

4376

**GRANT OF RIGHT-OF-WAY**

**THIS INDENTURE** made this 3rd day of August, 2023.

REGISTERED  
OCT 30, 2023  
1:45 PM

IN PURSUANCE OF THE ENACTMENTS RESPECTING SHORT FORMS OF INDENTURES

BETWEEN:

**DRIFTWOOD ESTATES OWNERS ASSOCIATION INC.**, a body corporate, duly incorporated under the laws of the Province of Prince Edward Island

(hereinafter called the "Grantor")

OF THE ONE PART

AND:

**M2K PROPERTIES INC.**, a body corporate, duly incorporated under the laws of the Province of Prince Edward Island

(hereinafter called the "Grantee")

OF THE OTHER PART

**WHEREAS** Driftwood Estates Owners Association Inc. was deeded the Right-of-Way and Common Areas from Blue Bell Construction Ltd. on the 18<sup>th</sup> day of July, 2023 and registered in the Prince County Registry Office on the 15<sup>th</sup> day of August, 2023 in Book 3481 as Document 3116

3196  
2023


**WITNESSETH THAT** in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada, now paid by the Grantees to the Grantors (the receipt whereof is hereby by them acknowledged), the said Grantors do grant unto the Grantees, their executors, administrators and assigns, in common with the Grantors, their executors, administrators and assigns, the use of a right-of-way and common area, more particularly described in Schedule "A" attached hereto.

**TOGETHER** with all the rights, privileges, easements and appurtenances to the said lands, belonging or appertaining or thereunto now or heretofore holden, used, occupied or enjoyed: **TO HAVE AND TO HOLD** the said lands and premises with their appurtenances unto and to the use of the Grantees, for the sole purpose of egress and ingress for persons and vehicles through, along and over the lands of the Grantors being more particularly described in Schedule "A" annexed hereto.

**ALL** those who utilize the right of way must pay the costs for the upkeep and maintenance of the right-of-way;

IN WITNESS WHEREOF the Grantors herein have executed this agreement on the day and year first above written.

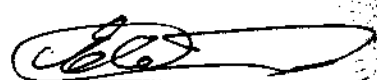
SIGNED, SEALED AND DELIVERED  
in the presence of:



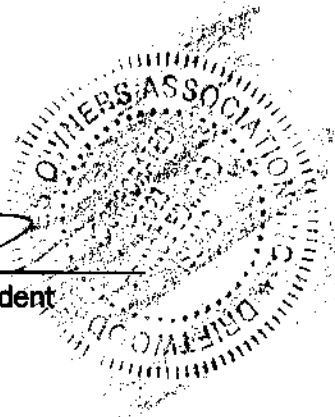
\_\_\_\_\_  
COMMISSIONER FOR DEEDS

DRIFTWOOD ESTATES OWNERS  
ASSOCIATION INC.

Per:



\_\_\_\_\_  
ARNOLD CROKEN, President



**AFFIDAVIT FOR CORPORATION**

C A N A D A  
PROVINCE OF PRINCE EDWARD ISLAND  
COUNTY OF QUEENS

I, **ARNOLD CROKEN**, of Summerside, Prince County, in the Province of Prince Edward Island

**MAKE OATH AND SAY:**

1. That I am the signing officer of **DRIFTWOOD ESTATES OWNERS ASSOCIATION INC.** named in the within Indenture and as such, have personal knowledge of the facts herein deposed to.
2. That the Corporate Seal affixed to the within Indenture is the Corporate Seal of the said **DRIFTWOOD ESTATES OWNERS ASSOCIATION INC.** and was thereto affixed by order of the Board of Directors of the said Company to and for the uses and purposes therein expressed and contained.
3. That the name "**ARNOLD CROKEN**", subscribed to the within Indenture is the signature of the signing officer and I am duly authorized by the Board of Directors of the said Company to sign all the documents in relation to the sale of the property.
4. That the property which it is disposing of or encumbering, being more particularly described in the Schedule "A" hereto annexed, has never been occupied by the Corporation or by any of its officers, agents, employers or shareholders or members as a family home, or designated as such, within the meaning of the *Family Law Act*, R.S.P.E.I. 1995 and amendments thereto.
5. That I am the duly authorized signing Officer of the said Company to execute the within Indenture.

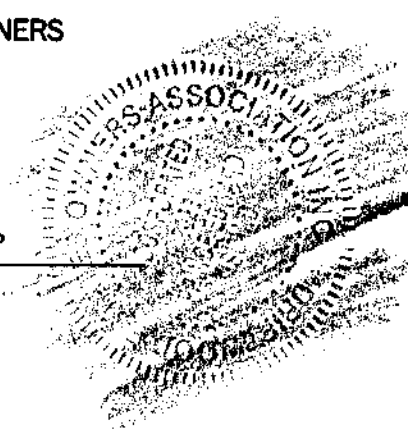
SWORN before me at Summerside,  
in Prince County, Province of Prince  
Edward Island, this 3<sup>rd</sup> day of August  
A.D., 2023.

\_\_\_\_\_  
A Commissioner for taking  
Affidavits in the Supreme Court

**DRIFTWOOD ESTATES OWNERS  
ASSOCIATION INC.**

\_\_\_\_\_  
*Arnold Croken*

**ARNOLD CROKEN**



**SCHEDULE "A"**

**Parcel 1**

ALL that parcel of land situate, lying and being at North Carleton, Lot 27, in Prince County, Province of Prince Edward Island, being bounded and described as follows, that is to say:

COMMENCING at a point where the Southerly margin of a 66' wide Right-of-Way known as Muttart Shore Road intersects the Northeasterly corner of PID 514430, being the Southwesterly point of a 66' wide Right-of-Way known as Tracey Avenue;

THENCE in Southerly directions following on the Easterly margins of PID 514430, 425066, 448803, 412742, 1009687, 412734 until same intersects the Southeasterly corner of PID 412734;

THENCE in a Westerly direction and following along the Southerly margin of PID 412734, until same strikes the Seven Mile Bay (Northumberland Strait);

THENCE in a Southerly direction following the various courses of Seven Mile Bay (Northumberland Strait) until same intersects the Northwesterly corner of PID 514448;

THENCE in a Northeasterly direction following along the Northerly margin of PID 511448 until same strikes the Westerly margin of the Right-of-Way, known as Tracey Avenue;

THENCE in a Southerly direction following along the Easterly margins of PID 514448, 448605, 448597, 448837, 448670, 448795, 448688, 448639, 448712 and 448761, until same intersects the Southeasterly corner PID 448761;

THENCE continuing in a Southerly direction and following along the Easterly margin of PID 448647 until same meets the arc curve;

THENCE on an arc of a curve following along the Easterly margin of PID 448647 and the Northerly margin of PID 448753, until same strikes the Northeasterly corner of PID 448753;

THENCE in an Easterly direction and following along the Northerly margins of PIDs 212100, 536508, 448720, 496968, 448886 and 536474, until same intersects the Northeasterly corner of PID 536474;

THENCE in a Southerly direction following along the Easterly margin of PID 536474, until same strikes Gordon Point (Northumberland Strait);

THENCE in an Easterly direction following along the various courses of Gordon Point (Northumberland Strait) until same intersects the Southwesterly corner of PID 602367;

THENCE in a Northerly direction following along the Westerly margin of PID 602367, until same strikes the Right-of-Way, known as Tracey Avenue;

THENCE in a Northeasterly direction and following along the Northerly margins of PIDs 602367, 496935, 496976, 811505, 853952, 849216, 848978 and 848986, until same strikes the Westerly margin of PID 848341;

THENCE in a Northeasterly direction following along the Westerly margin of PID 848341, until same strikes the Southwesterly margin of PID 848341 (Lot 58);

THENCE in a Southwesterly direction following along the Southerly margins of PIDs 848341, 848333, 848325, 848317, 832733, 832725, 883967, 832717, 836395 and 832428, until same strikes the Southwesterly corner of PID 832428;

THENCE in a Northwesterly direction following on the Westerly margins of PIDs 832428, 844373, 863050, 865246, 896001, 782276, 848820, 782284, 878264, 820621, 817742, 835934, 797407, 785774, 1006790 and 767475 until same intersects the Northwesterly corner of PID 767475;

THENCE in a Westerly direction following along the Southerly margin of the Right-of-Way, known as Muttart Shore Road, to a point located in the Northeasterly margin of PID 514430, being the point at the place of commencement.

BEING AND INTENDED TO BE 66-Foot-wide Right-of-Way known as Tracey Avenue, an open area leading from Tracey Avenue to Seven Mile Bay (Northumberland Strait) and an open area leading from Tracey Avenue to Gordon Point (Northumberland Strait) and being part of PID 681536.

**Parcel 2**

ALL that parcel of land situate, lying and being at North Carleton, Lot 27, in Prince County, Province of Prince Edward Island, being bounded and described as follows, that is to say:

COMMENCING at a point where the Southerly margin of a 66' wide Right-of-Way known as Muttart Shore Road intersects the Northeasterly corner of PID 914945;

THENCE in Southerly directions following on the Easterly margins of PID 914945, 1112895, 924662 and 905943 until same intersects the Southeasterly corner of PID 905943;

THENCE in a Westerly direction and following along the Southerly margin of PID 905943 and 820621, until same strikes the 66 foot wide Right-of-Way known as Tracey Avenue;

THENCE in a Southern direction following the said Tracey Avenue until same intersects the Northwesterly corner of PID 878264;

THENCE in a Northeasterly direction following along the Northerly margin of PIDs 878264 and 905935 until same strikes the Northeasterly corner of PID 905935;

THENCE in a Southerly direction following along the Easterly margins of PID 905935, 905927 and 905919, until same intersects the Southeasterly corner PID 905919;

THENCE on an arc of a curve following along the Northeasterly margin of PID 905901 and the Northerly margin of PID 936112, until same strikes the Easterly corner of PID 936112;

THENCE in an Easterly direction following along the Northerly margin of PID 1136365 until same intersects the Northeasterly corner of PID 1136365;

THENCE in a Southerly direction and following along the Easterly margins of PID 1136365 and 883967 until same intersects the Northern margin of the aforesaid Tracey Avenue;

THENCE in an Easterly direction and following along the Northerly margin of the aforesaid Tracey Avenue to the Southwesterly corner of PID 832725;

THENCE in a Northerly direction and following along the Westerly margins of PIDs 832725 and 929745 until same intersects the Northwesterly corner of PID 929745;

THENCE in an Easterly direction and following along the Northerly margins of PIDs 929745, 883850, 883843, 883835, 881771 and 881763 until same intersects the Northeasterly corner of PID 881763;

THENCE in a Northerly direction a distance of 66 feet a little more or less to a point;

THENCE in a Westerly direction until same intersects the Southeasterly corner of PID 1112655;

THENCE continuing in a Westerly direction along the Southerly margin of PID 1112655 until same strikes the Southwesterly margin of PID 1112655;

THENCE continuing in a Westerly direction and following along the Southerly margins of a 66' wide ROW known as Alden Avenue, PIDs 1135631, 1136357, 1112200, 1113182 and 1070556 until same strikes the Southwesterly corner of PID 1070556;

THENCE on an arc of a curve following along the Southerly and Westerly margin of PID 1014737, until same strikes the Northwesterly corner of PID 1014737;

THENCE in a Northwesterly direction until same intersects the Southwesterly margin of PID 1112630;

THENCE continuing in a Northwesterly direction and following along the Westerly margin of PID 1112630, until same strikes the aforesaid Muttart Shore Road;

THENCE in a Westerly direction and following along the said Muttart Shore Road for a distance of 66 feet, a little more or less until same strikes the Northeasterly margin of PID 914945, being the point at the place of commencement.

BEING AND INTENDED TO BE 66-foot-wide Rights-of-Way known as Nicole Drive, Clay Road and Pamela Place, and two common access points to the shore, and being part of PID 681536.

ALL OF WHICH Rights-of-Way and shore access paths have received approval from the Provincial Department of Communities, Cultural Affairs and Labour, its successors and predecessors, through the various approved phases of the subdivision known as the Driftwood Estates subdivision.

Dated the 3<sup>rd</sup> day of August A.D., 2023.

BETWEEN:

**DRIFTWOOD ESTATES OWNERS ASSOCIATION INC.**

AND:

**M2K PROPERTIES INC.**

\*\*\*\*\*

**GRANT OF RIGHT OF WAY**

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COX & PALMER  
Barristers & Solicitors  
Holman Centre  
250 Water Street, Suite 401  
South Tower Entrance  
Summerside, PE  
C1N 1B6

Per: J. Andrew D. Campbell, K.C.  
Our File No. 53799-1 AC/as

Office of the Registrar of Deeds

For Prince County, Summerside, P.E. Island

Book 3487

Doc # 4376

The within document was registered on

The 30th Day of Oct A.D., 2023 on

COMMISSIONER WITNESSED

  
\_\_\_\_\_  
ASST REGISTRAR