

2688

THIS INDENTURE made the 13<sup>th</sup> day of April

in the

Year of Our Lord Two Thousand and Eleven.

**IN PURSUANCE OF THE ENACTMENTS RESPECTING SHORT FORMS  
OF INDENTURES**

**BETWEEN:**           **GOVERNMENT OF PRINCE EDWARD ISLAND** as  
represented by the Minister of Transportation and  
Infrastructure Renewal;

(hereinafter called the "Grantor")

**OF THE FIRST PART**

**AND:**                   **UPTON FARM TRUST INC.**, a body corporate, duly  
incorporated under the laws of the Province of Prince Edward  
Island;

(hereinafter called the "Grantee")

**OF THE SECOND PART**

**WHEREAS** the Minister of Transportation and Infrastructure Renewal,  
pursuant to Section 13 of the Public Works Act, R.S.P.E.I. 1988, Cap. P-34, as  
amended, has agreed to the disposition of the property herein described:

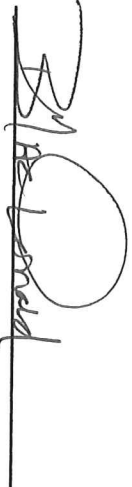
**NOW THEREFORE IN CONSIDERATION** of the payment of the sum of One  
(\$1.00) Dollar of lawful money of Canada the Grantor hereby grants, transfers and  
conveys to the Grantee its successors and assigns forever, in fee simple and free  
from all encumbrances, the lands situate, lying and being at the City of  
Charlottetown, Queens County, Province of Prince Edward Island, more particularly  
described in Schedule "A" annexed hereto;

**TOGETHER WITH** all the rights, privileges, easements, advantages and  
appurtenances enumerated in Section 57 of the Real Property Act, R.S.P.E.I. 1988,  
Cap. R-3; and subject to the provisions of the Oil and Natural Gas Act, R.S.P.E.I.  
1988, Cap. O-5 and the Mineral Resources Act, R.S.P.E.I. 1988, Cap. —7 and  
reserving thereout and therefrom any public roads or rights-of-way which may be  
contained within the lands described herein.

**THE GRANTEE** covenants, agrees and hereby grants unto the  
Government of Prince Edward Island as represented by the Minister of  
Transportation and Infrastructure Renewal, its successors and assigns, the first  
option to purchase the lands herein described or portions thereof, free and clear of  
encumbrances for the sum of One (\$1.00) Dollar should the Grantee desire to  
dispose of said lands.

IN WITNESS WHEREOF the Minister has hereunto set his hand and seal on  
the day and year first above written:

SIGNED, SEALED & DELIVERED  
in the presence of:



GOVERNMENT OF PRINCE EDWARD  
ISLAND as represented by the  
Minister of Transportation and  
Infrastructure Renewal:

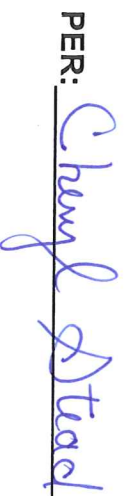


SIGNED, SEALED & DELIVERED  
in the presence of:

UPTON FARM TRUST INC.

PER: 



PER: 



### SCHEDULE "A"

**ALL THAT PARCEL OF LAND** situate, lying and being in the City of Charlottetown, Queens County, Province of Prince Edward Island, bounded and described as follows, that is to say:

**COMMENCING** at a point at the Northwest angle of lands now or formerly in the possession of P.E.I. Biocommons Inc. as shown on survey plan entitled "Plan of Survey Showing Block 09-2, Parcels "A" & "B" Being a Subdivision of Property of Government of Prince Edward Island as represented by the Minister of Transportation and Public Works, Parcel No. 1032317, Upton Road, Charlottetown, Queens County, Prince Edward Island" prepared by Morris Land and Engineering Surveys and certified by Wayne L. Tremblay, P.E.I. Land Surveyor on September 27, 2010, Drawing No. 10-155-S01, and approved by the City of Charlottetown on November 3, 2010, said point being more particularly identified by found survey marker number 186 having coordinates Northing (m) 690852.061 Easting (m) 386132.434;

**THENCE** on an azimuth of 149° 06' 19" for a distance of 366.471 metres to found survey marker number 185;

**THENCE** on an azimuth of 139° 49' 11" for a distance of 359.670 metres to found survey marker number 184;

**THENCE** on an azimuth of 64° 44' 21" for a distance of 273.020 metres to found survey marker number 183;

**THENCE** on an azimuth of 156° 19' 13" for a distance of 252.793 metres to calculated point number 187;

**THENCE** on an azimuth of 203° 29' 45" for a distance of 20.397 metres to iron bar number 147 located on the Northern boundary of the Trans Canada Highway;

**THENCE** on an azimuth of 244° 43' 40" along the Northern boundary of the Trans Canada Highway for a distance of 270.852 metres to iron bar number 148;

**THENCE** continuing along the Northern boundary of the Trans Canada Highway on the line of a curve to the right, said curve having a radius of 2253.760 metres, for an arc distance of 159.995 metres to iron bar number 150;

**THENCE** continuing along the Northern boundary of the Trans Canada Highway on an azimuth of 249° 26' 17" for a distance of 151.914 metres to iron bar number 127;

**THENCE** continuing along the Northern boundary of the Trans Canada Highway for 5 metres a little more or less to the ordinary high water mark of the North River;

**THENCE** in a Northwardly, Northeastwardly and Northwestwardly direction along the ordinary high water mark of the North River to a point located 12 metres a little more or less Southwestwardly from placed survey marker number 188;

**THENCE** in a Northeastwardly direction along the Southern boundary of Parcel "B" for a distance of 12 metres a little more or less to placed survey marker number 188;

**THENCE** on an azimuth of 39° 30' 11" for a distance of 207.179 metres to placed survey marker number 174;

**THENCE** on an azimuth of 65° 16' 46" for a distance of 74.680 metres to found survey marker number 186 or the place of commencement.

**BEING AND INTENDED** to be **Block 09-2** as shown on the aforementioned survey plan containing an area of 38 hectares (93.55 acres) of land a little more or less.

**AZIMUTHS AND COORDINATES** shown are based on the PEI Double Stereographic Projection with NAD83 (CSRS) Reference System.

**SUBJECT TO** a Sewer Easement granted to the City of Charlottetown dated the 14<sup>th</sup> day of March, 2011 and registered in the Office of the Registrar of Deeds for Queens County on the 15<sup>th</sup> day of March, 2011 as Document Number 1518.

Dated the \_\_\_\_\_ day of \_\_\_\_\_

, A.D. 2011.

GOVERNMENT OF PRINCE EDWARD ISLAND  
as represented by the  
Minister of Transportation and Infrastructure Renewal

Grantor

and

UPTON FARM TRUST INC.

Grantee

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Deed of Land  
Situate at City of Charlottetown  
Province of Prince Edward Island

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On the *17<sup>th</sup>* day of *March*, A.D. 2011, personally appeared before me  
*BONNIE MAC DONALD* of *CORNWALL* in *QUEBEC* County and  
being sworn, testified that (s)he is a subscribing witness to the within Deed  
or Writing and that (s)he was present and did see the same duly executed by  
the Government of Prince Edward Island as represented by the Minister of  
Transportation and Infrastructure Renewal, the Grantor therein named.

  
Commissioner

On the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2011, personally appeared  
before me \_\_\_\_\_ of \_\_\_\_\_ in \_\_\_\_\_  
County and being sworn, testified that (s)he is a subscribing witness to the  
within Deed or Writing and that (s)he was present and did see the same duly  
executed by the proper signing officer of Upton Farm Trust Inc., the Grantee  
therein named.

\_\_\_\_\_  
Commissioner

CERTIFICATE OF REGISTRATION OF  
DUPLICATE INSTRUMENT

THIS DOCUMENT has not been examined, but  
purports to be a duplicate of an instrument registered


The 6th Day of May A.D., 2011, as

Doc # 2686

In Queens County Registry Office

Book 5359

Fee: 75.00

  
ASST REGISTRAR