

Definition of Limited Estate, Right and Interest Taken

I Permanent Easement

1. An unencumbered easement in favour of Enbridge Gas Distribution Inc. (the "Company"), its successors and assigns, in, over, upon, under and/or through the lands described in the order to which this appendix is attached described as the permanent easement lands (the "Easement Lands"), to survey, lay, construct, install, operate, use, inspect, remove, renew, replace, alter, enlarge, reconstruct, repair, expand and maintain a pipeline and all works, appurtenances, attachments, apparatus, appliances, markers, fixtures and equipment (collectively, the "Works") which shall remain the property of the Company notwithstanding the extent to which they are affixed to the Easement Lands together with the right and easement to use the surface of the Easement Lands for ingress and egress on foot and/or with vehicles, supplies, machinery and equipment at any time and from time to time.
2. The Company shall have the right at any time and from time to time to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation on or under the Easement Lands.
3. The Owner shall have the right to use and enjoy the surface of the Easement Lands except that such use and enjoyment shall not interfere with the rights of the Company and, without limitation, the Owner shall not, without the prior written consent of the Company, place or erect on the Easement Lands any building, structure or fence and shall not excavate, alter the grading, drill, install thereon any pit, well, foundation and/or pavement which will obstruct or prevent the exercise and enjoyment of the Company's rights.

II Temporary Easement

1. An unencumbered easement in favour of the Company, its successors and assigns, in, over, upon, under and/or through the lands described in the order to which this appendix is attached described as the temporary easement lands for ingress and egress on foot and/or with vehicles, supplies, machinery and equipment during the period of time that the Works are being constructed and installed in the Easement Lands.