

F93625

THIS INDENTURE made this 21st day of October

A.D. 1977;

BETWEEN:

J.
MACDONALD CONSULTANTS LIMITED,
of 1128 Millstream Road,
West Vancouver, in the Province of
British Columbia,

hereinafter called the "GRANTOR"

OF THE FIRST PART

THE TOWN OF COMOX, a Municipal Corporation
carrying on business at 1809 Beaufort Avenue,
in the Town of Comox, in the Province of
British Columbia,

hereinafter called the "GRANTEE",

OF THE SECOND PART

WHEREAS the Grantor of the First Part is the registered
owner of that certain parcel of land more particularly described as:
LOT TWENTY (20), DISTRICT LOT EIGHTY-SEVEN (87), COMOX DISTRICT, PLAN 2657,
EXCEPT THAT PART THEREOF INCLUDED IN PLAN 3179.

AND WHEREAS the Grantee of the Second Part requires the
right-of-way in connection with the operation of its sanitary sewer system
within the boundaries of the Town of Comox: -9-77 891716 -D3 5.00 ✓

1. WITNESSETH that in consideration of the sum of
ONE (\$1.00) DOLLAR of the lawful money of Canada now paid by the Grantee to the
Grantor (the receipt of which is hereby acknowledged), the Grantor **DOETH HEREBY**
GRANTS unto the Grantee a right-of-way for the purpose of laying down, constructing,
ditching, excavating or installing sewers, drains, pipes, flumes or any form of
installation deemed necessary, practical or expedient in, under and upon the
hereinafter described lands to carry sewage on, to, over, through or under the
hereinafter described lands and of keeping, inspecting and maintaining them at
all times in good condition and repair; and for every such purpose the Grantee
shall have access to the hereinafter described lands at all times by their
servants, employees and workmen, subject to the right of the Grantor to the free
use of the surface of the lands described as follows:

SUBSTITUTE FORM "C"

Applicant..... *Gordon G. H. Wagner*
c/o GORDON G. H. WAGNER B. C. Land Surveyor & Notary Public
Box 3118, Courtenay, B. C. Telephone 338-8119
Agent for..... Grantor and Grantee.....
Declared Value..... \$100.00
Nature of Registration: Easement *R.W.*
Request Certificate of Title..... no

Form "G" Land Registry Act (Sec. 50)
MEMORANDUM OF REGISTRATION
Registered the 9th day of 11 1977
on application received at the time
written stipulation on the application.
H. I. V. [Signature]
Victoria Land & Surveyor C. Strick

2015-01-02

AND
11:11
9
NOV 11



THAT PART OF LOT TWENTY (20), DISTRICT LOT EIGHTY-SEVEN (87), COMOX DISTRICT,
PLAN 2657, EXCEPT THAT PART THEREOF INCLUDED IN PLAN 3179, SHOWN OUTLINED IN
RED ON PLAN 3232 R/W

2. The Grantee shall have the right to ingress and egress
at all times, its agents or workmen with necessary machinery and tools for the
purpose of constructing said sewer lines and also for the purpose of inspection,
maintaining and repairing same.

3. The Grantee shall construct, maintain, repair and inspect
the said sewer lines in such a manner as to cause the least damage and
inconvenience to the Grantor as may be possible and shall replace the surface
of the ground in as nearly the same condition as it was before commencing any
of its operations.

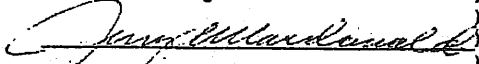
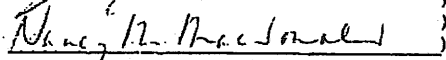
4. The Grantee shall indemnify and save harmless the Grantor
from and against all damage, loss and costs arising out of or in connection with
the existence of such sewer lines and drains.

5. AND IT IS FURTHER UNDERSTOOD AND AGREED that the Grantee
shall have the right to connect other sewer lines and drains on the Grantor's
land with the Grantee's sewer lines on the said hereinbefore described lands.

THIS INDENTURE AND everything herein contained shall enure
to the benefit of and be binding upon the Parties hereto and their respective
heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Parties have hereunto set their
respective hands and seals the day and year first above written.


THE CORPORATE SEAL OF MACDONALD)
CONSULTANTS LIMITED was affixed)
hereto in the presence of:)

THE CORPORATE SEAL OF THE TOWN OF COMOX
was affixed hereto in the presence of:



Mayor



Municipal Clerk

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93625

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LAW AND COMMERCIAL STATIONERS FORM No. 92

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 7th day of November, 1977, at the Town of Comox, in the Province of British Columbia, Richard Thomas Merrick, ~~whose identity has been proved by the evidence on oath of~~ who is personally known to me, appeared before me and acknowledged to me that he is the Mayor of The Town of Comox, and that he is the person who subscribed his name to the annexed instrument as Mayor of the said The Town of Comox and affixed the seal of the said The Town of Comox

to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at the Town of Comox in the Province of British Columbia, this 7th day of November, one thousand nine hundred and seventy-seven

Gordon G. H. Wagner
A Commissioner for taking Affidavits for British Columbia.
Gordon G. H. Wagner

PARK STATIONERS & PRINTERS LTD.
Law and Commercial Stationers
Vancouver, B.C.

FORM NO. 206 ACKNOWLEDGMENT OF OFFICER OF A CORPORATION.

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 21st day of October, 1977, at the City of Vancouver, in the Province of British Columbia, ~~whose identity has been proved by the evidence on oath of~~ Jerry Austin MacDONALD, who is personally known to me, appeared before me and acknowledged to me that he is the President of MacDONALD CONSULTANTS LIMITED, and that he is the person who subscribed his name to the annexed instrument as President of the said MacDONALD CONSULTANTS LIMITED and affixed the seal of the MacDONALD CONSULTANTS LIMITED to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at the City of Vancouver, in the Province of British Columbia, this 21st day of October, one thousand nine hundred and seventy-seven.

Jerry Austin MacDONALD
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking Affidavits within British Columbia.

NOTE—WHERE THE PERSON MAKING THE ACKNOWLEDGMENT IS PERSONALLY KNOWN TO THE OFFICER TAKING THE SAME, STRIKE OUT THE WORDS IN BRACKETS.

TITLE SEARCH PRINT

2015-01-02, 14:51:23

Requestor: Sandy Grant

Folio/File Reference: GLOVER

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

VICTORIA

Land Title Office

VICTORIA

Title Number

EK50828

From Title Number

EG49379

Application Received

1996-05-10

Application Entered

1996-05-14

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

TOWN OF COMOX
1809 BEAUFORT AVENUE
COMOX, BC
V9N 4B8**Taxation Authority**

TOWN OF COMOX

Description of Land

Parcel Identifier:

006-310-851

Legal Description:

LOT 20, DISTRICT LOT 87, COMOX DISTRICT, PLAN 2657, EXCEPT PART IN PLAN 3179

Legal NotationsZONING REGULATION AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED
15.12.1980 UNDER NO. J128558 (SEE K24125 AND K95595)**Charges, Liens and Interests**

Nature:

EXCEPTIONS AND RESERVATIONS

Registration Number:

M76300

Registered Owner:

ESQUIMALT AND NANAIMO RAILWAY COMPANY

Remarks:

A.F.B. 9.693.7434A

46170G;

SECTION 172(3)

FOR ACTUAL DATE AND TIME OF
REGISTRATION SEE ORIGINAL GRANT
FROM E & N RAILWAY COMPANY

TITLE SEARCH PRINT

2015-01-02, 14:51:23

Requestor: Sandy Grant

Folio/File Reference: GLOVER

Nature: RIGHT OF WAY
Registration Number: F93625
Registration Date and Time: 1977-11-09 11:17
Registered Owner: THE TOWN OF COMOX
Remarks: PART OUTLINED IN RED
ON PLAN 3232 RW

Nature: COVENANT
Registration Number: EK50829
Registration Date and Time: 1996-05-10 14:02
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
AS REPRESENTED BY THE MINISTER OF ENVIRONMENT,
LANDS AND PARKS

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE