January 3, 2017

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act FLR/62/2017

On December 4, 2017, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

"All documents on Crown Land Application #147705"

I am pleased to inform you that a decision has been made by the Deputy Minister of FLR to provide partial access to the requested information. In particular, access to specific information contained within the records, has been refused according to Section 40 (1) Disclosure harmful to personal privacy. As required by 8 (2) of the Act, we have severred information that is unable to be disclosed and have provided you with as much information as possible. 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 Office of Public Engagement's 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 709-729-3730 or by email at hollyphilpott@gov.nl.ca

Sincerely,

Holly Philpott
ATIPP Coordinator

Enclosures:

Disclosure harmful to personal privacy

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.

Right of access

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25, of the costs of reproduction, shipping and locating a record.

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).
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Date: 2016/01/15

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number: 1102168850674322
Product Name: Xpresspost/Xpresspost
Reference Number 1: TA154290604CA
Reference Number 2: Not Applicable
Delivery Date (yyyy/mm/dd): 2016/01/14

Signatory Name: [Redacted]

Signature: [Redacted]

Yours sincerely,

Customer Relationship Network
1-888-550-6333.

(From outside Canada 1 416 979-8822)

This copy confirms the delivery date and signature of the individual who accepted and signed for the item in question. This information has been extracted from the Canada Post data warehouse.
Dear Sir/Madam:

RE: APPLICATION NO.: 147705
TYPE: Grant
PURPOSE: Residential
LOCATION: Upper Island Cove

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

Both signed and dated documents must be returned to this Department together with your grant fee of $5600.00 and the document preparation fee of $300.00. 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. Cancellation of your application will result in the market value of the land being reassessed should you choose to reapply. This assessment may result in an increased land value.

A copy of the Grant 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
APPLICATION CHECK LIST /
DOCUMENT PREPARATION FORM
(revised July 20, 2011)

Any question that does not apply to application – strike out with pen and mark as N/A
Any question that results in sending a correction letter please confer with regional staff prior to sending

Name of Applicant: [REDACTED] — ATIPPA Section 40(1)

Application No. 147705
File Reference No. 1037571

1. (a) Has the submission been received on or prior to the deadline date as per approval letter/survey authorization? yes ☒ no

(b) If required, has an extension fee for submission been paid? N/A
If no, advise Survey Inspector III — application not to be processed if deadline date expired and no extension fee paid.

2. Did you thoroughly read the file including the approval letter, application form and relevant correspondence? yes ☒ no

3. Are there conditions attached to the approval letter (or noted in the application) that require additional clauses in the title document? yes no ☒
If yes, note these conditions in the comment section for documentation preparation

4. Is the application form complete?
- affidavit completed? yes ☒ no
- signed by applicant? yes ☒ no
- approved by regional lands manager? yes ☒ no
- approved by director of lands management? yes ☒ no (For)
If no to any, advise Survey Inspector III

5. (a) Is the parcel surveyed the location as indicated on the site plan attached to the survey authorization/approval letter? yes no ☒

(b) Did the surveyor receive prior approval for an alternate site/configuration from the titles office or regional office before completing the survey? yes no ☒ (see Leslies email)
If no prior approval received, inform Survey Inspector III - this must be investigated further prior to processing.

6. (a) Are there any special instructions for survey attached to the application form/approval letter/survey authorization or noted in AMANDA? yes no ☒

(b) Does the survey submission indicate these special instructions have been followed? yes no ☒
If no, advise Survey Inspector III — correction letter to be sent N/A

7. Are all the questions on the surveyor's report form completed and the report dated, stamped and signed? yes no ☒
If no, advise Survey Inspector III — correction letter to be sent

8. Type of application:
- Lease - purpose (i.e. agriculture (root crop, sod farm, cranberry, etc.), utility, renewal, Commercial specific purpose etc.)
- Approval letter annual rental $ ________ revised annual rental $ ________ (not including taxes)
- Purchase Fee (if applicable) $ ________ (not including taxes)
- Grant - purpose (if applicable) Residential consideration fee (not including taxes) $5600.00
- Grant Pursuant to Lease - purpose (if applicable) $ ________ consideration fee (not including taxes)
- Grant Pursuant to Licence - purpose (if applicable) $ ________ consideration fee (not including taxes)
- Transfer - Provincial
- Transfer - Federal
- Easement
- Amendment - purpose (i.e. extra land, extra land with new schedules, new schedules, other as specified in application)
- Deed of Surrender
- Quit Claim
- Other

NOTE: If application for Deed of Surrender, Amendment or Grant Pursuant include:
1) Original application (and file if exists) in current application; (b) transfer of ownership documentation where applicable.

9. Under what Section(s) and subsection(s) of the Lands Act is the Title to be issued? 4
10. **If applicant is a Company, Association, etc., is the organization in good standing at the Registry of Deeds and Companies?** N/A
   If yes, place copy of registry good standing in file as proof of good standing.
   If no, advise Survey Inspector III - Company to be written and Title not to be issued until in good standing.
   NOTE: Name of organization appearing in title documents must be exactly as per Registry of Deeds and Companies.
   Certificate of Incorporation, if necessary, update AMANDA - people table.

11. **Does the address of the applicant indicate the applicant presently resides in the Province?** Yes X no ___

12. **(a) Is the application within a Municipality with an approved Municipal Planning Area?** Yes X no ___
   Measures in Effect regulations indicate Municipalities with an approved Municipal Planning Area.
   Municipal Planning Area is a visible GIS layer and determines the extent of the coverage.
   If yes, AND a Grant application - "Subdivision Clause Not Required" to be selected in AMANDA - Titles
   Office process checklist. (Document generates NOT indicating a purpose or non-subdivision clause).
   If no, AND a Grant application - "Non Applicable" to be selected in AMANDA - Titles
   Office process checklist. (Document generates requiring a purpose and the non-subdivision clause).

   (b) If document requires a purpose is it clearly defined? Yes X no ___
   If no, purpose is defined by regional office (extension to private property - not a clearly defined purpose, commercial
   - not a clearly defined purpose) Info table to be updated in AMANDA when purpose defined.

   (c) Is a residential application within the established Infilling Limits? Yes - N/A
   'Infilling Limits' regulations are designed to prevent uncontrolled residential development for Municipalities that do
   not have an approved Municipal Planning Area or for Local Service District communities. Infilling Limits is a
   visible GIS layer and determines the extent of the coverage.
   If no, advise Survey Inspector III, this must be investigated further prior to processing.

13. **For cottage grant applications, is the land located in a High Demand Area (HDA)?** Yes ___ no N/A
   HDA defined as (a) cottage being on the Avalon or (b) Cottage Public Draw 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 denized shall not be subdivided or used for any purpose other than
   for recreational cottage.

14. **(a) Does the amount of area/footage surveyed agree with the amount of area/footage indicated in the
   approval letter and survey authorization?** Yes X no ___

   (b) Any area/footage change requires a revised assessment land value.
   Did the land value change? Yes ___ no N/A
   If no, have assessor provide written confirmation.

   (c) If the area/footage change greater than plus/minus 10% of the approved area, did the surveyor
   receive prior approval from the titles office or regional office before completing the survey?
   If no, advise Survey Inspector III - this must be investigated further, prior to processing - N/A

   (d) Has the AMANDA property table been revised to reflect any change in area/footage surveyed?
   Yes ___ no N/A

15. **Grant application over 20 hectares require cabinet approval in the form of an Order in Council.
   Does the application indicate there was cabinet approval via an Order in Council? Yes N/A
   If yes, the survey submitted MUST be equal to or less than the area specified in the Order in Council.
   Order in Council #_______, area approved #_______, area surveyed #_______.
   If no, or area surveyed exceeds area approved, advise Survey Inspector III - application not to be
   processed.

16. **If the submitted survey plan, application, photography or GIS indicates there is a power line, water
   line, sewer line etc. that requires an easement, does the description indicate the parcel is
   'subject to an easement'? Yes X no ___
   If yes, make comment that easement clause to be included in title document.
   If no, advise Survey Inspector III - correction letter to be sent.

17. **Has the description and survey plan been checked for technical accuracy?** Yes X no ___
   Does the closure report indicate an acceptable accuracy (1:5000 or better)? Yes X no ___
   Does the survey indicate that two control survey markers have been referenced? Yes X no ___
   Does the description conform to the current standards? Yes X no ___
   Does the survey plan conform to the current standards? Yes X no ___
   Does the information contained in the description agree with the information shown on the survey plan?
   Yes X no ___
   If no to any, advise Survey Inspector III - correction letter to be sent.

18. **Does the location (name) indicated in AMANDA agree with the description location?** Yes X no ___
   If no, confirm correct location and take appropriate action to rectify.
19. If the application, photogaph, mapping, LMO's report, survey or surveyor's report indicates there is evidence of occupation on the parcel surveyed, did the submission include a separate plan showing evidence of occupation? yes no
   If no, advise Survey Inspector III - correction letter to be sent.

20. Is illegal occupation fee applicable? yes no

21. (a) Does the survey adjoin an existing title? yes X no
   A copy of adjoining title(s) to be placed in application.

   (b) Are adjoining titles indicated with original title holder and registration identification (current title holder may be also shown—if applicable)? yes X no
   If no, advise Survey Inspector III - correction letter to be sent.

   (c) Do bearings and distances indicated on the application agree with the bearings and distances on adjoining existing boundary? yes no X
   (c) Is there a satisfactory explanation why bearings and distances do not agree? yes X no (Magnetic)
   If no, advise Survey Inspector III - correction letter to be sent.

22. If water bodies (ponds, rivers, brooks, tidal waters, etc.) are indicated on the returns, is the correct reservation maintained? yes no N/A
   If no, advise Survey Inspector III - correction letter to be sent.

23. If the parcel is adjoining a provincial or municipal road is the road width correct as per Transportation/Town regulations? yes X no
   If no, advise Survey Inspector III - correction letter to be sent.

24. If the returns indicate a right-of-way (existing or proposed) crossing the parcel, is it reserved from the total area and is it monumented where crossing the parcel boundary? yes no
   If no, advise Survey Inspector III - correction letter to be sent.

25. Is the correct zone/central meridian referenced in the description and on the survey plan? yes X no
   If no, advise Survey Inspector III - correction letter to be sent.

26. Has the submitted survey been plotted (replacing the approximate diagram) in the GIS? yes X no
   If no, plot application in GIS.

27. Does the application contain a copy of the survey plotted in the GIS (plotted on best available mapping)? yes X no
   If no, print copy and place in application file.

28. If AMANDA includes a HEALTH DESIGN REQUIRED process, is the process closed? yes no N/A
   If yes, continue processing application.
   If no, application to be placed in titles office HEALTH DESIGN REQUIRED drawer. Inspector to make note in AMANDA stating: "The date held pending health design certificate or inspection report."
   If no, regional staff notifies you certificate is received — continue processing application.

29. Survey Inspector II's shall review prepared documents for errors or omissions. Have you reviewed the prepared title documentation? yes no

Prior to forwarding the application file to the inspector III for initial review, the following information is to be placed at the front of the file in the following order:
(i) title documents including schedule A and B
(ii) approval letter
(iii) application form (if on separate pages, place in correct order and stapled together)
(iv) land valuation form (revised value form on top and all prior forms stapled together)
(v) survey authorization
(vi) surveyor's report
(vii) documentation preparation form
(viii) copies of adjoining issued titles (if applicable)
(ix) copy of the survey plotted in the GIS for file

All other information pertaining to application is to be placed (in the application envelope - if there is one in file) behind the above noted information.

Comments: Easement

Completed by: ___________________________ Date: ___________________________
TO: ARLENE YOUDEN, EASTERN REGION
FROM: MITCHELL MORAN, COORDINATOR OF LAND EVALUATION
DATE: JULY 16, 2015
SUBJECT: [Redacted] ATIPPA Section 40(1)

File #: ()

The valuation for the above mentioned Crown Land application located at Upper Island Cove is:

- Land Area: 0.1400 ha
- Land Frontage: 23,000 m
- Land Use: Residential Lot

Land Value: $13,900.00 [Updated on TRACTS]

This valuation may either increase or decrease, depending on the submission of a legal survey. If you have any other questions regarding this matter, please feel free to contact me at 729-3893.

Mitchell Moran
Coordinator of Land Evaluation
CROWN LAND REFERRAL

Region: EASTERN

FOREST AND AGRIFOODS AGENCY

TO: Eastern Lands Office
Dept. of Municipal & Intergovernmental Affairs
Howley Building, Higgins Line
P. O. Box 8700
St. John’s, N.L.
A1B 4J6

RE: Applicant:
Application #: 147705
Area: 0.14 Ha.
Location: Upper Island Cove
Purpose: Residential
C.L. File #: 1037571
Agr. File #: 14-182

RECOMMENDATION

☐ Approved
☐ Approved subject to conditions listed below
☐ Lease
☐ Reserve
☐ License
☐ Grant Pursuant
☐ Field for further investigation
☐ Not Approved – see below
☐ Applicant cannot be contacted
☐ Applicant no longer interested

Area Recommended

☐ Lease
☐ Reserve
☐ License
☐ Grant Pursuant

Term: _______ years

Conditions, Recommendation, Comments:

The area is located inside a Blueberry Management Unit.

Raymond Tucker
Land Management Specialist

Date: March 30, 2015

White – Crown Lands; Yellow – Agriculture Representatives; Pink – Land Use Section; Golden – File Copy
CROWN LAND REFERRAL

Region: EASTERN

REVISED

FORESTRY AND AGRIFOODS AGENCY

ATIPPA Section 40(1)

TO: Eastern Lands Office
Dept. of Municipal & Intergovernmental Affairs
Howley Building, Higgins Line
P. O. Box 8700
St. John's, NL
A1B 4J6

RE: Applicant: [redacted]
Application #: 147705
Area: 0.14 Ha.
Location: Upper Island Cove
Purpose: Residential
C.L. File #: 1037571
Agr. File #: 14-182

RECOMMENDATION

☐ Approved
☐ Approved subject to conditions listed below
☐ Hold for further investigation
☐ Not Approved - see below
☐ Applicant cannot be contacted
☐ Applicant no longer interested

Areas Recommended

☐ Lease ______ ha or ______ m²
☐ Reserve ______ ha or ______ m²
☐ License ______ ha or ______ m²
☐ Grant Pursuant ______ ha or ______ m²

Term: ______ years

Conditions, Recommendation, Comments:

Raymond Tacker
Land Management Specialist

Date: June 26, 2015

White - Crown Lands; Yellow - Agriculture Representatives; Pink - Land Use Section; Golden - File Copy
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]

Application Number: 147765
Application Type: Grant
Purpose: Residential Use:
Location: Upper Island Cove
Area (hectares): 0.14
Frontage (metres): 23
Map Number: B1N11-410
Comments:

RECOMMENDATION:

[ ] Approval  [ ] Referral  [ ] Held for further investigation

COMMENTS:

Since no other residential development exists, consideration should be given to granting permission for the single dwelling as a permitted use.

Signature: [Redacted]
Phone No.: 789-0432

Please return only the cover sheet with recommendations and any attachments you may have.
Lands Branch
Eastern Regional Lands Office

MAR 23, 2015

AMANDA HUMBY
Dept of Environment and Conservation
Box 8700 Howley Bldg. Higgins Line
St. John's NL
A1B 4J6

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: 

Application Number: 147705
Application Type: Grant
Purpose: Residential
Use: 
Location: Upper Island Cove
Area (hectares): 0.14
Frontage (metres): 23
Map Number: 01N11-410
Comments: 

RECOMMENDATION:

☐ Approval  ☐ Refusal  ☐ Held for further investigation

COMMENTS:

Barren & Rocky - Subject to 142600 approval. One additional lot will not affect water issues in Bishop's Cove. Aerial photo inspection only.

Signature: 

Phone No.: Z20-0941

Date: July 15, 2015

Please Return Only The Cover Sheet With Recommendations And Any Attachments You May Have.
MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS
APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM IS TO BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE
APPROPRIATE REGIONAL OFFICE.
THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANIED BY MAPPING TO SCALE.
SIGNED BY A PERSON AUTHORIZED TO ACT ON BEHALF OF THE TOWN.

TO BE COMPLETED BY APPLICANT – PART A

NAME OF APPLICANT: [Redacted]
MAILING ADDRESS: [Redacted]

CITY/TOWN: [Redacted]
PROVINCE: NL

HOME TELEPHONE: [Redacted]
BUSINESS TELEPHONE: [Redacted]
FAX/MACHINE: [Redacted]

LAND TO BE USED FOR: Residential
LOCATION OF LAND: Adjacent - Bishop St
DIMENSIONS OF LAND: 20 m FRONTAGE, 60 m DEPTH

TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

DOES YOUR COMMUNITY HAVE: ☑ AN APPROVED MUNICIPAL PLAN
☐ CONCEPT PLAN
☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS: Residential

IS THE PROPOSED USE A: ☑ PERMITTED USE
☐ DISCRETIONARY USE
☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☑ YES
☐ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA:
Residential ☑ Commercial ☐ Agriculture ☐ Unused ☐ Other:

NORTH SIDE: Barren
EAST SIDE: Residential
WEST SIDE: Barren

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN:

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:
☐ WATER AND SEWER
☐ WATER ONLY
☐ SEWER ONLY
☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE:
Gravel

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND: ☑ YES
☐ NO

BY WHOM: Council ☑ Dept of Transp and Works ☐ Applicant

WILL ROAD EXTENSIONS OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED: ☑ YES
☐ NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS:
☐ Crown ☑ Private ☐ Ownership Unclear

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS:

CONTINUED ON PAGE 2
The original amount of land applied for was
30 m frontage x 60 m depth. The Council has approved
23 m frontage x 60 m depth.

Murielle
Town Clerk / Manager

Dec. 16th / 41

INSTRUCTIONS

A. APPLICANT:

1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this
   Department and no occupation or development of the site is permitted until a formal title document has been issued by the
   Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the
   appropriate Government Service Centre or Regional Lands Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this
   Department and not your Crown Lands Application Form.

B. MUNICIPAL COUNCIL:

1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when,
   in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such
   cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

GOVERNMENT SERVICE CENTRES/REGIONAL LANDS OFFICES

Department of Government Services
Government Service Centre
5 Nova Place, P.O. Box 8700
St John's NL A1B 4J6
Telephone: (709) 729-2973
Facsimile: (709) 729-2974

Department of Government Services
Government Service Centre
McCarroll Complex, P.O. Box 2202
St John's NL A1V 1W9
Telephone: (709) 561-2400
Facsimile: (709) 561-1438

Department of Government Services
Government Service Centre
The Iveson Building, P.O. Box 2205
Corner Brook NL A2H 5G8
Telephone: (709) 637-2387
Facsimile: (709) 637-2905

Department of Environment and Conservation
Central Regional Lands Office
P.O. Box 2202
St John's NL A1V 1W9
Telephone: (709) 561-1400
Facsimile: (709) 561-1095

Department of Environment and Conservation
Western Regional Lands Office
The Iveson Building, P.O. Box 2205
Corner Brook NL A2H 5G8
Telephone: (709) 637-2382
Facsimile: (709) 637-2905

Department of Government Services
Government Service Centre
2 Macdonald Terrace, P.O. Box 141
Corner Brook NL A2H 5G8
Telephone: (709) 495-4500
Facsimile: (709) 495-4500

Department of Government Services
Government Service Centre
The Thomas Building, P.O. Box 3074, Site "B"
Happy Valley-Goose Bay NL A0P 1E0
Telephone: (709) 692-2691
Facsimile: (709) 692-5310

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building, P.O. Box 3074, Site "B"
Happy Valley-Goose Bay NL A0P 1E0
Telephone: (709) 692-2691
Facsimile: (709) 692-5310
December 22, 2014

Re: Crown Land Application

ATIPPA Section 40(1)

As per the Town's Concept Plan, the building lots in the area of Crown Land Application measure 23 m wide x 60 m depth. measurements correspond with the Town Plan.

ATIPPA Section 40(1)

If you require any further information please feel free to call.

Thank you.

Neil Slute
Town Clerk/Manager
Government of Newfoundland & Labrador
Department of Municipal and Intergovernmental Affairs

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 plat is not sufficient for measurement purposes and does not guarantee title.

Users finding any error or discrepancies on this map should contact the Newfoundland and Labrador Mapping Section, Howley Building, Marine Drive, St. John's, Newfoundland.

Users finding error or omissions can contact the Crown Title Mapping Section by telephone at 709-729-2634.

Some sites may not be plotted due to Crown Lands volumes consisting of the Crown Lands registry or not plotted due to insufficient survey information.

The User hereby indemnifies and forever exonerates the Province, its officers, employees and agents from and against all claims, demands, liabilities, actions or causes of action arising out of any violation of copyright or instruction property arising out of any misprints in the Crown Lands registry and the Minister, his or her officers.

For inquiries please contact a Regional Lands Office.
Corner Brook - 637-2890
Gander - 256-1450
Clarenville - 466-6074
St. John's - 729-2654
Goose Bay - 899-2488
# Newfoundland Labrador

Municipal and Intergovernmental Affairs

APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. 14705
FILE NO. L-37571
DATE REGISTERED March 9, 2025

RECEIPT NO. 00262860
AMOUNT 113.00
DATE Dec. 24/14

INITIAL

APPLICATION INFORMATION

<table>
<thead>
<tr>
<th>SURNAME</th>
<th>GIVEN NAME</th>
<th>MIDDLE NAME</th>
<th>AGE</th>
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MAILING ADDRESS

CITY/TOWN

Upper Island Cove

PROVINCE

NL

POSTAL CODE


BUSINESS TELEPHONE

HOME TELEPHONE

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? [X] YES [ ] NO

ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS? [ ] YES [X] NO

HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? [ ] YES [X] NO

IF YES, SPECIFY TITLE NO(S).

PROPOSED TENURE AND USE

<table>
<thead>
<tr>
<th>TYPE OF APPLICATION</th>
<th>LEASE</th>
<th>GRANT</th>
<th>LICENCE TO OCCUPY</th>
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<th>COTTAGE</th>
<th>AQUACULTURE</th>
<th>AGRICULTURE (provide details below)</th>
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COMMERCIAL (provide detailed description below)

OTHER (provide details below)

PROPOSED BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS: LENGTH [ ] WIDTH

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

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<tr>
<th>WELL</th>
<th>SEPTIC</th>
<th>MUNICIPAL WATER</th>
<th>MUNICIPAL SEWER</th>
<th>OTHER (provide details below)</th>
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</table>
LAND DESCRIPTION

1. THE LAND IS SITUATED AT

   Adjacent to Bishops Street, Town of Upper Island Cove

IN THE ELECTORAL DISTRICT OF

   Port de Grave

2. IS THE LAND CLASSIFIED FOR LOCAL OR MUNICIPAL USE?
   Yes [X] No [ ]
   IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

   IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

   NAME OF WATERBODY (if applicable)

3. APPROXIMATE DIMENSIONS OF THE LAND

   FRONTAGE 23 metres DEPTH 60 metres

   NAME OF WATERBODY

4. DISTANCE TO CLOSEST WATERBODY

   N/a metres

5. IS THE SITE ACCESSIBLE BY ROAD?
   Yes [X] No [ ]
   IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?
   Yes [X] No [ ]
   IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

   FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION
   [ ] WALKING [ ] A.V.T. [ ] 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.V.T. MUST BE IN ACCORDANCE WITH A.V.T. REGULATIONS.

6. IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?
   Yes [X] 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 [X] No [ ]
   IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in 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.

BOUND ON NORTH BY

   Municipal Road

BOUND ON SOUTH BY

   Crown Land, Barren

BOUND ON EAST BY

   Crown Land, Barren

BOUND ON WEST BY

   Residential Development, Town of Upper Island Cove

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 LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH AN APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

ATIPPA Section 40(1)

I, ____________________________, 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 2, 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 MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

SHERI-LYNN LUNDRIAN
A Commissioner for Oaths in and for the Province of Newfoundland and Labrador.

Sworn before me
At Upper Island Cove
this 19th day of December 2014

Sheri-Lynn Lundrian
Official Administering Oath

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
<table>
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<tr>
<th>Department Name</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
<th>Date Sent</th>
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Officers Comments: [Signature]

Date: [Signature]

Recommended of Regional Office:
☑️ Approved (Complete section below) ☐ Refused (Give reason)

Date: [Signature]

Regional Lands Manager

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

Area approved: 8.14
Frontage: 2.5
Consideration/Rental: $13,900.00
Back/Rental: 

☐ Lease ☑️ Grant ☐ Licence ☐ Other ☐ Type: Residential

Cabinet approval required: ☐ Yes ☑️ No

Special instructions to surveyor (if any):

Departmental decision:
☑️ Approved ☐ Refused ☐ Deferred ☐ To Cabinet

Special instructions:

Date: Aug 13/2015

Director of Lands Management
Dear Sir/Madam:

RE: APPLICATION NO.: 147705
TYPE: Grant
PURPOSE: Residential
LOCATION: Upper Island Cove

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)
Dear Sir/Madam:

RE:
APPLICATION NO.: 147705
TYPE: Grant
PURPOSE: Residential
LOCATION: Upper Island Cove
CONSIDERATION: $13,900.00

Your application for a Crown Grant has been approved as per the location on the attached map.

The Grant consideration of $13,900.00 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. A fee of $300.00 will be required for the cost of preparing and registering the title documents. Please do not remit any monies until requested to do so.

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

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 0.14 hectare(s).
The land survey must not exceed a frontage of 23 metre(s).
The land survey must be received by this Office on or before August 17, 2016, or your application will be considered cancelled by you in accordance with Section 10 of the Lands Act 1991, as amended and Departmental Policy. Once cancelled, you must wait thirty (30) days before you can reapply for the same site and during this thirty (30) day period applications may be accepted from other interested individuals. The Department will not be responsible for any costs incurred for a land survey should the site be determined unsuitable.

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 at the address listed below.

Yours truly,

[Signature]

REGIONAL LANDS MANAGER

Attachment(s)

cc. Town of Upper Island cove
SURVEYOR'S REPORT

APPLICANT [Redacted] ATIPPA Section 40(1)

APPLICATION NO.: 147705

FILE NO.: 1037571

1. Did you find any evidence of an adverse claim to the land either valid or otherwise?
   Yes No
   If yes, please include a typed report in compliance with Section 11 of the Lands Act.

2. List names of individuals who provided information on the land status:

3. Were there any inconsistencies between the research documentation and the found field evidence?
   Yes No
   If yes, please include a typed report explaining procedures used to resolve these inconsistencies.

4. Have you found any verbal, documentary or physical evidence that may jeopardize the Crown in issuing a lease/grant/ easement? Yes No
   If yes, please include a typed report.

5. Have you included an additional plan showing any evidence of occupation?
   Yes No

6. Are all the boundary lines through wooded areas connecting the corners open and clear?
   Yes No
   If no, a typed report must be included explaining why not.

Surveyor's Stamp

I hereby certify that these survey returns are in compliance with the Crown Land Survey Standards - 2009 and that the survey plans and description submitted accurately represent the results of the survey performed by me on ________.

NEwFounDLANd LANd SUrVEYOR
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Norman Parsons Surveys Ltd.

From: "Norman Parsons Surveys Ltd." <normanparsonssurveys@nl.albn.com>
To: <collines@gov.nl.ca>
Sent: Wednesday, October 14, 2015 12:33 AM

Leslie
Would you please send me the survey authorization for App. No. 147705 belonging to [redacted].

The area approved is 1400 Sq. M., however, using the info supplied by the applicant it appears to be about 1650 Sq. M.
I am wondering if we can increase the back line distance to make a new area of 1640 Sq. M.
I spoke with Mitch Moran and he said it would be no problem on his end only to adjust the price.

Maybe someone could give me a call on this. Thanks
Hi Leslie

As per our telephone conversation of Friday, October 16, I am requesting approval to increase my lot area to 1840m². The reason for this request is to make the west boundary line 90 degrees to the R.O.W. boundary. The 23.0m frontage will remain and 60.0 depth will remain as per my application. I spoke to Mitch Moran about price adjustment. I’m fine with that.

My Surveyor is [redacted] with Norman Parsons Surveys Ltd. Telephone [redacted]

Attached for your reference please find the following:
- My approval letter
- Email by Norman Parsons Surveys
- Sketch of proposed line work

If you have any questions, please call.

Thanks.
Lands Branch
Eastern Regional Lands Office

MAR 23, 2015

MARTHA DRAKE
Dept. of Business, Tourism, Culture and Rural Development
P.O. Box 8700
St. John's NL
A1B 4J6

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: 

Telephone: 
Application Number: 147705
Application Type: Grant
Purpose: Residential Use:
Location: Upper Island Cove
Area (hectares): 0.14
Frontage (metres): 23
Map Number: 01N11-410
Comments:

RECOMMENDATION:

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

COMMENTS:

__________________________________________________

M. Drake 729-2442 March 30/15
Signature Phone No. Date

Please Return Only The Cover Sheet With Recommendations And Any Attachments You May Have.
# SCHEDULE OF REFERRAL AGENCIES

<table>
<thead>
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<th>Name:</th>
<th>Phone Number:</th>
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<tr>
<td>Dept. of MIGA - Lands Branch</td>
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<tr>
<td>Amanda Humby</td>
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<tr>
<td>Dept. of Municipal &amp; Intergov. Affairs</td>
<td>709-729-3090</td>
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<tr>
<td>Dept. of Natural Resources</td>
<td>709-729-6599</td>
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<td>Randy Tucker Agrifoods Branch</td>
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<td>Provincial Archaeology Office</td>
<td>709-729-2462</td>
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<tr>
<td>Martha Drake</td>
<td></td>
</tr>
</tbody>
</table>
TO: ARLENE YOUDEN, EASTERN REGION
FROM: MITCHELL MORAN, COORDINATOR OF LAND EVALUATION
DATE: SEPTEMBER 9, 2015
SUBJECT: E-147705

File #: 0

The revised valuation for the above mentioned Crown Land application located at Upper Island Cove is:

Land Area: 0.1400 ha
Land Frontage: 23,000 m
Land Use: Residential Lot

Land Value: $5,600.00 (Updated on TRACTS)

This valuation may either increase or decrease, depending on the submission of a legal survey. If you have any other questions regarding this matter, please feel free to contact me at 729-3893.

MITCHELL MORAN
Coordinator of Land Evaluation
SURVEYOR'S REPORT

APPLICANT: [redacted] — ATIPPA Section 40(1)

APPLICATION NO.: 147705

FILE NO.: 1037571

1. Did you find any evidence of an adverse claim to the land either valid or otherwise?
   Yes  No  X
   If yes, please include a typed report in compliance with Section 11 of the Lands Act:

2. List names of individuals who provided information on the land status:

3. Were there any inconsistencies between the research documentation and the found field evidence?
   Yes  No  X
   If yes, please include a typed report explaining procedures used to resolve these inconsistencies.

4. Have you found any verbal, documentary or physical evidence that may jeopardize the Crown in issuing a lease/grant/easement?  Yes  No  X
   If yes, please include a typed report.

5. Have you included an additional plan showing any evidence of occupation?
   Yes  No  X

6. Are all the boundary lines through wooded areas connecting the corners open and clear?
   Yes  No  X
   If no, a typed report must be included explaining why not.

I hereby certify that these survey returns are in compliance with the Crown Land Survey Standards - 2009 and that the survey plans and description submitted accurately represent the results of the survey performed by me on Nov 21 15.
October 21, 2015

NORMAN & PARSONS SURVEY LTD.
PO BOX 697
BAY ROBERTS NL A0A 1G0

SURVEY AUTHORIZATION

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

Application No. 147705
Name of Applicant: [Redacted]
Location of land applied for: Upper Island Cove
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): 0.184
Frontage approved (in metres): 23
Approved location indicated on the attached plan number: 01N11-410
Parcel identification number: 10114463

Please be advised that the dimensions of the approved site cannot be altered or relocated in any way without the prior approval of the Department as outlined in subsections 3.2(b) and 3.2(c) of the Crown Land Survey Standards - 2009.

Satisfactory survey returns must be submitted to this Department on or before Aug 14, 2016 otherwise the application will be deemed cancelled in accordance with Section 10 of Lands Act. Survey returns shall be in compliance with Section 10 of the Crown Land Survey Standards - 2009.

AUTHORIZED OFFICIAL

SPECIAL INSTRUCTIONS:
Dear Sir/Madam:

RE: APPLICANT'S NAME: [REDACTED] ATIPPA Section 40(1)
CROWN LAND APPLICATION NO.: 147705
LAND SITUATED AT: Upper Island Cove

The Survey Returns you have submitted, in accordance with Section 10 of the Lands Act, on behalf of the above referenced application, does not comply with the Crown Land Survey Standards - 2009 and cannot be utilized in the title document. Attached is a list of reasons for the non-acceptance of this survey.

Please revise the item(s) indicated and return the corrected survey to this office within thirty (30) days. If satisfactory survey returns are not received by the survey due date (Aug 14, 2016), as indicated on the survey authorization or this 30 day deadline, (whichever date is chronologically later), the application will be considered cancelled in accordance with Subsection 10(4) of the Lands Act. An extension can only be provided in accordance with Subsection 10(3) of the Lands Act.

If you require any additional information concerning this application please contact the Crown Titles Office or Lands Office at the address provided. Please quote Application Number when replying.

Yours truly,

Julian Serna
Crown Lands Administration Official
LIST OF REASONS FOR NON-ACCEPTANCE OF SURVEY

1. On the survey plan, please indicate “Schedule “B”.”
2. On the survey plan, please show a north arrow.
3. On the survey plan, please show the Easement - Lease No. 87341 (please see attached) and in the survey description indicate that the survey is subject to this easement.

4. On the survey plan, please remove the Proposed Roads [redacted] and only show the original grant for the Town of Upper Island Cove Volume 166 Folio 36, and make reference to it in the survey description (see attached).
5. In the survey description, the last paragraph, please have it read, “…to the meridian of fifty three degrees…”

ATIPPA Section 40(1)
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: APPLICANT'S NAME [redacted]
CROWN LAND APPLICATION NO.: 147705
LAND SITUATED AT: Upper Island Cove

The Survey Returns you have submitted, in accordance with Section 10 of the Lands Act, on behalf of the above referenced application, does not comply with the Crown Land Survey Standards - 2009 and cannot be utilized in the title document. Attached is a list of reasons for the non-acceptance of this survey.

Please revise the item(s) indicated and return the corrected survey to this office within thirty (30) days. If satisfactory survey returns are not received by the survey due date (Aug 14, 2016), as indicated on the survey authorization or this 30 day deadline, (whichever date is chronologically later), the application will be considered cancelled in accordance with Subsection 10(4) of the Lands Act. An extension can only be provided in accordance with Subsection 10(3) of the Lands Act.

If you require any additional information concerning this application please contact the Crown Titles Office or Lands Office at the address provided. Please quote Application Number when replying.

Yours truly,

[Signature]
Julian Sema
Crown Lands Administration Official

P.O. Box 6700, Hawley Building, Higgin Line, St. John's, NL, A1B 4J8, Telephone (709) 729-4264, Facsimile (709) 729-3221.
LIST OF REASONS FOR NON-ACCEPTANCE OF SURVEY

1. On both the plan and description, please indicate the width of the Utility Easement Lease No. 87341.
2. As per number 3 of the Survey Information Request dated December 8, 2015, in the description, please indicate that the survey is subject to Utility Easement Lease No. 87341.
3. On the survey plan, please remove the highlighted line work as shown on the attached plan.
GRANT

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, Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Municipal Affairs for the Province of Newfoundland and Labrador (hereinafter called the "Minister") does hereby GIVE AND GRANT unto


in the Province of Newfoundland and Labrador (hereinafter called the "Grantee") his or her heirs, executors, administrators and assigns ALL THAT piece or parcel of land situate and being at Upper Island Cove, as more particularly described in Schedule A and delineated on Schedule B attached hereto (which schedules form part of these presents), 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, marl, 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 forever;

YIELDING AND PAYING unto the Crown as the price and consideration of the said land the sum of $5600.00 at the time of signing and delivery thereof.

PROVIDED that this present Grant is also 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 present Grant is subject to an easement (hereinafter the "easement area") as identified in Schedules A and B of these presents; any development of the easement area by the Grantee, their heirs, executors, administrators or assigns without the prior written consent of the Easement Holder may result in the Easement Holder removing all unauthorized structures within the easement area and restoring the easement area to its original condition at the cost and expense of the Grantee;

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 indemnifies 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, 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 the Grantee, his or her heirs, executors, administrators or assigns hereby forever releases the Minister, his or her servants and agents, from any and all liability arising from or related to any defect and/or omission that may be identified in the survey description and/or plan attached hereto as Schedules A and B. The Grantee further agrees that he or she shall have no recourse against the Minister, his or her servants or agents, if the said survey description and/or plan for the demised land are found to be defective in any way.

AND it is further provided that except for the land hereby granted, the issuance of this Grant by the Minister of Municipal Affairs 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 Municipal Affairs and
the Seal of the Department of Municipal Affairs
was affixed on the 19th day of January
in the presence of:

[Signature]
Witness

[Signature]
Minister of Municipal Affairs

SIGNED AND SEALED
by the Grantee on the 20th day of December
in the presence of:

[Signature]
Witness

SHERILYNN LUNDRIEGAN
A Commissioner for Oaths in and for
the Province of Newfoundland and Labrador.
My commission expires on December 31, 2010

ATIPPA Section 40(1)
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