

# INSTRUCTIONS How to Grant an Easement



THIS GRANT OF EASEMENT made as of 1, 202,

BETWEEN:

3 [insert company name or individual owner(s) here]  
(the "Grantor")

- and -

RIVERPORT ELECTRIC LIGHT COMMISSION,  
a body corporate

("RELC")

WHEREAS:

1. The Grantor is the owner of a certain property located at 4,  
in the County of 5, Province of Nova Scotia as described  
in the deed recorded in Book 6 at Page 7 or as Document number  
8, and more particularly identified as Property Identification Number (PID)  
9 (the "Lands").
2. RELC wishes to secure a distribution easement over a portion of the Lands.

WITNESSETH that in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the parties agree as follows:

1. The Grantor hereby grants to RELC the free and uninterrupted right, privilege, liberty and easement in perpetuity over, under and through a \_\_\_\_\_ foot (\_\_\_\_\_) -foot wide strip across the Lands as outlined on the sketch attached hereto and as described as Schedule "A" (the "Easement") to do the following:
  - (a) inserting, laying, erecting and maintaining a line or lines of poles, towers, and wires with all necessary foundations, excavations, anchors and guy wires (col-

- 1 Day and month you are signing the easement, i.e. July 1st.
- 2 Year you are signing the easement.
- 3 Name(s) of the people who own the property. All people who are listed on the deed must be listed as the owner(s) of the property.
- 4 The civic address of the property (i.e. 123 Electric Lane).
- 5 The county where the property is located.

**6 & 7 & 8**

Insert the book, page and document number of the deed for the property. If you acquired your property since 2004 you may only have a document number for your deed. If you only have a document number, put a hyphen (-) through the space for the book and page numbers since those references are not applicable to your deed. If you do not know where to find this information your lawyer can provide this information to you.

- 9 The property identification number (PID). This is not your civic address. Your property has a civic address and a PID number assigned to it. The PID number is reference to your property in the province's online database. If you do not know what your PID number is your lawyer can confirm this information for you.

1. This Agreement shall enure to the benefit of and be binding upon the parties hereto, other persons authorized from time to time by RELC, and all parties' respective heirs, administrators, executors, successors and assigns.
2. This Agreement shall be read with all change of number and gender required by the context.

IN WITNESS WHEREOF the Grantor has duly executed this Grant of Easement the day and year first above written.

_____ )	_____ )
Witness )	Grantor )
_____ )	_____ )
Witness )	Grantor )
_____ )	_____ )
Witness )	Grantor )
_____ )	_____ )
Witness )	Grantor )

- 10** A witness must sign beside each signature.
- 11** Signature of the people who own the property (print names below each signature).

## AFFIDAVITS OF EXECUTION (Individual shown)

### INDIVIDUAL

PROVINCE OF NOVA SCOTIA  
COUNTY OF **12** \_\_\_\_\_

ON THIS **13** day of \_\_\_\_\_ **14**, 20 **15**, before me, the subscriber personally came and appeared, \_\_\_\_\_ **16**, a subscribing witness to the forgoing Grant of Easement, who having been by me duly sworn, made oath and said that \_\_\_\_\_ **17**, one of the parties thereto, duly executed and delivered the same in h\_\_\_\_\_ **18** presence.

**19** \_\_\_\_\_  
A Commissioner of the Supreme  
Court of Nova Scotia

PROVINCE OF NOVA SCOTIA  
COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY that on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, one of the parties of the foregoing Grant of Easement signed and delivered the same in my presence and I have signed as a witness to the same.

\_\_\_\_\_  
A Commissioner of the Supreme  
Court of Nova Scotia

An affidavit must be completed by a commissioner of oaths or a lawyer. If the owners of the property do not live in Nova Scotia then a notary public must execute this affidavit.

Please fill out the appropriate affidavit. If a company owns the property, a **CORPORATE** must be completed. If a person(s) owns the property, fill out the affidavit titled **INDIVIDUAL**.

- 12** County where affidavit is signed.
- 13 & 14 & 15** Date the easement was signed.
- 16** Printed name of the witness. The witness must swear that he or she saw the owner(s) sign the easement document.
- 17** Name(s) of the people who own the property.
- 18** Pronoun describing witness i.e. his or her (INDIVIDUAL Affidavit only).
- 19** Signature and stamp or seal of the commissioner of oaths, lawyer or notary.

\*If the document is witnessed by the commissioner or notary then he/she should complete the second affidavit where it states that on a certain day the notary signed as a witness\*

**FOR DOCUMENTS SIGNED OUTSIDE OF CANADA:** The notary public must complete the affidavits or the document may not be able to be registered at the Land Registration Office. If the document is rejected a new document must be completed which will result in a delay in providing electrical service as an easement is required to be registered prior to NS Power's equipment being placed on your property.

**MATRIMONIAL PROPERTY ACT STATEMENT  
(Individual shown)**

PROVINCE OF NOVA SCOTIA )  
 COUNTY OF 20 )

\*I/We\* [amend as applicable] 21 of  
22 Province of Nova Scotia, CONFIRM AS FOLLOWS THAT:

1. \*I am /\*We are the Owner/grantor in the foregoing Grant of Easement and \*am/\*are of the full age of nineteen (19) years.
2. For the purpose of this our Affidavit, "spouse" includes:
  - (a) Either two persons 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 declaration of nullity; or
    - (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) An individual who is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* (a "domestic partner"), but does not include a former domestic partner.
3. We are the spouses of each other. Neither of us has any other spouse nor any former domestic partner with the rights contemplated by section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*.

\*\* If only one person, use No. 3 below and strike out No. 3 above.

1. I am not a spouse, as defined herein, and with respect to the within Lands, have no former domestic partner with the rights contemplated by section 55 of the *Vital Statistics Act*, or a former spouse with rights under the *Matrimonial Property Act*.

EXECUTED at 23, )  
 Province of Nova Scotia, this day 24 of )  
25, 20 26, before me: )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 Witness \_\_\_\_\_ )

If the owner(s) of the property do not live in Nova Scotia then a notary public must execute this statement.

Please fill out the appropriate statement. If a company owns the property a **CORPORATE** statement must be completed. If a person(s) own the property, fill out the statement titled **INDIVIDUAL**.

**20** County statement is signed.

**21** Name(s) of the people who own the property or company name.

**22** County statement is signed.

**23** City location statement is signed (i.e. Riverport).

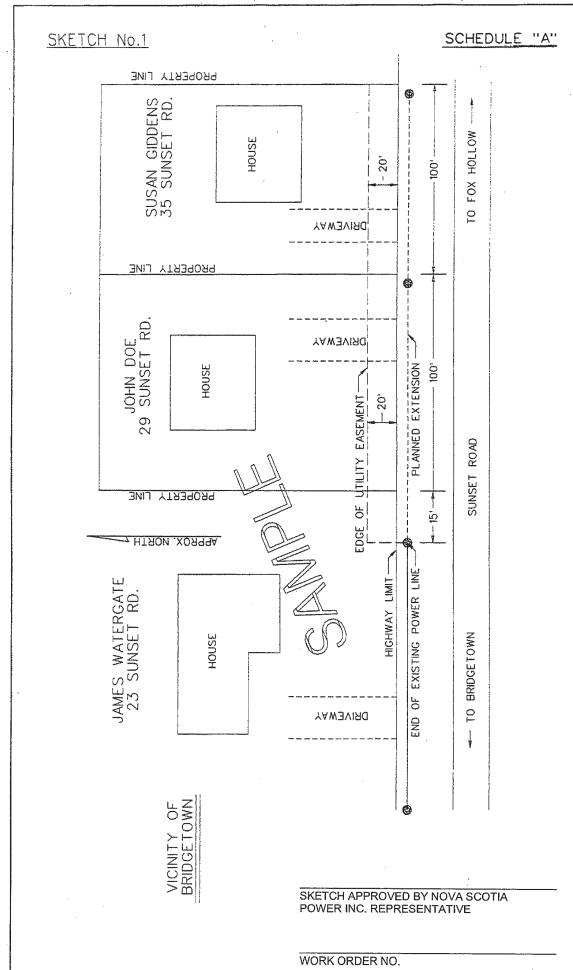
**24 & 25 & 26** Date signed.

**27** Signature of witness.

**28** **CORPORATE**  
 Signature of an officer of the company.

**INDIVIDUAL**  
 Signature of the people who own the property.

## Drawing the sketch:



A sketch of the property depicting the easement area must be attached to the easement. RELC recommends hiring a professional land surveyor to complete the sketch as land surveyors are the only profession who can certify boundaries of properties.

Often times a location certificate is obtained when purchasing a property. It may be helpful to contact the surveyor who prepared the location certificate to prepare another location certificate that includes the easement and that can be attached to the easement.

A list of land surveyors can be found on the website for the Association of Nova Scotia Land Surveyors at [www.ansls.ca](http://www.ansls.ca). Every sketch must be submitted to the RELC field representative who visited the property for approval and must have the signature of the RELC field representative approving the sketch.

If the RELC approval signature is not on the sketch then the Land Registration Office will not register the easement. In a limited number of circumstances a non-professional may prepare a sketch to be attached to the easement. All sketches must include the following information:

- ▶ Sketched on legal or letter size paper
- ▶ Label sketch Schedule "A"
- ▶ Show a graphic representation of the property including the size, shape, driveways, and house
- ▶ The civic address of the property, including the town or village name
- ▶ Property identification number (PID)
- ▶ The owner(s) name(s)
- ▶ Location of the existing power line and the location of the proposed new power line
- ▶ The width of the easement
- ▶ Approximate length of the easement
- ▶ Approximate distances from the center line of the power line to a fixed object on the property (e.g. house)
- ▶ Indicate the north direction.