
Regional Support Supervisor

JR/ac
Enclosures.

ccs: Jan Van de Hulst, Crown Lands
Norm Morris, Dept. of Tourism, Culture & Recreation
Dean Osmond, Dept. of Works, Services and Transportation
Martin Goebel, Water Resources, Dept. of Environment
Hazen Scarth, Manager of Operations, Government Service Centre
Stan Clinton, Urban and Rural Planning, MAPA
Grant Martin, Land Use Planner, St. John's
Frank Walsh, Federal Fisheries and Oceans
Bas Cleary, Environmental Assessment Division, Dept. of Environment
April 30, 2004

Attn: Mr. Van de Hulst - Regional Lands Manager
Dept. of Government Services & Lands - Lands Branch
Eastern Regional Lands Office

Dear Mr. de Hulst,

Please accept this communication as my formal request to receive a grant on Application #123731.

If you require anything further, please call me at [redacted].

Thank you for your time and consideration.
Survey Submission Record

<table>
<thead>
<tr>
<th>Application No.</th>
<th>123731</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No.</td>
<td>1-1361</td>
</tr>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Mobile</td>
</tr>
</tbody>
</table>

Survey checked - Prepare documents [x]
Survey checked - Problems found - Contact surveyor [ ]
   - see below - (Date)
Corrections submitted and checked - Prepare documents [ ] (Date)
See below for additional comments [ ]

04/15/13
Region - Date

General Remarks

...
SURVEY AUTHORIZATION

You are hereby authorized to survey, at the expense of the applicant, the land as defined as follows:

Application No. 123731
Name of Applicant: \[s.40(1)\]
Location of land applied for: MOBILE
Land bounded on the North by: SEE MAP
Land bounded on the South by: SEE MAP
Land bounded on the East by: SEE MAP
Land bounded on the West by: SEE MAP
Area approved (in hectares): 1.883
Frontage approved (in metres): 70
Approved location indicated on the attached plan number: IN7-106
Parcel identification number: 10043561

Please be advised that the dimensions of the approved site cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

Satisfactory survey returns must be submitted to this Department on or before DEC 15, 2004 otherwise the application will be deemed cancelled in accordance with Section 10 of Lands Act.

AUTHORIZED OFFICIAL

SPECIAL INSTRUCTIONS:

15 meter stream reservation.
CROWN LAND APPLIC NO. 123731

These lands were originally surveyed by [redacted] in July 1986 and again by the undersigned in 2000 for the purposes of road widening. All lines are open and the original survey pins of 1986 were found and used. The reservation along the stream and frog pond have been changed to 15 m.

Richard Young  NLS
Schedule "A"

s.40(1)

All that piece or parcel of land situate and being to the west of the Southern Shore Highway, near Mobile, in the electoral district of Ferryland in the Province of Newfoundland, being bounded and abutted as follows, that is to say beginning at a point said point having coordinates of north 5,236,205.239 m., and east 317,213.479 m., thence along lands leased to the Southern Shore Physical Recreation Assoc. and crown land, north 77 degrees, 10 minutes, 22 seconds west, 271.375 m., thence by crown land, north 24 degrees, 31 minutes, 29 seconds east, 73.050 m., thence by crown lands and a reservation along a frog marsh, south 77 degrees, 10 minutes, 22 seconds east, 281.795 m., thence along the proposed western limit of the Southern Shore Highway, south 32 degrees, 15 minutes, 18 seconds west, 75.852 m., to the principal point of beginning. RESERVING NEVERTHELESS out of the above described parcel a stream and its reservation 10 m. wide along each side. The above described parcel contains in all an area of 1,817 ha. and is more particularly shown on the attached plan no. 2048. All bearings being referred to Grid North NAD 83.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Schedule "A"

All that piece or parcel of land situate and being to the west of the Southern Shore Highway, near Mobile, in the electoral district of Ferryland in the Province of Newfoundland, being bounded and abutted as follows, that is to say beginning at a point said point being north 12 degrees, 16 minutes, 16 seconds east, 1136.479 m., from control Mon no. 023263 having coordinates of north 5,235,095.223 m., and east 316,971.018 m., thence along lands leased by the crown to the Southern Shore Arena Association, Lease No. 82395 and crown land, north 77 degrees, 10 minutes, 22 seconds west, 271.375 m., thence by crown land, north 24 degrees, 31 minutes, 29 seconds east, 73.050 m., thence by crown lands and a reservation along Frog Marsh Stream, south 77 degrees, 10 minutes, 22 seconds east, 281.795 m., thence along the proposed western limit of the Southern Shore Highway, south 32 degrees, 15 minutes, 18 seconds west, 75.852 m., to the principal point of beginning. RESERVING NEVERTHELESS out of the above described parcel a stream and its reservation 15 m. wide along each side. The above described parcel contains in all an area of 1.817 ha. and is more particularly shown on the attached plan. All bearings being referred to Grid North NAD 83

[Signature]
Measure Angle at point 3263, backsighting point 3400
MA AR 179°02'05.0" 1069.581 Foresighting point 33

Measure Angle at point 33, backsighting point 3263
MA AR 133°50'52.2" 93.273 Foresighting point 34

Measure Angle at point 34, backsighting point 33
MA AR 133°09'32.4" 271.37 Foresighting point 39
MA AR 241°44'30.2" 75.25° Foresighting point 25

File: ARENA2.DAT
Session terminated at 3:30 PM on 01-11-2001
Measure Angle at point 28, backsighting point 27
MA AR 263°42'27.0" 183.669 Foresighting point 3

Measure Angle at point 3, backsighting point 28
MA AR 292°20'22.0" 173.253 Foresighting point

Measure Angle at point 2, backsighting point 3
MA AR 247°39'38.0" 138.087 Foresighting point 28

Measure Angle at point 22, backsighting point 2
MA AR 289°25'40.0" 9.860 Foresighting point 21
MA AR 336°23'15.8" 16.479 Foresighting point 20
MA AR 328°51'44.8" 18.421 Foresighting point 19
MA AR 287°53'55.7" 12.845 Foresighting point 27
MA AR 277°12'33.2" 161.527 Foresighting point 28

Measure Angle at point 28, backsighting point 22
MA AR 262°47'26.8" 183.669 Foresighting point 27

File: ARBNA2.DAT
Session terminated at 11:56 AM on 11-01-1994
SURVEY AUTHORIZATION

You are hereby authorized to survey, at the expense of the applicant, the land as defined as follows:

Application No. 123731
Name of Applicant: 
Location of land applied for: MOBILE
Land bounded on the North by: SEE MAP
Land bounded on the South by: SEE MAP
Land bounded on the East by: SEE MAP
Land bounded on the West by: SEE MAP
Area approved (in hectares): 1,217 max.
Frontage approved (in metres): 70 - 76 max.
Approved location indicated on the attached plan number: 1N7-106
Parcel identification number: 10043561

Please be advised that the dimensions of the approved site cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

Satisfactory survey returns must be submitted to this Department on or before DEC 15, 2004 otherwise the application will be deemed cancelled in accordance with Section 10 of Lands Act.

Authorized Official

SPECIAL INSTRUCTIONS:

15 meter stream reservation.
Survey Report for 123731
File No: 1001361

1. Did you find any evidence of an adverse claim either valid or otherwise? No X Yes
   If yes, explain:

2. List names of individuals, if any, who provided information on the land status:
   [Redacted]

3. Was survey referenced to the control survey network? Yes X No
   If no explain:

4. If any existing survey evidence was rejected, give an explanation: No

5. The location of all existing boundary monuments, fences, cut lines, easements, right-of-ways, waterbodies, buildings and structures on the land surveyed is shown on the plan of survey? Yes X No

6. The survey plans and legal descriptions submitted by me accurately represent the results of the survey performed by me. Yes X No

7. I have found No verbal, documentary or physical evidence that may jeopardize the Crown in issuing a lease or grant. (Insert no or leave blank, if No is not inserted explanation is required)
   Explanation:

NOTES:

SURVEYORS ADDITIONAL COMMENTS: ____________________________

NEWFOUNDLAND LAND SURVEYOR

Survey returns are to consist of the following:
1. Two copies each of plot plan, description & field notes - all stamped, signed & dated.
3. Location plot of survey on mapping provided by the Department.

5 Here Place, Box 5700, St. John's, NL, A1B 4E9, Telephone (709) 729-2054, Facsimile (709) 729-0740
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
NOTE TO USERS

The information on this map was compiled from land surveys registered in the Crown Lands Registry.

Since the Registry does not contain information on all land ownership within the Province, the information depicted cannot be considered complete.

The boundary lines shown are intended to be used as an index to land titles issued by the Crown. The accuracy of the plot is not sufficient for measurement purposes and do not guarantee title.

Users finding any errors or omissions on this map sheet are asked to contact the Crown Titles Mapping Section, Howley Building Higgins Line, St. John's Newfoundland.

Some titles may not be plotted due to Crown Lands volumes missing from the Crown Lands registry or insufficient survey information.

Users can also contact the Crown Titles Mapping section by fax or telephone as listed below.

Fax - 729-6136
Telephone - 729-5500

Scale 1:5000

Expiry Title............EX
Cancelled Title...........CA
Approximate Location

() Government Services and Lands

Monday, September 13, 2004
Aug 27, 1986 - Application for Agriculture (rootcrops) received.
Feb 21, 1988 - Application E-82909 Approved for Agriculture for 15 years for 20 ha.
Oct 4, 1988 - Complaint from [redacted] that one section is fencing a portion of the land approved under application E-82909.
June 6, 1989 - Briefing not resulting from an investigation by John Kennedy recommending notice to be issued to make application under the Quieting of Titles Act.
Aug 30, 1989 - Notice under the Quieting of Titles Act issued to [redacted].
Oct 25, 1989 - Notice under the Quieting of Titles Act issued to [redacted]. Amended to exclude parcels of land conveyed by [redacted] to [redacted] (.7344 ha), to [redacted] (.359 ha) and the parcel of land occupied by [redacted] (3.424 ha).
Jan 31, 1992 - Letter from RLM (E) to [redacted] with map advising that application E-82909 has been approved as per attached map.
Feb 19, 1992 - Letter from [redacted] to ERLO advising that he is still interested in the land.
Mar 6, 1992 - Approval letter issued to application E-82909 with survey deadline of March 6, 1993
April 1, 1993 - Application E-82929 is cancelled due to survey not received.
all redactions on this page are due to section 40.1 of ATIPP

I hereby sell all my rights, title and
heirs, to the price of land,
located on Highland, between
Withee Bay and-Mobile, known as
the "Highly" bounded as follows:
with main highway, to Calder
Railroad. To
for the sum of $600.00 to homestead and to hold
as his own. The receipt is
hereby acknowledged.
Witness my hand at
Withee Bay
the 11th of August, 1916.

Witness
E.W.T., by these presents, eat, a, all of which I, the Electoral District of Conception, in the Island of Newfoundland, married man, do, and in consideration of the sum of all the words and all the notes, to be by hand and truly paid, by [redacted], this [redacted], of all the places and all the things therein, (namely, [redacted] and other lands) situated on the [redacted] and bounded as follows: [redacted] river, [redacted] approximately eighty feet, on the [redacted] by [redacted], approximately [redacted] feet, on the [redacted] by the [redacted], approximately [redacted] feet, on the [redacted] by the [redacted], approximately [redacted] feet, all together with [redacted] and appurtenances, to hold the same unto the said. For ever.

To witness whereof I have hereunto set my hand and seal.

Registered [redacted]
A.D. 1963 at [redacted] p.m.
Vol. [redacted], Fol. [redacted]

Rejoined of Deeds

Signed, sealed, dated and delivered in the presence of:

WITNESS

WITNESS

WITNESS
all redactions on this page are due to section 40.1

J. [redacted] of [redacted], aged [redacted],
herein called to witness, for the last.
All my rights, interest, and lands, to the
sum of [redacted] at [redacted], Mobile Road.

Grounded out the house by [redacted], near
[redacted] and back, by the
Property of [redacted] by the [redacted]
for the sum of $100.00

Witnessed at:
[redacted], 28th day of April 1954

Registered 1st day of [redacted]
A.D.1963 at 2 o'clock p.m.
Vol. 13, Fol. 369.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Dear Sir/Madam:

RE: APPLICATION NO.: 123731
TYPE: Lease
PURPOSE: Commercial
LOCATION: MOBILE

REMINDER

This is to remind you that your sewage disposal and/or water supply system approval have not been received as of this date.

Your land survey has been received and the title documents prepared, however these documents cannot be sent to you for signature until the Certificate of Approval issued by the Government Service Centre for your sewage disposal/water supply system has been received.

Please note the deadline for receiving this approval is DEC 15, 2004. Failure to submit the Certificate of Approval by this date will result in this office having no other choice but to consider your application cancelled by you in accordance with Departmental Policy.

If further information is required concerning your Certificate of Approval please contact the Government Service Centre nearest you.

Yours truly,

LANDS OFFICER
GOVERNMENT OF
NEWFOUNDLAND
AND LABRADOR
Department of
Government Services

OPERATIONS DIVISION

November 23, 2004

s.40.1

RE: GSC File number: HS-2004 109248 00

Dear [Name]

Pursuant to the Sanitation Regulations and based on a review of the site data and design provided by Approved Designer [Name], Registration # AD-2001 106386, approval is given to [Name] for the construction and installation of a sewage system/water supply to service a dwelling at Route 10 in Mobile. The sewage system/water supply must be installed precisely as indicated on the Approved Designer's drawings and must not be changed without prior approval from an Environmental Health Officer. Failure to comply with the terms and conditions will render this approval null and void.

It shall be noted that the sewage system/water supply shall not be backfilled before being inspected and without having first obtained a final approval certificate. This can be arranged by calling the number listed above and giving advance notice of five (5) working days. Please note, it is the responsibility of an applicant to ensure that a Final Approval Certificate is obtained from the officer in respect of the installed sewage system/water supply. Where a sewage system/water supply has been covered without a final approval certificate, an Environmental Health Officer may, at the expense of the applicant, require it to be uncovered for inspection.

This Certificate of Approval is valid for 24 months from the date of issue. An extension of a further 12 months may be granted. This Certificate of Approval does not release the applicant from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies and is conditional upon the applicant having clear title to the land.

Yours truly,

Timothy B. Shears, C.P.H.I.(C)
Environmental Health Officer

[Name], Approved Designer

5 Mews Place, P.O. Box 8700, St. John's, Newfoundland, Canada, A1B 4J6
Dear Sir/Madam:

RE: APPLICATION NO. 123731
TYPE: Lease
PURPOSE: Commercial
LOCATION: MOBILE

Enclosed are duplicate draft Lease documents which must be signed by you in the presence of a witness, in the space provided for "Lessee", and by the witness, who will sign in the space provided for "Witness", to the left of your signature.

Both signed documents must be returned to this Department together with your lease fee of $4540.00 plus 15% H.S.T and the document preparation fee of $200.00. Your certified cheque or money order should be made payable to the Newfoundland Exchequer Account. A pre-addressed return envelope is included for your convenience. These are legal documents and must not be defaced or altered in any way. Failure to return both documents and monies owed within ninety (90) days of the date on which you receive this letter will result in the cancellation of your application.

A copy of the Lease will be issued to you upon registration in the Registry of Crown Titles. Should you require further information, please contact this office.

LANDS OFFICER

(Enclosures)
MAR 22, 2005

Dear: Sir/Madam:

RE: APPLICATION NO. 123731
TYPE: Lease
PURPOSE: Commercial
LOCATION: MOBILE

Enclosed is your title document which has been issued and registered in the Registry of Crown Titles.

Yours truly,

LANDS OFFICER

Enclosure
Under the provisions of Section 3 of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Environment and Conservation for the Province of Newfoundland and Labrador (hereinafter called the "Minister") does hereby LEASE and DEMISE unto

[Lease text]

PROVIDED ALWAYS that if the Lessee, his or her heirs, executors, administrators and assigns shall make default in the performance of any of the provisions herein contained, the Minister may give the Lessee thirty (30) days notice of termination of this Lease, and upon the expiration of the thirty (30) days, this Lease shall cease and the Lessee shall forthwith vacate the demised premises.

PROVIDED ALWAYS that except for the demised premises, the issuance of this Lease by the Minister of Environment and Conservation does not constitute an acknowledgement of any right, title or interest in or to any of the other parties identified in the survey description and plan attached hereto as Schedules A and B.
IN WITNESS WHEREOF the Parties have executed this Indenture.

SIGNED AND SEALED
by the Minister of Environment and Conservation and
the Seal of the Department of Environment and Conservation
was affixed on the 22nd day of May, A.D. 2005.

ANN MARIE BASTOW
A Commissioner for Oaths in and for
the Province of Newfoundland. My
commission expires on December 31, 2006.

SIGNED AND SEALED
by the Lessee on the 16th day of March, A.D. 2006.

GERARD M. HARVEY
A Justice of the Peace in
and for the District of St. John's
No. 127

Witness

Witness

Witness
Schedule "A"

All that piece or parcel of land situate and being to the west of the Southern Shore Highway, near Mobile, in the electoral district of Ferryland in the Province of Newfoundland, being bounded and abutted as follows, that is to say beginning at a point said point being north 12 degrees, 16 minutes, 16 seconds east, 1136479 m., from control Mon no. 023263 having coordinates of north 5,235,095.223 m., and east 316,971.018 m., thence along lands leased by the crown to the Southern Shore Arena Association, Lease No. 82595 and crown land, north 77 degrees, 10 minutes, 22 seconds west, 271.375 m., thence by crown land, north 24 degrees, 31 minutes, 29 seconds east, 73.050 m., thence by crown lands and a reservation along Frog Marsh Stream, south 77 degrees, 10 minutes, 22 seconds east, 281.795 m., thence along the proposed western limit of the Southern Shore Highway, south 32 degrees, 15 minutes, 18 seconds west, 75.852 m., to the principal point of beginning. RESERVING NEVERTHELESS out of the above described parcel a stream and its reservation 15 m. wide along each side. The above described parcel contains in all an area of 1.817 ha. and is more particularly shown on the attached plan. All bearings being referred to Grid North NAD 83
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
SCHEDULE "C"

1. The Lessee shall use the demised premises solely for the purpose of a mini golf course and horseshoe pit.

2. The rent reserved as set out in this Lease shall be subject to review every five (5) years.

3. The Lessee shall pay all taxes and charges that may be levied by any municipal, provincial, or federal authority on or in respect of the demised premises.

4. The demised premises shall not be assigned in whole or in part without the written consent thereto of the Minister and upon payment of a fee as fixed by the Minister. The Ministerial consent for assignment may be withheld until such time as the requirement of Clause 1 is fulfilled. And it is further agreed that this consent for assignment is not required where the whole of the demised premises only is being assigned solely for mortgage purposes.

5. The demised premises shall be held under and subject to all regulations and provisions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such statutes and regulations as are now in force or which may at any time hereafter be made by law for the improvement or cultivation of lands within the Province of Newfoundland and Labrador.

6. Disposal of garbage on the demised premises or underwater is not acceptable and shall be burned in an acceptable manner or disposed of at an approved waste disposal site.

7. The Lessee shall indemnify and save harmless the Crown against any loss, cost or damage resulting directly or indirectly from the Lessee's use or occupation of the demised premises.

8. The demised premises shall not be used for any purpose other than as set forth in Clause 1 of this Lease without written consent of the Minister and then only on such terms and conditions and the payment of such a fee as the Minister may prescribe.

9. If the Lessee has paid the rent and observed all of the terms of this Lease, the Lessee may cancel this Lease by giving thirty (30) days written notice to the Minister who shall grant a certificate in writing accepting the surrender, and thereupon all privileges herein granted shall, subject to Clause 10, 11, and 12, terminate.

10. The Lessee shall at the end of this Lease yield up to the Minister the demised premises in a condition satisfactory to the Minister.

11. The Lessee shall within ninety (90) days of the end of this Lease restore the demised premises to a condition satisfactory to the Minister.

12. If the Lessee fails to restore the demised premises as specified in Clause 11, the demised premises shall become the sole property of the Minister. The Minister may dispose of the demised premises and restore the demised premises as he sees fit and no amount shall be paid to the Lessee in compensation thereof and the costs incurred by the Minister in taking this action shall be a debt due the Crown by the Lessee.

13. This Lease shall be null and void, and the demised premises and any buildings thereon shall revert to the Crown if the rent which is due and payable hereunder remains unpaid for sixty (60) days, regardless of whether there has been a request for payment or not.

14. Payment of the annual rent shall not prevent this Lease from becoming null and void if the Lessee shall default in any other provision, term or condition of this Lease.

15. If the Lessee defaults in the performance of any of the provisions, terms or conditions of this Lease or, if following development of the demised premises for the intended use set forth in Clause 1 the Lessee thereafter fails to use the demised premises for the said purpose(s) for a period of three (3) consecutive years, then at any time after such default or failure to use the demised premises for a period of three (3) consecutive years the Minister may, by written notice served on the Lessee as set forth in Clause 17, declare this Lease null and void and the demised premises shall revert to the Crown.

16. The Lease may be renewed upon written application by the Lessee and shall be subject to such statutes and regulations as may then in force in the Province of Newfoundland and Labrador.

17. Any notice to be given hereunder shall be in writing and shall be given either by personally delivering the same or by sending the same by registered mail, postage prepaid, to the Lessee, or to the Minister, Lands Branch, Howley Building, Higgins Line, St. John's, NL A1B 4J6. Any notice as delivered shall be conclusively deemed given when personally delivered and any notice so mailed shall be conclusively deemed given on the third business day following the day of mailing, provided that in the event of a known disruption of postal service, notice shall be given by personal delivery only. Any address for notice herein referred to may be changed by notice to the other party in writing given pursuant hereto.
SCHEDULE "C"

18. The Lessee must obtain all necessary permits from the Government Service Centre of the Department of Government Services.

19. This Lease shall be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador.
GRANT
Pursuant to Lease 123731

Under the provisions of subsection (1) of Section 4 of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended.

WHEREAS Lease number 123731 was issued for ALL THAT piece or parcel of land therein described situated at MOBILE;

AND WHEREAS it has been verified to the satisfaction of Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented by the Honorable the Minister of Environment and Conservation that the conditions of the said Lease, as required under current Government Policy, have been complied with;

NOW THEREFORE the Honourable the Minister of Environment and Conservation (hereinafter called the "Minister") does hereby GIVE AND GRANT unto

[redacted]

in the Province of Newfoundland and Labrador (hereinafter called the "Grantee") his or her heirs, executors, administrators and assigns for the purpose of a Mini Golf Course ALL THAT piece or parcel of land situate and being at MOBILE, as more particularly described and delineated in the survey description and plan accompanying Lease number 123731 aforesaid, together with all appurtenances, EXCEPTING AND RESERVING nevertheless to the Crown out of this present Grant all minerals both metallic and non-metallic, limestone, granite, slate, marble, gypsum, sand, clay, sand, gravel, building stone, volcanic ash, peat, salt, coal, natural gas, naturally occurring oil and related hydrocarbons in and under the said piece or parcel of land TO HAVE AND TO HOLD (except as before excepted) unto the said Grantee, his or her heirs, executors, administrators and assigns for the said purpose forever;

YIELDING AND PAYING unto the Crown, as the price and consideration of the said land at the time of signing and delivery thereof, the final payment in the amount of $1.00.

PROVIDED that this present Grant is upon the condition that the said land shall be held under and subject to all regulations and provisions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such statutes and regulations as are now in force or which may at any time hereafter be made by law for the improvement or cultivation of lands within the Province of Newfoundland and Labrador;

PROVIDED ALSO that this Grant is subject to the condition that the land hereby demised shall not be subdivided or used for any purpose other than a Mini Golf Course without the consent of the Minister of Environment and Conservation and then only on such terms and conditions as the Minister may prescribe;

AND it is further provided that, in case the Grantee, his or her heirs, executors, administrators, or assigns shall make default in the performance of any of the provisions or conditions herein contained, including an unauthorized use of the said lands, then the Crown shall have the right of re-entry which right shall not affect any right of action arising from this Grant.
AND it is further provided that in consideration of the issuance of this Grant by the Minister and the Government of Newfoundland and Labrador, the Grantee, his or her heirs, executors, administrators and assigns hereby indemnified and saves harmless the Minister and the Government of Newfoundland and Labrador of and from any and all manner of claims, damages, losses, costs and charges whatsoever occasioned to or suffered by or imposed upon the Minister and the Government of Newfoundland and Labrador directly or indirectly in respect of any matter or thing in consequence of or in connection with or arising out of the occupancy or use of the land herein described or any buildings and erections thereon by the Grantee in connection with the occupancy or use of the same by the Grantee or in respect of any accident, damage or injury to any person, animal or thing by from or on account of the same except and to the extent that such claims, damages, losses, costs and charges arise or are caused by the negligence of any servant or agent of the Minister and the Government of Newfoundland and Labrador while acting within the scope of her/his duties or employment. The Covenants of the Grantee for indemnity herein contained shall extend to all damages and claims for damage by reason of improper or faulty erection or construction of structures erected or installed on or in the land herein described or in connection therewith by the Grantee, his or her servants or agents, and by reason of an insufficiency in said structures and whether or not the same have been approved by the Minister and the Government of Newfoundland and Labrador, their servants or agents.

AND it is further provided that except for the land hereby granted, the issuance of this Grant by the Minister of Environment and Conservation does not constitute an acknowledgement of any right, title or interest in or to any of the other parties identified in the survey description and plan accompanying Lease number 123731.

IN WITNESS WHEREOF the Parties have executed this Indemnure.

SIGNED AND SEALED
by the Minister of Environment and Conservation and
the Seal of the Department of Environment and Conservation
was affixed on the 17th day of January, A.D. 2019,
in the presence of:

MINISTER OF ENVIRONMENT AND CONSERVATION

SIGNED AND SEALED
by the Grantee on the 16th day of December, A.D.
in the presence of:

GRANTEE
APPLICATION FOR GRANT PURSUANT TO LEASE

FOR DEPARTMENT USE ONLY

Lease No. C1123731
Lease type Commercial
File No. 001361

(A) Applicant Information
First Name ________________ Middle Name ________________ Last Name ________________
Mailing Address ________________
Telephone No.: Home __________________ Business __________________

(B) Affidavit of Applicant
I, ____________________________, do hereby make oath and declare as follows:

1. I hereby apply for Grant Pursuant to Lease No. C1123731 for Crown land located at ________________ and issued on the ___ day of March 2005.

2. I have not subdivided the land or used it for any purpose other than as specified in the Lease.

3. I have not assigned or conveyed, (other than by way of mortgage) in whole or in part, my legal or beneficial interest in the land described in the Lease.

4. I have fulfilled all the provisions and conditions of the Lease as follows:
   (a) The following buildings have been erected on the land:

   1. ________________ use ________________ length ________________ width ________________ siding type ________________

   2. ________________ use ________________ length ________________ width ________________ siding type ________________

   (b) Type of Water/sewer system:

   1. ________________ Drilled Well ________________ Dug Well ________________ Pond ________________ Other ________________

   2. ________________ Septic Tank ________________ Pit Potty ________________ Chemical Toilet ________________ Other ________________

   (c) Describe other improvements made to the land:

   ________________

5. I understand that I shall pay all Municipal, Provincial or Federal taxes assessed against the land.

6. I understand that if I have mortgaged the property, I am required to obtain the written consent of the mortgage holder for their approval to this application. If I fail to obtain the written consent or fail to disclose that I have mortgaged the property, the grant that I herein apply for may be declared null and void by the Government of Newfoundland and Labrador.

7. There are no other encumbrances or reasons why the Grant should not be issued.

8. I have read and understand the contents of this affidavit or the affidavit has been read to me and I understand its contents.

Sworn to me at ________________ this __ day of ________________ 20__

(Printed Name: ____________________________)

JENNIFER L. LILLY, O.A.

Signature of Applicant

NOTE: A non-refundable application fee of one hundred and fifteen dollars ($115.00) must accompany this application.
"AND WHEREAS it has been verified to the satisfaction of Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Environment and Conservation that the conditions of the said Lease, as required under current Government Policy, have been complied with,"
Grant Pursuant Document Preparation Form
(Updated March 13, 2009)

Application approved and signed by departmental
Authorized Signing Officer
Yes / No

NL resident
Yes / No

Individual Signature
Yes / No

More than One Signature
Yes / No

Was there a Lease assignment
Yes / No

If yes provide details:

Was Lease amended
Yes / No

If yes provide details:

Within a Municipality
WITH an approved municipal plan
Yes / No

(If No subdivision clause IS required)
Easement Clause Required
Yes / No

Lease plotted in ESRI? If no, please plot.
Yes / No

Any there any special conditions or clauses
Yes / No

Has the original purpose changed
Yes / No

Residence
Yes / No

Commercial
Yes / No

Company (name)
Yes / No

In “good standing” at registry of Companies
Yes / No

Does the GP application include extra land
Yes / No

If yes, is the survey return:

a) for the extra land only
Yes / No

b) for the original parcel and the extra land
Yes / No

Recreation Cottage Lot (RCL)
Yes / No

non subdivision clause required in all RCL’s
Yes / No

High Demand Area (HDA)
Yes / No

HDA defined as: (i) cottage being on the Avalon or, (ii) Cottage subdivision any location
If HDA use the following non subdivision clause: Provided Also that this Grant is subject to the condition that the land hereby demised shall not be subdivided or used for any purpose other than for a recreational cottage.

Notes for person preparing the title documents:

1. In non-subdivision clause where “related” buildings is used - to be substituted with the word “ancillary”

2. The following Yielding and Paying clause to be used:

Yielding and Paying unto the Crown, as the price and consideration of the said land at the time of signing and delivery thereof, the final payment in the amount of $????.??