

TAX SALE REPORTING LETTER

**Tax Sale No. 73**

To: The Municipality of the District of Lunenburg

Re: Tax Sale Property Accounts

Date: September 7, 2023

Name: Richard Douglas Frederic Byers

Assessment Account No: 01873893

Property: PID 60167624 – 539 Blue Rocks Road, Garden Lots

Title: I have carried out title investigations on the subject property. The title is land registered. There is evidence that Richard Douglas Frederic Byers is the registered interest holder (owner) of the subject property. Richard Douglas Frederic Byers acquired title via Deed recorded in Book 490, Page 426 and via Deed recorded in Book 847, Page 177 at the Lunenburg County Land Registration Office. The subject property appears to abut the public highway. The property is burdened by restrictive covenants as noted in the Deed in Book 490, Page 426. We have not searched the title, extent or usage of any restrictive covenants. Paper title (as a land registered parcel) appears marketable.

Encumbrances:

- 1) There is a mortgage in favour of Nova Scotia Building Supplies (1982) Limited in the face value of \$40,000.00 and recorded at the Lunenburg County Land Registration Office in Book 847, Page 181.
- 2) There is a judgment in favour of Canada Revenue Agency in the face value amount of \$192,793.61 and registered as Document No. 11431824 (2019) and renewed as Document No. 122593875 (2023) at the Lunenburg County Land Registration Office

Marital Status: Unknown

Survey: There is a plan (P-8155) on file at the Lunenburg County Land Registration Office. The plan and description conform to modern day standards.

Property Mapping: A copy of the property mapping is attached for your file which will include the address of the assessed owner if available.

  
\_\_\_\_\_  
J. C. Reddy

**\*\*\*\*This title search and attached materials have been prepared for the benefit of the Municipality of the District of Lunenburg. The Municipality of the District of Lunenburg will not be held responsible for any third party reliance on these materials as they are being provided for informational purposes only. Any interested third parties are cautioned and strongly encouraged to procure their own professional advice (including, but not limited to, legal advice and/or surveying advice) in connection with this and/or any other tax sale property.**

**Land Registration View**

\* Indicates interests inherited on subdivision or re-configuration of parcel

PID	<b>60167624</b>	Parcel Type	STANDARD PARCEL	Status	ACTIVE
Area	3.37 ACRE(S)	Parcel Access	PUBLIC	Manag. Unit	MU1221
Lot	LOT B	Created	Sep 13, 1994 12:00:00AM		
PDCA Status	APPROVED	Municipal Unit	MUNICIPALITY OF DISTRICT OF LUNENBURG	Manner of Tenure	NOT APPLICABLE
LR Status	LAND REGISTRATION	LR Date	Aug 12, 2019 11:32:03AM		

Location	County	Primary Location	Source
539 BLUE ROCKS ROAD GARDEN LOTS	LUNENBURG COUNTY	Yes	Assigned by Municipality

Comments  
 MAP:0244360064280  
 MAP:0244370064280

Assessment Account	Value	Tax District	Tax Ward	Tax Sub
<b>08173893</b>	\$56,700 (2023 RESIDENTIAL TAXABLE) \$62,100 (2023 COMMERCIAL TAXABLE)	100	000	

[Back to Results](#)   [Details View](#)   [Parcel Archive View](#)   [Map View](#)

**Registered Interests**

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date	NS Non-Res?
RICHARD DOUGLAS FREDERIC BYERS	FEE SIMPLE	61 DUFFERIN STREET POST OFFICE BOX 1178 LUNENBURG NS CA B0J 2C0	DEED	1990	<b>10924</b> <a href="#">View Doc</a>	Book 490 Page 426	Dec 06, 1990	No
RICHARD DOUGLAS FREDERIC BYERS	FEE SIMPLE	61 DUFFERIN STREET POST OFFICE BOX 1178 LUNENBURG NS CA B0J 2C0	PARTIAL INTEREST DEED	2002	<b>3987</b> <a href="#">View Doc</a>	Book 847 Page 177	Jul 03, 2002	No

**Farm Loan Board - Occupants & Mailing Addresses**

Name	Interest Holder Type	Mailing Address
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No Records Found

**Benefits to the Registered Interests**

Benefit Details	Interest Holder Type	Type	Year	Doc #	Book/Page/Plan	Registration Date
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No Records Found

**Burdens on the Registered Interests**

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
SUBJECT TO RESTRICTIVE COVENANTS	COVENANT HOLDER (BURDEN)	GARDEN LOTS NS CA	DEED	1990	<b>10924</b> <a href="#">View Doc</a>	Book 490 Page 426	Dec 06, 1990

**Textual Qualifications on Title**

Qualifications Text

**Tenants in Common not registered pursuant to the Land Registration Act**

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
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No Records Found

**Recorded Interests**

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
NOVA SCOTIA BUILDING SUPPLIES (1982) LIMITED	MORTGAGEE	459 NO 325 HWY POST OFFICE BOX 90 BLOCKHOUSE NS CA B0J 1E0	MORTGAGE	2002	<b>3988</b> <a href="#">View Doc</a>	Book 847 Page 181	Jul 03, 2002
CANADA REVENUE AGENCY	JUDGMENT CREDITOR	144 HOBSONS LAKE DRIVE SUITE 100 HALIFAX NS CA B3J 2T5	JUDGMENT	2019	<b>114318240</b> <a href="#">View Doc</a>		Apr 15, 2019
CANADA REVENUE AGENCY	JUDGMENT CREDITOR	145 HOBSON LAKE DRIVE SUITE 100 POST OFFICE BOX 638 HALIFAX NS CA B3J 2T5	CERT. OF JUDGMENT RENEWAL;FIRST	2023	<b>122593875</b> <a href="#">View Doc</a>		Jun 14, 2023

Parcel Description

Registration District: Lunenburg County  
Civic Address: Blue Rocks Road, Garden Lots  
Lot Designation on Plan: Lot B, property of Irving Oil Limited  
Plan of Survey by: Gerald D. Eisnor, N.S.L.S.  
Plan Date: November 14, 1990  
Plan Filing Number: P-8155  
Plan Filing Date: January 11, 1991

Subject to restrictive covenants more particularly set out in a deed recorded on December 6, 1990 at the Bridgewater Registry of Deeds Office in Book 490 at Page 426 under Document No. 10924.

\*\*\* Municipal Government Act, Part IX Compliance \*\*\*

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Non-Enabling Documents

Inst Type      Inst No      Year      Type      Book/Page      Registration System      Registration Date

No Non Enabling Documents Found

Non-Enabling Plans

Inst Type      Inst No      Year      Type      Plan Name      Drawer Number      Registration Date

No Non Enabling Plans Found

AFR Bundles

Inst Type      Inst No      Year      Type      Filing Reference      Instrument Date

No AFR Bundles Found

Parcel Relationships

Related PID      Type of Relationship

No Related PIDs Found

[Back to Results](#)   [Details View](#)   [Parcel Archive View](#)   [Map View](#)

This parcel IS REGISTERED PURSUANT TO THE *Land Registration Act*. The registered owner of the registered interest owns the interest defined in this register in respect of the parcel described in the register, subject to any discrepancy in the location, boundaries or extent of the parcel and subject to the overriding interests [*Land Registration Act* subsection 20(1)].

No representations whatsoever are made as to the validity or effect of recorded documents listed in this parcel register. The description of the parcel is not conclusive as to the location, boundaries or extent of the parcel [*Land Registration Act* subsection 21(1)].

[Boundary/Area Problem](#)   [General Problem](#)   [Municipal Tax Query](#)

Property Online version 2.0

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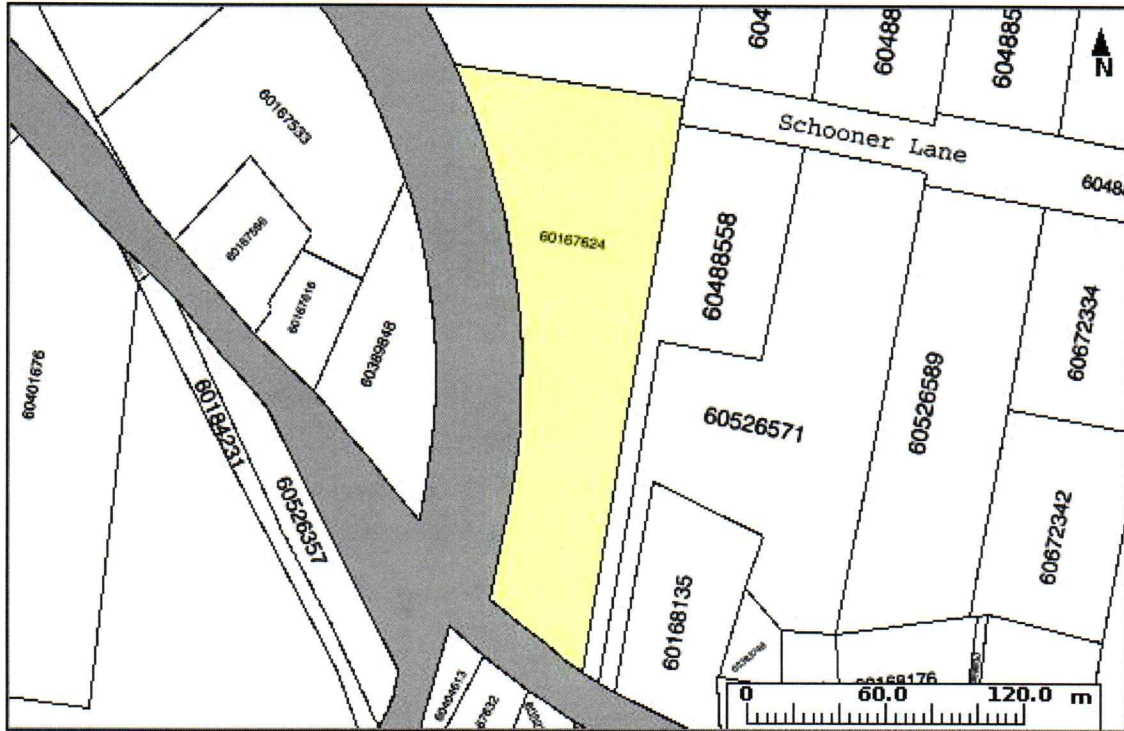
If you have comments regarding our site please direct them to: [propertyonline@gov.ns.ca](mailto:propertyonline@gov.ns.ca)

Please feel free to [Submit Problems](#) you find with the Property Online web site.

Compression: Off

## Property Online Map

Date: Oct 12, 2023 10:33:44 AM



<b>PID:</b> 60167624	<b>Owner:</b> RICHARD DOUGLAS FREDERIC BYERS	<b>AAN:</b> 08173893
<b>County:</b> LUNENBURG COUNTY	<b>Address:</b> 539 BLUE ROCKS ROAD GARDEN LOTS	<b>Value:</b> \$56,700 (2023 RESIDENTIAL TAXABLE)
<b>LR Status:</b> LAND REGISTRATION		\$62,100 (2023 COMMERCIAL TAXABLE)

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

### Property Online version 2.0

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426

490/426

THIS DEED made this 27th day of November, A.D., 1990,

BETWEEN:

Province of Nova Scotia  
County of Lunenburg

I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Bridgewater in the County of Lunenburg, N.S. at 10:30 o'clock A.M., on the 6th day of Dec. A.D., 1990 in Book No. 490 at pages 426-437 as Document Number 10924  
...*Bernadette* Deputy Registrar of Deeds for the Registration District of Lunenburg County

IRVING OIL COMPANY, LIMITED and IRVING OIL LIMITED, bodies corporate, with Head Office at Saint John, in the County of Saint John, Province of New Brunswick

(hereinafter called the "Grantor")

OF THE FIRST PART

RICHARD DOUGLAS FREDERIC BYERS and M. BERNADETTE BYERS, spouses, both of Lunenburg, in the County of Lunenburg and Province of Nova Scotia as JOINT TENANTS and not as Tenants-in-Common;

(hereinafter collectively called the "Grantee")

OF THE SECOND PART

WHEREAS Irving Oil Company, Limited holds title to lands and premises which are registered in its name and which are contained within the legal descriptions more particularly set forth in Schedules "A" and "C" hereto as bare trustee for and on behalf of Irving Oil Limited, the full beneficial owner of such lands and premises;

WITNESSETH that in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the Grantor hereby conveys to the Grantee as joint tenants the lands described in Schedule "A" hereto annexed.

THE GRANTEE covenants with the Grantor that he will insert in any subsequent conveyance of the property described in Schedule "A" the same restrictive covenants as are set forth in this Deed and described in Schedule "B" annexed hereto, including this clause, with the intent that all subsequent purchasers of the land or any part thereof should be bound by the restrictive covenants herein contained.

IN THIS DEED the singular includes the plural and the masculine gender includes the feminine and neuter genders with the intent that this deed shall be read with all appropriate changes of number and gender

IN WITNESS WHEREOF the Grantor have subscribed these presents by the hands of their proper officers in that behalf duly authorized and the Grantee has duly executed these presents the day and year first written.

SIGNED, SEALED AND DELIVERED)  
in the presence of )

*[Handwritten signature]*

IRVING OIL COMPANY, LIMITED

Per: *[Handwritten signature]*

And: *[Handwritten signature]*

IRVING OIL LIMITED

Per: *[Handwritten signature]*

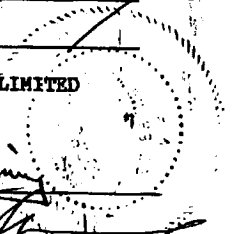
And: *[Handwritten signature]*

*[Handwritten signature]*  
Witness

*[Handwritten signature]*  
RICHARD DOUGLAS FREDERIC BYERS

*[Handwritten signature]*  
Witness

*[Handwritten signature]*  
M. BERNADETTE BYERS



SCHEDULE "A"

ALL that certain lot piece or parcel of land, situate lying and being at Garden Lots in the County of Lunenburg in the Province of Nova Scotia, conveyed by Fred Walters and Ida Mae Walters to Irving Oil Company, Limited by Deed dated 21st day of August 1962 and registered in the Office of the Registrar of Deeds for the County of Lunenburg on the 7th day of September, 1962 in Book 128 at Page 489 as Number 727 and therein described as follows:

"ALL and singular that certain parcel or tract of land and premises situate, lying and being at Garden Lots, in the County of Lunenburg, Province of Nova Scotia, Canada, which can be more particularly described as follows:

BEGINNING at a point marked by an iron bolt driven into the ground on the Northeastern sideline (33' from the center of the paved surface) of Public Highway leading from Lunenburg to Blue Rocks, which said point marks the Southeastern corner of property of James L. Allen under conveyance to Irving Oil Company Limited, and the Southwestern corner of property of Fred Walters hereby under description;

THENCE from said point so located North Forty-four degrees Thirty-five minutes Twenty-four seconds East (N 44° 35' 24" E) (Magnetic Meridian 1962) along said property of James L. Allen under conveyance to Irving Oil Company Limited and other property of James L. Allen Five Hundred Twenty-two and Sixty-six one hundredths feet (522.66') more or less to a point marked by an iron bolt driven into the ground;

THENCE South Sixty degrees Four minutes Fifty-four seconds East (S 60° 04' 52" E) along said property of James L. Allen Three Hundred Twenty-seven and Forty-one one hundredths feet (327.41') more or less to a point marked by an iron bolt driven into the ground on the Northwestern boundary of property of Fred Berringer;

THENCE Southwestwardly along the several and varying courses of a board and wire fence bordering said property of Fred Berringer to a point marked by an iron bolt driven into the ground on the Northeastern sideline of the aforesaid Public Highway; a straight line between these last two mentioned points from Northeast to Southwest being described as South Thirty-one degrees Forty-eight minutes Six seconds West (S 31° 48' 06" W) Eight Hundred Twenty-seven and Seventy-three one hundredths feet (827.73');

THENCE from said last mentioned point Northwestwardly along the several and varying courses of the Northeastern sideline of said Public Highway to the point marking the place of beginning; traverse lines joining these last two mentioned points from Southeast to Northwest being described as North Twenty-seven degrees Three minutes Fifty-four seconds West (N 27° 03' 54" W) Two Hundred Eighty-nine and Fifty-eight one hundredths feet (289.58') and North Nineteen degrees Nine minutes Forty-two seconds West (N 19° 09' 42" W) Two Hundred Fifty and Seventeen one hundredths feet (250.17').

*J*

*R.B. C.B.*

## SCHEDULE "A" cont...

The herein described lot of land contains an approximate area of Six and Twenty-five one hundredths (6.25) acres, and is shown as Lot "B" on a Plan of Survey showing properties of James L. Allen and Fred Walters under conveyance to Irving Oil Company Limited at Garden Lots, Lunenburg County, NS dated at Bridgewater, NS the 17th dat of August, A.D., 1962, by Errol B. Hebb, P.L.S.

The above described lot of land represents property of Fred Walters as acquired by Deeds from Roy Myra and Fannie Myra dated the 16th of December, 1955 and from Thomas M. Levy and Lois Levy dated the 3rd of July, 1961. Both Deeds are unrecorded at the date of this description."

**SAVING AND EXCEPTING THEROUT AND THEREFROM**

\* All that portion of the said property hereinbefore described situate lying and being on the Westerly side of the Eastern boundary of Nova Scotia public Highway number 332. To the intent that the parcel of land hereby conveyed is located entirely to the East of the Eastern boundary of Nova Scotia public highway #332, and being shown as lot B, property of Irving Oil Limited, 3.37 acres more or less on a survey plan prepared by Gerald Eisnor, N.S.L.S. dated 14 November 1990.

R.B. BB.

A



## SCHEDULE "B"

## RESTRICTIVE COVENANTS

For the benefit of the parcels described in Schedule "C" (the "C" Lands") and every part thereof, and so as to bind and run with the parcel described in Schedule "A" (the "A Lands"), and every part thereof, unto whosoever hands the A Lands, or any part thereof, may come, the Grantee covenants and agrees with the Grantor jointly and severally, that the Grantee, and any and all persons, firms, associations and corporations occupying or having an interest in the A Lands, or any part thereof, from time to time shall at all times hereafter in perpetuity fully observe, perform and comply with and be fully bound by the restrictive covenants hereinafter set forth.

1. The A Lands shall not be used in whole or in part, and whether directly or indirectly, for the sale, lease, storage, placing, distribution of or other dealing in petroleum, gasoline diesel fuel, propane, lubricants, antifreeze or any other petroleum products or derivatives therefrom of any kind whatsoever, or any substitute for any of the foregoing, or the operation of service bays, or the operation of any convenience store or any business or activity of a similar nature including any operation or activity involving, in whole or part, the sale, lease, storage, placing or distribution of, or other dealing in, groceries, food stuffs, confectionary, (collectively, the "Prescribed Activity"), without, in any such event, the prior written consent of the Grantor, which consent may, in the absolute discretion of the Grantor, be arbitrarily refused.
2. Without in any way affecting or intending to affect the binding nature of the restrictive covenants herein contained upon the A Lands, and every part hereof, unto whosoever hands the A Lands, or any part thereof, may come for the benefit of the C Lands, and every part thereof, in any and every conveyance, sale, charge, mortgage, lease, assignment, licence, disposition or other dealing whatsoever with the A Lands, and every part thereof, the Grantee shall
  - (a) deliver to every Grantee, transferee, purchaser, mortgagee, lessee, assignee, licensee or other interested person thereunder written notice of this indenture, and, in particular, the restrictive covenants herein contained, and
  - (b) obtain from every such Grantee, transferee, purchaser, mortgagee, lessee, assignee, licensee or other interested person thereunder a covenant to observe, perform and comply with the restrictive covenants herein contained, including this clause, in form satisfactory to the Grantor.
3. The Grantee shall provide full cooperation and assistance to the Grantor and do, execute and deliver all such necessary documents, assurances and things for the better and more perfect enforcement of the covenants herein contained to the full extent provided herein or intended so to be and entirely at the expense of the Grantor, and further provided that the Grantee shall be in no way

 R.B. B.B.

## SCHEDULE "B" cont...

liable for default under the restrictive covenants contained herein after the Grantee has parted with all of the Grantee's interest in the lands described in Schedule "A" whether such interest is direct or indirect.

4. The restrictive covenants herein contained shall enure to the benefit of the Grantor, their respective successors and assigns, the C Lands and successors in title to the C Lands, and every part thereof, and shall be binding upon the Grantee, successors in title to the A Lands, and every part thereof, the Grantee's heirs, executors, personal representatives, successors and assigns, as the case may be, and all personal representatives, successors and assigns, as the case may be, and all persons, firms, associations and corporations claiming under or through the Grantee.

R.B. BB.

✱

## SCHEDULE "C"

ALL that certain lot piece or parcel of land, situate lying and being at the Town of Lunenburg in the County of Lunenburg in the Province of Nova Scotia, conveyed by Lunenburg Motors Limited to Irving Oil Company, Limited by Deed dated May 7th 1962 and registered in the Office of the Registrar of Deeds for the County of Lunenburg on the 17th day of July 1962, in Book 128, at Page 333 and therein described as follows:

"All and singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Lunenburg and District of Centre in the County of Lunenburg and Province of Nova Scotia, which can be more particularly described as follows:

BEGINNING at a point marked by an iron pipe driven into the ground on the Northern sideline (30' from the center of the paved surface) of pipe marks the Western corner of property owned by Ambrose Crouse and the Southern corner of the lot hereby under description, and is located One Hundred Thirty-three and Five tenths feet (133.5') measured along the Northern sideline of said Bridgewater Road in a Southeasterly direction from the concrete boundary marker No. 5 which marks the boundary line of the Town of Lunenburg;

THENCE from said iron pipe North Sixty-six degrees Fourteen minutes East (N 66° 14' E) along properties of Ambrose Crouse, Alton Ross and Ambrose Crouse respectively Six Hundred Fifty-five and Forty-one one hundredths feet (655.41') more or less to a point marked by an iron pipe driven into the ground;

THENCE North Twenty-three degrees Nine minutes West (N 23° 09' W) along property of the Estate of Milton Romkey Two Hundred Seventy-five and Twenty-one one hundredths feet (275.21') more or less to an iron pipe driven into the ground;

THENCE South Sixty-eight degrees Forty-five minutes West (S 68° 45' W) along property of the Estate of Milton Romkey One Thousand Fifty-four and Three tenths feet (1054.3') more or less to a point marked by an iron pipe driven into the ground;

THENCE South Eight minutes East (S 00° 08' E) along property of Christine Tanner Fifty-six and Thirty-nine one hundredths feet (56.39') more or less to a point marked by an iron pipe driven into the ground on the Northeastern sideline (33' from the center of the paved surface) of Public Highway No. 3 leading from Bridgewater to Lunenburg;

THENCE Eastwardly along the curved Northern sideline of said Public Highway No.3 to a point on the boundary line of the Town of Lunenburg a distance of approximately Three Hundred and Sixty-four feet (364');

THENCE South Eighteen degrees Twenty-eight minutes West (S 18° 28' W) along the said Town of Lunenburg boundary line Three feet (3') more or less to a point marked by a concrete monument numbered 5 of the markers for the said Town of Lunenburg boundary line;

THENCE Eastwardly along the Northern sideline of the Bridgewater Road, so-called, to the point marking the place of beginning, a distance of approximately One Hundred Thirty-three and Five tenths feet (133.5').

## SCHEDULE "C" cont...

The herein described lot of land contains an approximate area of Six and Seventeen one hundredths acres (6.17) and being the same lands and premises conveyed by Cyril Richard Coughland and wife to the said Lunenburg Motors Limited by Deed bearing date the 21st. day of November 1958, which said is duly recorded in the Office of the Registry of Deeds at Bridgewater, N.S., in Book 124, at Page 6, under Number 10."




BB

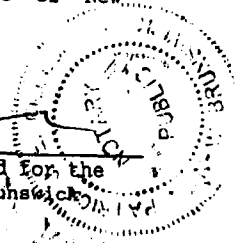


PROVINCE OF NEW BRUNSWICK  
COUNTY OF SAINT JOHN SS

I, Patrick Gillespie, a Notary Public in and for the Province of New Brunswick, duly authorized and commissioned, residing and practicing at Saint John, in the County of Saint John, in the Province of New Brunswick, hereby certify that on this 27<sup>th</sup> day of November, 1990, before me, the subscriber, personally came and appeared Carole V. Baxter, a subscribing witness to the foregoing Indenture, who, having been sworn, made oath and said that IRVING OIL COMPANY, LIMITED, one of the parties thereto, caused the same to be executed by the hands of Arthur L. Irving, its President, and John E. Irving, its Executive Vice President, and at the same time caused its corporate seal to be affixed thereto by the hand of its said President, in her presence.

IN WITNESS WHEREOF I have hereto my Hand and Notarial Seal of Office subscribed and set at Saint John, in the County of Saint John, Province of New Brunswick.

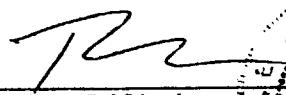
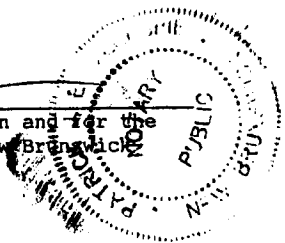
  
A Notary Public in and for the Province of New Brunswick



PROVINCE OF NEW BRUNSWICK  
COUNTY OF SAINT JOHN SS

I, Patrick Gillespie, a Notary Public in and for the Province of New Brunswick, duly authorized and commissioned, residing and practicing at Saint John, in the County of Saint John, in the Province of New Brunswick, hereby certify that on this 27<sup>th</sup> day of November, 1990, before me, the subscriber, personally came and appeared Carole V. Baxter, a subscribing witness to the foregoing Indenture, who, having been sworn, made oath and said that IRVING OIL LIMITED, one of the parties thereto, caused the same to be executed by the hands of Arthur L. Irving, its President, and John E. Irving, its Executive Vice President, and at the same time caused its corporate seal to be affixed thereto by the hand of its said President IR, her presence.

IN WITNESS WHEREOF I have hereto my Hand and Notarial Seal of Office subscribed and set at Saint John, in the County of Saint John, Province of New Brunswick.

  
A Notary Public in and for the Province of New Brunswick  


PROVINCE OF NOVA SCOTIA  
 COUNTY OF Lunenburg SS

ON THIS <sup>5<sup>th</sup></sup> day of December, A.D., 1990,  
 before me, the subscriber, personally came and appeared DAVID K  
MACDONALD, a subscribing Witness to the foregoing  
 Indenture, who, having been by me duly sworn, made oath and said that  
Richard Douglas Frederic Byers & W. Bernadette Byers, his of the parties thereto,  
 signed, sealed and delivered the same in his presence.

Marion Robar  
 A Commissioner of the Supreme  
 Court of Nova Scotia

Marion Robar



847/177

003987

THIS INDENTURE made this 2 day of July, A.D., 2002.

BETWEEN:

M. BERNADETTE BYERS, of Lunenburg, in the County of Lunenburg, Province of Nova Scotia,

being the owner of the lands described in Schedule "A" herein.

(hereinafter called the "Grantor")

OF THE ONE PART

- and -

RICHARD DOUGLAS FREDERIC BYERS, of Lunenburg, in the County of Lunenburg, Province of Nova Scotia,

(hereinafter called the "Grantee")

OF THE OTHER PART

WITNESSETH THAT in consideration of One Dollar and other good and valuable consideration:

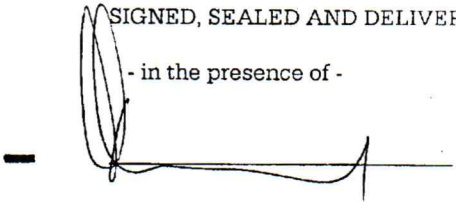
THE GRANTOR hereby conveys to the GRANTEE all the undivided one-half interest of the Grantor in the lands described in Schedule "A" to this Warranty Deed and hereby consents to this disposition, pursuant to the Matrimonial Property Act of Nova Scotia.

THE GRANTOR covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the Grantor will procure such further assurances as may be reasonably required.

IN THIS DEED the singular includes the plural and the masculine includes the feminine and neuter genders, with the intent that this Deed shall be read with all appropriate changes of number and gender required of the context.

IN WITNESS WHEREOF the Grantor has signed and sealed this indenture on the day and year first above written.

SIGNED, SEALED AND DELIVERED )  
 )  
 - in the presence of - )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 )



M. Bernadette Byers  
M. BERNADETTE BYERS

LUNenburg COUNTY REGISTRY OF DEEDS	3987	847	177-180
I certify that this document was registered as shown here.	Document #	Book	Pages
Joan Plunkett Registrar	1111 - 3	2002	1:24 pm
	M.M	DD	YYYY

## SCHEDULE "A"

## ALL THE UNDIVIDED ONE-HALF INTEREST OF THE GRANTOR IN:

ALL that certain lot piece or parcel of land, situate lying and being at Garden Lots in the County of Lunenburg in the Province of Nova Scotia, conveyed by Fred Walters and Ida Mae Walters to Irving Oil Company, Limited by Deed dated 21st day of August 1962 and registered in the Office of the Registrar of Deeds for the County of Lunenburg on the 7th day of September, 1962 in Book 128 at Page 489 as Number 727 and therein described as follows:

"ALL and singular that certain parcel or tract of land and premises situate, lying and being at Garden Lots, in the County of Lunenburg, Province of Nova Scotia, Canada, which can be more particularly described as follows:

BEGINNING at a point marked by an iron bolt driven into the ground on the Northeastern sideline (33' from the center of the paved surface) of Public Highway leading from Lunenburg to Blue Rocks, which said point marks the Southeastern corner of property of James L. Allen under conveyance to Irving Oil Company Limited, and the Southwestern corner of property of Fred Walters hereby under description;

THENCE from said point so located North Forty-four degrees Thirty-five minutes Twenty-four seconds East (N 44° 35' 24" E) (Magnetic Meridian 1962) along said property of James L. Allen under conveyance to Irving Oil Company Limited and other property of James L. Allen Five Hundred Twenty-two and Sixty-six one hundredths feet (522.66') more or less to a point marked by an iron bolt driven into the ground;

THENCE South Sixty degrees Four minutes Fifty-four seconds East (S 60° 04' 52" E) along said property of James L. Allen Three Hundred Twenty-seven and Forty-one one hundredths feet (327.41') more or less to a point marked by an iron bolt driven into the ground on the Northwestern boundary of property of Fred Berringer;

THENCE Southwestwardly along the several and varying courses of a board and wire fence bordering said property of Fred Berringer to a point marked by an iron bolt driven into the ground on the Northeastern sideline of the aforesaid Public Highway; a straight line between these last two mentioned points from Northeast to Southwest being described as South Thirty-one degrees Forty-eight minutes Six seconds West (S 31° 48' 06" W) Eight Hundred Twenty-seven and Seventy-three one hundredths feet (827.73');

THENCE from said last mentioned point Northwestwardly along the several and varying courses of the Northeastern sideline of said Public Highway to the point marking the place of beginning; traverse lines joining these last two mentioned points from Southeast to Northwest being described as North Twenty-seven degrees Three minutes Fifty-four seconds West (N 27° 03' 54" W) Two Hundred Eighty-nine and Fifty-eight one hundredths feet (289.58') and North Nineteen degrees Nine minutes Forty-two seconds West (N 19° 09' 42" W) Two Hundred Fifty and Seventeen one hundredths feet (250.17').

## SCHEDULE "A" cont...

The herein described lot of land contains an approximate area of Six and Twenty-five one hundredths (6.25) acres, and is shown as Lot "B" on a Plan of Survey showing properties of James L. Allen and Fred Walters under conveyance to Irving Oil Company Limited at Garden Lots, Lunenburg County, NS dated at Bridgewater, NS the 17th dat of August, A.D., 1962, by Errol B. Hebb, P.L.S.

The above described lot of land represents property of Fred Walters as acquired by Deeds from Roy Myra and Fannie Myra dated the 16th of December, 1955 and from Thomas M. Levy and Lois Levy dated the 3rd of July, 1961. Both Deeds are unrecorded at the date of this description."

## SAVING AND EXCEPTING THEREOUT AND THEREFROM

All that portion of the said property hereinbefore described situate lying and being on the Westerly side of the Eastern boundary of Nova Scotia public Highway number 332. To the intent that the parcel of land hereby conveyed is located entirely to the East of the Eastern boundary of Nova Scotia public highway #332, and being shown as lot B, property of Irving Oil Limited, 3.37 acres more or less on a survey plan prepared by Gerald Eisnor, N.S.L.S. dated 14 November 1990.

BB.

AFFIDAVIT OF SPOUSAL STATUS

CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF LUNENBURG

I, M. BERNADETTE BYERS, of Lunenburg, in the County of Lunenburg, Province of Nova Scotia, make oath and swear that:

1. I acknowledge that I executed the foregoing instrument under seal on the date of this Affidavit.
2. This acknowledgment is made pursuant to s.31(a) of the *Registry Act*, R.S.N.S., 1989, c.392, for the purpose of registering the instrument.
3. I am nineteen (19) years of age or older and am a resident of Canada under the *Income Tax Act (Canada)*.
4. A. For the purposes of this Affidavit, "spouse" means either of a man or a woman who:
  - i. are married to each other;
  - ii. are married to each other by a marriage that is voidable and has not been voided by a judgment of nullity;
  - iii. have gone through a form of marriage with each other, in good faith, that is void and are cohabiting or have cohabited within the preceding year; or
 B. For the purpose of this Affidavit "spouse" includes an individual who is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* but does not include a former domestic partner.
5. That Richard Douglas Frederic Byers is my only spouse and the lands described in this Deed have never been occupied as a matrimonial home by myself and my spouse.

I certify that on this date the Deponent came before me, made oath and swore the foregoing Affidavit. I further certify that the Deponent executed this instrument in my presence and that I signed the instrument as witness to such execution.

CERTIFIED at Lunenburg,  
in the County of Lunenburg and  
Province of Nova Scotia this 2 day  
of July, 2002.

A \_\_\_\_\_ OF THE SUPREME  
COURT OF NOVA SCOTIA

David K. Macdonald  
A BARRISTER OF THE  
SUPREME COURT OF NOVA SCOTIA

M. Bernadette Byers  
~~RICHARD DOUGLAS FREDERIC BYERS~~  
M. BERNADETTE Byers

LUNENBURG COUNTY REGISTRY OF DEEDS	3988	847	181-186
I certify that this document was registered as shown here.	Document #	Book	Pages
Joan Plunkett Registrar	111 - 3	2002	1:24 pm
	MM	DD	YYYY

847/181

NMK

003988

THIS MORTGAGE made this 2 day of July, A.D., 2002.

BETWEEN:

**RICHARD DOUGLAS FREDERIC BYERS**, of Lunenburg, in the County of Lunenburg, Province of Nova Scotia,

(hereinafter called the "Mortgagor")

OF THE FIRST PART

- and -

**NOVA SCOTIA BUILDING SUPPLIES (1982) LIMITED**,

(hereinafter called the "Mortgagee")

OF THE SECOND PART

WITNESSETH that in consideration of the sum of **Forty Thousand Dollars (\$40,000.00)**, the Mortgagor hereby mortgages to the Mortgagee the lands described in Schedule "A" hereto annexed.

PROVIDED that this Mortgage shall be void upon payment to the Mortgagee of the said full sum of **Forty Thousand Dollars (\$40,000.00)**, without interest, on or before **May 1<sup>st</sup>, 2007**, PROVIDED that on default of payment, interest shall be payable after date of default on all amounts owing at the **prime rate of the Canadian Imperial Bank of Canada as it is from time to time PLUS three (3) per cent per annum** until paid in full, and the balance of the principal sum then remaining unpaid and all accrued and unpaid interest and any other amounts owing under this Mortgage shall become immediately due and payable.

The Mortgagor covenants with the Mortgagee THAT:

1. The Mortgagor will pay the Mortgage money and interest aforesaid, and on default the Mortgagee may enter and have quiet enjoyment of the lands.
2. The Mortgagor will pay all taxes, rates and assessments and show receipts on demand.
3. The Mortgagor has a good title in fee simple to the said lands and the right to convey the lands as hereby conveyed, and that the said lands are free from encumbrances, and that the Mortgagee will procure such further assurances as may reasonably be required.
4. The Mortgagor will keep the said lands and buildings and improvements now thereon or hereafter bought or erected thereon in good condition and repair according to the nature and

## SCHEDULE "A"

ALL that certain lot piece or parcel of land, situate lying and being at Garden Lots in the County of Lunenburg in the Province of Nova Scotia, conveyed by Fred Walters and Ida Mae Walters to Irving Oil Company, Limited by Deed dated 21st day of August 1962 and registered in the Office of the Registrar of Deeds for the County of Lunenburg on the 7th day of September, 1962 in Book 128 at Page 489 as Number 727 and therein described as follows:

"ALL and singular that certain parcel or tract of land and premises situate, lying and being at Garden Lots, in the County of Lunenburg, Province of Nova Scotia, Canada, which can be more particularly described as follows:

BEGINNING at a point marked by an iron bolt driven into the ground on the Northeastern sideline (33' from the center of the paved surface) of Public Highway leading from Lunenburg to Blue Rocks, which said point marks the Southeastern corner of property of James L. Allen under conveyance to Irving Oil Company Limited, and the Southwestern corner of property of Fred Walters hereby under description;

THENCE from said point so located North Forty-four degrees Thirty-five minutes Twenty-four seconds East (N 44° 35' 24" E) (Magnetic Meridian 1962) along said property of James L. Allen under conveyance to Irving Oil Company Limited and other property of James L. Allen Five Hundred Twenty-two and Sixty-six one hundredths feet (522.66') more or less to a point marked by an iron bolt driven into the ground;

THENCE South Sixty degrees Four minutes Fifty-four seconds East (S 60° 04' 52" E) along said property of James L. Allen Three Hundred Twenty-seven and Forty-one one hundredths feet (327.41') more or less to a point marked by an iron bolt driven into the ground on the Northwestern boundary of property of Fred Berringer;

THENCE Southwestwardly along the several and varying courses of a board and wire fence bordering said property of Fred Berringer to a point marked by an iron bolt driven into the ground on the Northeastern sideline of the aforesaid Public Highway; a straight line between these last two mentioned points from Northeast to Southwest being described as South Thirty-one degrees Forty-eight minutes Six seconds West (S 31° 48' 06" W) Eight Hundred Twenty-seven and Seventy-three one hundredths feet (827.73');

THENCE from said last mentioned point Northwestwardly along the several and varying courses of the Northeastern sideline of said Public Highway to the point marking the place of beginning; traverse lines joining these last two mentioned points from Southeast to Northwest being described as North Twenty-seven degrees Three minutes Fifty-four seconds West (N 27° 03' 54" W) Two Hundred Eighty-nine and Fifty-eight one hundredths feet (289.58') and North Nineteen degrees Nine minutes Forty-two seconds West (N 19° 09' 42" W) Two Hundred Fifty and Seventeen one hundredths feet (250.17').

RB.

## SCHEDULE "A" cont...

The herein described lot of land contains an approximate area of Six and Twenty-five one hundredths (6.25) acres, and is shown as Lot "B" on a Plan of Survey showing properties of James L. Allen and Fred Walters under conveyance to Irving Oil Company Limited at Garden Lots, Lunenburg County, NS dated at Bridgewater, NS the 17th dat of August, A.D., 1962, by Errol B. Hebb, P.L.S.

The above described lot of land represents property of Fred Walters as acquired by Deeds from Roy Myra and Fannie Myra dated the 16th of December, 1955 and from Thomas M. Levy and Lois Levy dated the 3rd of July, 1961. Both Deeds are unrecorded at the date of this description."

## SAVING AND EXCEPTING THEREOUT AND THEREFROM

All that portion of the said property hereinbefore described situate lying and being on the Westerly side of the Eastern boundary of Nova Scotia public Highway number 332. To the intent that the parcel of land hereby conveyed is located entirely to the East of the Eastern boundary of Nova Scotia public highway #332, and being shown as lot B, property of Irving Oil Limited, 3.37 acres more or less on a survey plan prepared by Gerald Eisnor, N.S.L.S. dated 14 November 1990.

Rb.

AFFIDAVIT OF SPOUSAL STATUS

CANADA  
 PROVINCE OF NOVA SCOTIA  
 COUNTY OF LUNENBURG

I, RICHARD DOUGLAS FREDERIC BYERS, of Lunenburg, in the County of Lunenburg, Province of Nova Scotia, make oath and swear that:

1. I acknowledge that I executed the foregoing instrument under seal on the date of this Affidavit.
2. This acknowledgment is made pursuant to s.31(a) of the *Registry Act*, R.S.N.S., 1989, c.392, for the purpose of registering the instrument.
3. I am nineteen (19) years of age or older and am a resident of Canada under the *Income Tax Act (Canada)*.
4. A. For the purposes of this Affidavit, "spouse" means either of a man or a woman who:
  - i. are married to each other;
  - ii. are married to each other by a marriage that is voidable and has not been voided by a judgment of nullity;
  - iii. have gone through a form of marriage with each other, in good faith, that is void and are cohabiting or have cohabited within the preceding year; or
 B. For the purpose of this Affidavit "spouse" includes an individual who is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* but does not include a former domestic partner.
5. That my only spouse is M. BERNADETTE BYERS and the lands described in this Mortgage have never been occupied as a matrimonial home by myself and my spouse.

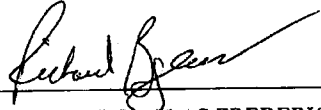
I certify that on this date the Deponent came before me, made oath and swore the foregoing Affidavit. I further certify that the Deponent executed this instrument in my presence and that I signed the instrument as witness to such execution.

CERTIFIED at Lunenburg,  
 in the County of Lunenburg and  
 Province of Nova Scotia this 2 day  
 of July, 2002.

A \_\_\_\_\_ OF THE SUPREME

COURT OF NOVA SCOTIA  
 David K. Macdonald  
 A BARRISTER OF THE  
 SUPREME COURT OF NOVA SCOTIA

C:\MyFiles\CMP2\byersrichard.mortgage.wpd

  
 RICHARD DOUGLAS FREDERIC BYERS



② e-document ITA-10512-18

FEDERAL COURT  
COUR FÉDÉRALE

Feb 5, 2019

Alexander Petranski

Ottawa, ONT (Instrument code: 707)

NMR

**Form 46**  
**Certificate of Certificate Registration (Certificate of Judgment)**  
 Purpose: To record a judgment in the judgment roll established under  
 the Land Registration Act

Registration district:	Lunenburg County
Submitter=s user number:	<b>AFX 256</b>
Submitter=s name:	Canada Revenue Agency

Court File No.:	ITA-10512-18
Name of court	Federal Court

For Office Use

LUNENBURG COUNTY LAND REGISTRATION OFFICE  
 I certify that this document was registered or recorded  
 as shown here.  
 Rebecca Bond, Registrar

114318240 LRO RODV  
 Document #

APR 15 2019 14:46  
 MM DD YYYY Time

In the matter of the *Income Tax Act*,  
 - and -  
 In the matter of an assessment or assessments by the Minister of National Revenue under one or more of  
 the *Income Tax Act*, *Canada Pension Plan*, *Employment Insurance Act*, *the Income Tax Act*, against

**RICHARD DOUGLAS BYERS**

**Judgment creditor information**

**Company Name:** Canada Revenue Agency  
 Assistant Director, Revenue Collections  
 Nova Scotia Tax Services Office

**Address:**  
 Mailing Address: Post Office Box 638, Halifax, Nova Scotia. B3J 2T5  
 Civic Address: 100-145 Hobsons Lake Drive, Halifax, Nova Scotia.  
 B3J 2T5

**Other Information:** Telephone: (800) 667-7199

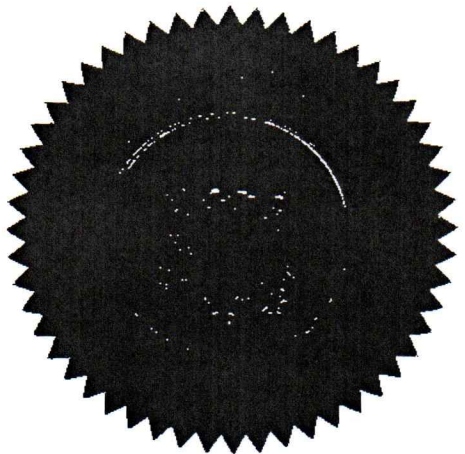
**Judgment debtor information**

**Name:** RICHARD DOUGLAS BYERS  
**Address:** PO BOX 1178,  
 Lunenburg, Nova Scotia.  
 B0J 2C0

**Other Information:** Date of Birth: March 3rd, 1959.

Debt	\$192,763.61
Interest	
Costs	
Judgment	\$192,763.61

T307 E (18) (SLN)



NMR

**Form 16**

**Purpose: to renew the recording of a judgment**

*Note: Renewal must be recorded prior to the expiration of five years from the date of the judgment or the date of the recording of the most recent renewal of the judgment.*

**(Instrument code: 715 - First renewal)**

**(Instrument code: 716 - Second renewal)**

**(Instrument code: 717 - Final renewal)**

Registration district: Lunenburg County

Submitter's user number: 500000200

Submitter's name: Canada Revenue Agency

For Office Use

**LUNENBURG COUNTY LAND REGISTRATION OFFICE**

I certify that this document was registered or recorded as shown here.

Rebecca Bond, Registrar R JB

122593875 LR  ROD

Document #

JUN 14 2023 12:17

MM DD YYYY Time

**In the matter of the judgment debtor** RICHARD DOUGLAS BYERS, PO BOX 1178, Lunenburg, Nova Scotia, B0J 2C0

**And in the matter of the judgment creditor** Canada Revenue Agency, 100 - 145 Hobson Lake Drive, PO Box 638, Halifax, Nova Scotia, B3J 2T5;

**Take notice that the undersigned judgment creditor/agent of judgment creditor requests that the above-noted judgment be renewed as follows (select one):**

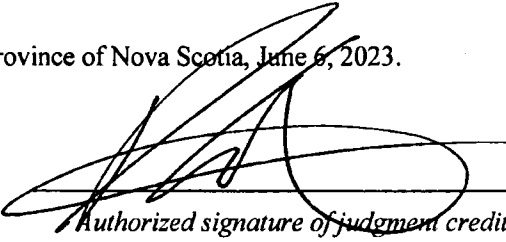
- First Renewal:** Federal Certificate ITA-10512-18 issued by the Court on July 9, 2018; amended January 4, 2019 and first recorded on April 15, 2019 as Document #114318240
- Second Renewal** \_\_\_\_\_  
(insert document number of first renewal)
- Third Renewal** \_\_\_\_\_  
(insert document number of second renewal)

Dated at Sydney, in the County of Cape Breton, Province of Nova Scotia, June 6, 2023.

  
Witness (*Barrister/Commissioner*)

**April Murphy**  
A Commissioner of the  
Supreme Court of Nova Scotia  
My Commission expires

July 19, 2027

  
Authorized signature of judgment creditor/agent

Name: Canada Revenue Agency

Address: 47 Dorchester Street

Sydney, NS

B1P 6K3

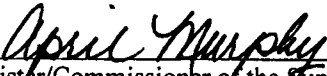
Phone: 1(800)667-7199

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

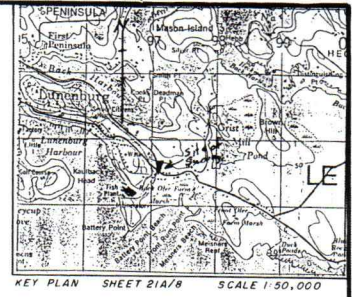
**Certificate of Commissioner:**

I certify that on June 6, 2023, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

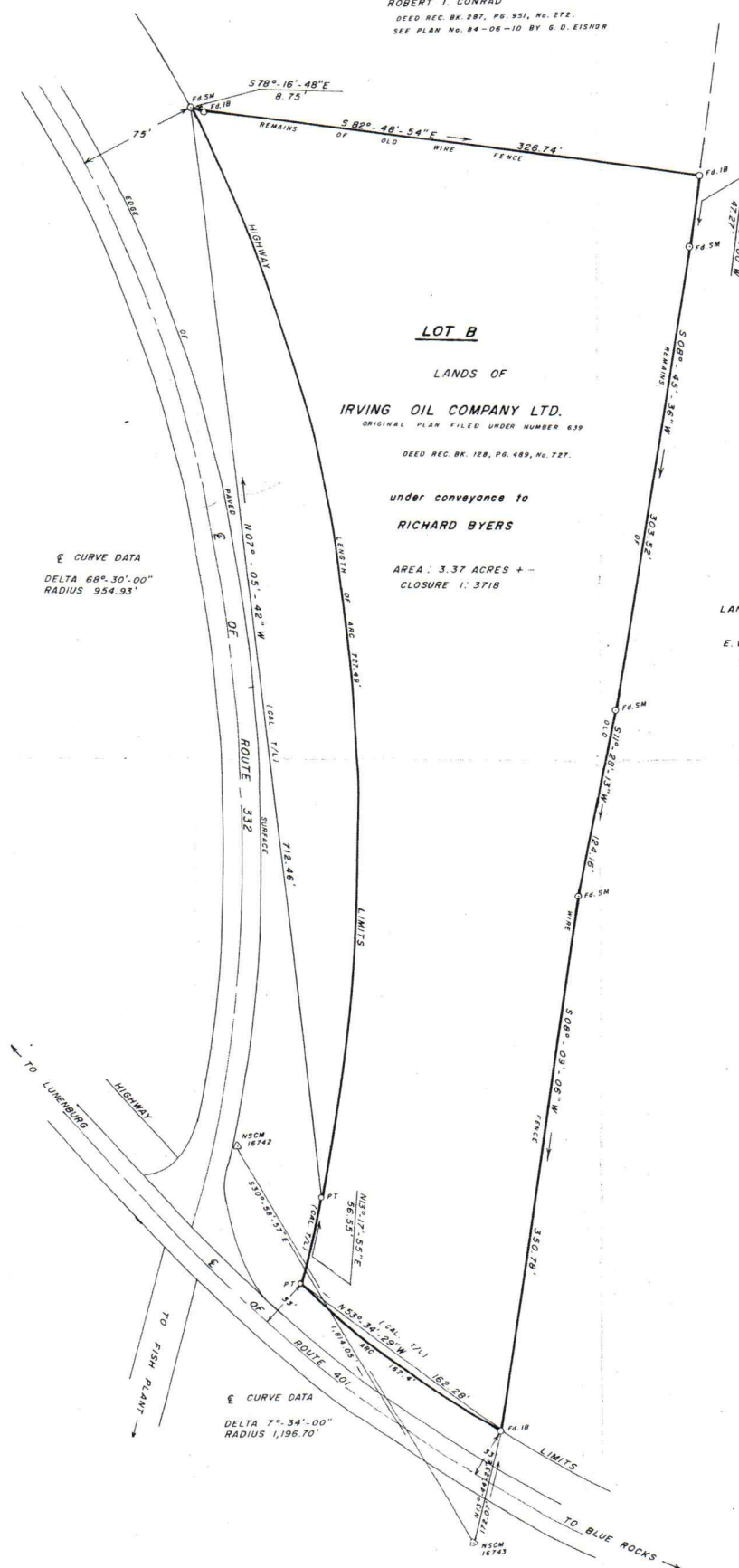
  
A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly below signature)

**April Murphy**  
A Commissioner of the  
Supreme Court of Nova Scotia  
My Commission expires

July 19, 2027



LANDS OF  
 ROBERT I. CONRAD  
 DEED REC. BK. 287, PG. 931, No. 272.  
 SEE PLAN No. 84-06-10 BY G. D. EISNOR



**LOT B**  
 LANDS OF  
**IRVING OIL COMPANY LTD.**  
 ORIGINAL PLAN FILED UNDER NUMBER 639  
 DEED REC. BK. 128, PG. 489, No. 727.

under conveyance to  
**RICHARD BYERS**

AREA: 3.37 ACRES ±  
 CLOSURE 1: 3718

LANDS OF  
**E. W. DOREY & SON'S CONSTRUCTION LTD.**  
 DEED REC. BK. 191, PG. 691, No. 194.  
 SEE PLAN No. 88-08-218, BY G. D. EISNOR.

ε CURVE DATA  
 DELTA 68° 30' 00"  
 RADIUS 954.93'

ε CURVE DATA  
 DELTA 7° 34' 00"  
 RADIUS 1,196.70'

**LEGEND**

- Boundary of lands surveyed
- Boundary of adjacent lands
- Overhead utility line
- Line not to scale
- X-X-X-X-X- Fence line
- o Centerline
- UP Utility Pole
- NSCM Nova Scotia Control Monument
- SM Survey Marker (iron bar with identification cap)
- IB Iron Bar
- IP Iron Pipe
- CC Cross Cut
- WB Wooden Bound
- RP Rock Post
- TS Travers Station
- Fd Found
- S Set
- CAL Calculated
- T/L Tie Line
- BC Beginning of Curve
- EC End of Curve
- WIT Witness

All angles and distances were measured in the field, unless otherwise noted, and are unadjusted.  
 No scale factor has been applied, unless otherwise noted.  
 THE BEARINGS ARE: MAGNETIC for the year \_\_\_\_\_  
 GRID based on the 3° modified transverse mercator projection having central meridian 64° 30' west and are referred to Nova Scotia Control Monument numbers 16742 & 16743

**SURVEYOR'S CERTIFICATE**  
 I, Gerald D. Eisnor, Nova Scotia Land Surveyor, hereby certify that the survey represented by this plan was conducted under my supervision, and that the survey and plan were made in accordance with the Nova Scotia Land Surveyors Act and the regulations made thereunder.  
 Dated this 14 day of NOVEMBER, A.D. 1990  
 [Signature] N.S.L.S. No. 525



PLAN OF SURVEY SHOWING LANDS OF  
**IRVING OIL COMPANY LTD.**, AT GARDEN LOTS,  
 LUNenburg COUNTY, NOVA SCOTIA.

REVISONS:

<b>GERALD D. EISNOR</b> NOVA SCOTIA LAND SURVEYOR NO. 525 FAUXBURG, R.R. 3, LUNEBURG LUN. CO., N.S. 902-634-3614	
Field surveys were carried out during the period of NOVEMBER 13, 1990.	
DRAWN BY: G. Cushing	SCALE: 1" = 50'
DATE: NOV. 14, 1990	PLAN NO.: 90-11-398



8155  
 JAN 11 1997

000292

# 8155