

Toronto

July 27, 2021

Montréal

Patrick G. Welsh
Direct Dial: 416.862.5951
PWelsh@osler.com
Our Matter Number: 1184765

Calgary

Sent By RESS and Electronic Mail

Ottawa

Christine Long
Board Secretary and Registrar
Ontario Energy Board
27th Floor, 2300 Yonge Street
Toronto, Ontario M4P 1E4

Vancouver

New York

Dear Ms. Long:

EB-2021-0096 - Imperial Oil Limited Waterdown to Finch Replacement Project - Expropriation Application – Expropriation Plans

In accordance with the Order of the Ontario Energy Board (the “**OEB**”) dated June 3, 2021 (the “**Order**”), Imperial Oil Limited (“**Imperial**”) hereby submits final expropriation plans for OEB approval and endorsement, subject to the additional clarifications outlined below.

Corrections requested in Order

Imperial respectfully requests the OEB to make certain corrections to the Order pursuant to Rule 41.02 of the OEB’s *Rules of Practice and Procedure*. Specifically:

1. Incorrect Plan for WTFN4076

The plan included in the Order for WTFN4076 does not appear to be the version in Imperial’s application re-filed on March 17, 2021. Rather, the version of the plan appears to be the version originally filed with Imperial’s application on February 3, 2021. Imperial requests that the OEB update the Order to include the correct plan. For ease of reference, attached to this letter is a copy of the plan for WTFN4076 filed on March 17, 2021 for inclusion in a revised order.

2. Inclusion of Appendices B and C in Order and Modification of Appendices

The Order authorizes Imperial to expropriate the interests sought in the lands listed in Schedule A to the Order. As-issued on June 3, 2021, Schedule A includes Imperial’s Appendices D-2 and D-3 but there is no reference to Imperial’s Appendices B and C, which describe the rights sought for the permanent easements and temporary workspace easements. Imperial notes that this information was previously found in the draft Expropriation Certificates included in the draft plans approved in the Order. As described in more detail below, Imperial has simplified the Expropriation Certificate language in the final expropriation plans by referring back to the Order. However, the OEB’s updated

order would need to include Imperial's Appendices B and C in Schedule A so that persons reviewing the filed plans are able to refer back to this updated order to understand the rights sought and obtained for such permanent easements and temporary workspace easements.

Additionally, Imperial has received comments from the Land Registry Office regarding its draft expropriation plans and have been advised that the language of "temporary easement" is strongly preferred to "temporary workspace" for registration purposes. Accordingly, Imperial requests modifications to the Order, specifically that references to "Temporary Workspace" be amended to "Temporary Easement" in Appendix C and Appendices D-2 and D-3. Imperial notes that the Order already uses the terminology "temporary easement" or "temporary workspace easement" to refer to the Temporary Workspaces requested by Imperial and approved in the Order. For ease of review, comparison redlines for Appendix C and Appendices D-2 and D-3 are enclosed with this letter.

Modifications to Expropriation Plans

In preparing final versions of its expropriation plans for OEB approval and endorsement, Imperial and its surveyors made the changes outlined below, in order to facilitate ease of registration of the expropriation plans in accordance with guidance issued by the Ontario Ministry of Government and Consumer Services dated March 19, 2021 (the "**Ministry Bulletin**"), a copy of which is enclosed, and in light of verbal comments provided by the Land Registry Office in July 2021.

3. Simplification of Expropriation Certificate/Expropriation Plans

As noted above, Imperial's draft plans included Expropriation Certificates which provided detailed descriptions of the rights obtained for the permanent easements and temporary workspace easements. These descriptions were also included in Appendices B and C of Imperial's Application.

Further to section 9(2) of the *Expropriations Act*, where land is required for a limited time only, the plan registered must indicate by appropriate words that the land is taken for such limited time only, however, the Ministry Bulletin (page 6) also directs that "extraneous language detailing the activities which may be carried out on the land should be avoided." In order to facilitate ease of registration with the Land Registry Office, Imperial has simplified the Expropriation Certificates, maintaining the language regarding the limited time for the temporary workspace easements while removing the language detailing the activities on the lands and instead referring back to the OEB's Order.

As previously discussed, the OEB's Order currently does not have the descriptions of rights in Schedule A of the Order, which Imperial has respectfully requested such descriptions be included in a revised order. Also as discussed above, Imperial proposes to change the language from "temporary workspace" to "temporary easement" based on comments

received from the Land Registry Office. For ease of review, comparison redlines for the Expropriation Certificate language for WTFN4076 and WTFN4077 are enclosed with this letter.

4. Clarification of Parts due to Storm Sewer Easement

The draft expropriation plan filed for WTFN4076 had three parts: Parts 1 and 2 for the temporary workspace and Part 3 for the permanent easement. In the plans being filed for approval, Imperial's surveyor added revised Parts in order to show a storm sewer easement in favour of the Borough of Etobicoke (now City of Toronto), such that Parts 1, 2, 5 and 6 represent the temporary workspace easement and Parts 3 and 4 represent the permanent easement, with Parts 4, 5, and 6 now noted as being "subject to easement as in Inst. No. EB324828." Easement EB324828 is referenced in Appendix D-2, and Imperial's Project is not impacted by, and will not impact, this storm sewer, therefore Imperial's expropriated interests remain subject to the storm sewer easement as shown on the attached final expropriation plan for WTFN4076 (with the Certificate of Approval and the Expropriation Certificate on the plan revised to indicate Parts 1 through 6 instead of Parts 1 through 3). Imperial also submits that this change is administrative in nature and does not change the substance of the OEB's approval in the Order.

We would be grateful if the OEB re-issues a corrected order and approves and endorses the enclosed final expropriation plans at its earliest convenience and as soon as possible.

Please feel free to contact our office should you have any questions.

Sincerely,

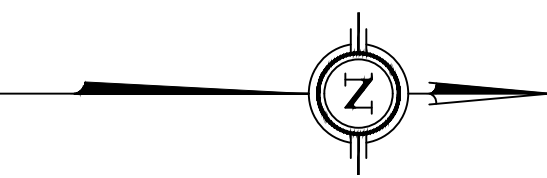


Patrick G. Welsh

c: Michael Millar, Ontario Energy Board
Zahra Allidina, Imperial Oil Limited
Iris Tam/ Isabelle Crew, Osler, Hoskin & Harcourt LLP

Enclosures:

- Final Expropriation Plans for WTFN4076 and WTFN4077
- Plan for WTFN4076 as-filed March 2021
- Revised Appendices C, D-2 and D-3 (clean and redline)
- Ministry Bulletin
- Expropriation Certificate language for WTFN4076 and WTFN4077 (redline)



THE ONTARIO ENERGY BOARD HEREBY CERTIFIES THAT APPROVAL WAS GIVEN TO IMPERIAL OIL LIMITED ON THE 3rd DAY OF JUNE, 2021,
TO EXPROPRIATE THE LANDS SHOWN DESIGNATED AS PARTS 1, 2, 3, 4, 5 AND 6
ON THIS PLAN.

CHRISTINE E. LONG
REGISTRAR AND BOARD SECRETARY, THE ONTARIO ENERGY BOARD
DATED AT _____ THIS _____ DAY OF _____ 20____.

EXPROPRIATION CERTIFICATE
Imperial Oil Limited under and by virtue of section 97(1) of the Ontario Energy Board Act, 1998, S.O. 1998, Chapter 15, Schedule B, and in accordance with the Expropriations Act, R.S.O. 1990 pursuant to the Order of the Ontario Energy Board No. EB-2021-0096 dated June 3, 2021 hereby takes and expropriates a permanent easement over Parts 3 and 4 in perpetuity, and a temporary easement over Parts 1, 2, 5 and 6 for a period starting June 3, 2021, to June 2, 2026, in favour of Imperial Oil Limited and any successors, assigns, servants or agents thereof, both in respect of a pipeline and all associated works as approved by and in accordance with Ontario Energy Board Order No. EB-2021-0096 dated June 3, 2021.

RON TOURIGNY
SENIOR LANDMAN

DATED AT _____ THIS _____ DAY OF _____ 202_,
IMPERIAL OIL LIMITED
'I HAVE THE AUTHORITY TO BIND THE CORPORATION'

PLAN

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF TORONTO (No. 66)
AT _____ O'CLOCK ON THE _____ DAY OF _____, 20____
AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER
_____.

REPRESENTATIVE FOR THE LAND REGISTRAR FOR
THE LAND TITLES DIVISION OF TORONTO (66).

SCHEDULE

THE PARTS ENUMERATED HERE UNDER REFER TO LAND IN WHICH A PERMANENT EASEMENT FOR A PIPELINE IS EXPROPRIATED BY IMPERIAL OIL LIMITED.

PART	LOT	CONCESSION	PIN	AREA
3	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	95.7
4	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	27.6

SCHEDULE

THE PARTS ENUMERATED HEREUNDER REFER TO LAND IN WHICH A TEMPORARY EASEMENT FOR A PERIOD STARTING JUNE 3, 2021 TO JUNE 2, 2026, TO ENTER AND OCCUPY THE LAND, ON AN EXCLUSIVE BASIS AS NECESSARY FOR CONSTRUCTION EXPROPRIATED BY IMPERIAL OIL LIMITED .

PART	LOT	CONCESSION	PIN	AREA
1	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	232.7
2	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	270.3
5	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	116.8
6	PART OF 20	3. FRONTING THE HUMBER	PART OF 07424-0121(LT)	86.9

ARTS 1, 2, 3, 4, 5 AND 6 COMPRISE PART OF PIN 07424-0121 (LT)
ARTS 4, 5 AND 6 ARE SUBJECT TO EASEMENT AS IN INST. No. EB324828, IS HEREBY NOT
EXPROPRIATED

PLAN OF SURVEY OF

CONCESSION 3, FRONTING THE HUMBER

GEOGRAPHIC TOWNSHIP OF ETOBICOKE)

CITY OF TORONTO

scale 1:500

0 10 20 30 METRES

stantec Geomatics Ltd.

METRIC CONVERSION

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTE

UNLESS NOTED OTHERWISE MONUMENTS ARE STANTEC MONUMENTS

LEGEND

3	DENOTES	FOUND MONUMENTS
IB	"	IRON BAR
B	"	STANDARD IRON BAR
CP	"	PLASTIC BAR
IN	"	CONCRETE PIN
A	"	PROPERTY IDENTIFICATION NUMBER
OU	"	MEASURED
STANTEC	"	ORIGIN UNKNOWN
1	"	STANTEC GEOMATICS LTD.
	"	PLAN 66R-31624

GRID SCALE CONVERSION

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99970.

HEARING NOTE

EARINGS ARE UTM GRID, DERIVED FROM G.P.S OBSERVATIONS AND THE CAN-NET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17 NAD83(CSRS)(2010.0).

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET VIRTUAL REFERENCE STATION NETWORK:
UTM ZONE 17, NAD83(CRS82)[2010.0]
COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.R.G. 216/10

POINT ID	NORTHING	EASTING
(A)	4837343.794	614496.559
(B)	4837626.150	614418.968

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.


SURVEYOR'S CERTIFICATE

CERTIFY THAT :

THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

THE SURVEY WAS COMPLETED ON THE 9th DAY OF OCTOBER, 2020.

July 27, 2021
DATE

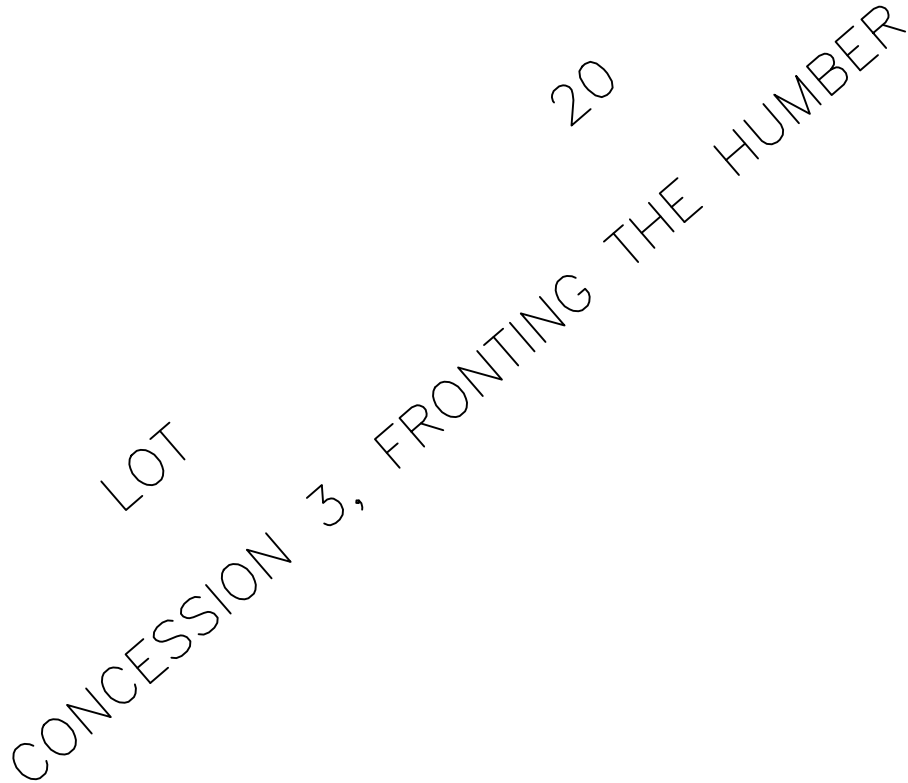

JEREMY C.E. MATTHEWS
ONTARIO LAND SURVEYOR



Stantec

Stantec Geomatics Ltd.
CANADA LANDS SURVEYORS
ONTARIO LAND SURVEYORS
171 QUEENS AVENUE, SUITE 600
LONDON, ONTARIO, N6A 5J7
TEL. 519.645.2007
stantec.com

DRAWN: JB/DL	CHECKED: JM	DATE: JUNE 17 2021	PROJECT No.: 156660015
--------------	-------------	--------------------	------------------------



THE ONTARIO ENERGY BOARD HEREBY CERTIFIES THAT APPROVAL WAS GIVEN TO
IMPERIAL OIL LIMITED ON THE 3rd DAY OF JUNE, 2021,
TO EXPROPRIATE THE LANDS SHOWN DESIGNATED AS PARTS 1 AND 2 ON THIS PLAN.

RON TOURIGNY
SENIOR LANDMAN

DATED AT _____ THIS _____ DAY OF _____ 202____
IMPERIAL OIL LIMITED
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

Imperial Oil Limited under and by virtue of section 99(1) of the Ontario Energy Board Act, 1998, S.O. 1998, Chapter 15, Schedule B, and in accordance with the Expropriations Act, R.S.O. 1990 (pursuant to the Order of the Ontario Energy Board No. EB-2021-0096 dated June 3, 2021) hereby takes and expropriates a permanent easement over Part 1 in perpetuity, and a temporary easement over Part 2 for a period starting June 3, 2021, to June 2, 2026, in favour of Imperial Oil Limited and any successors, assigns, servants or agents thereof, both in respect of a pipeline and all associated works as approved by and in accordance with Ontario Energy Board Order No. EB-2021-0096 dated June 3, 2021.

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF TORONTO (No. 66)
AT _____ O'CLOCK ON THE _____ DAY OF _____, 20____
AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER
PIN 07424-0190(LT).

REPRESENTATIVE FOR THE LAND REGISTRAR FOR
THE LAND TITLES DIVISION OF TORONTO (66).

THE PART ENUMERATED HEREUNDER REFER TO LAND IN WHICH A PERMANENT EASEMENT FOR A PIPELINE IS EXPROPRIATED BY IMPERIAL OIL LIMITED

PART	LOT	CONCESSION	PIN	AREA
1	PART OF 20	3, FRONTING THE HUMBER	PART OF 07424-0190(LT)	220.0 m²
2	PART OF 20	3, FRONTING THE HUMBER	PART OF 07424-0190(LT)	417.4 m²

THE PART ENUMERATED HEREUNDER REFER TO LAND IN WHICH A TEMPORARY
ASSESSMENT FOR A PERIOD STARTING JUNE 3, 2021 TO JUNE 2, 2026, TO ENTER AND
OCCUPY THE LAND ON AN EXCLUSIVE BASIS AS NECESSARY FOR THE
CONSTRUCTION IS EXPROPRIATED BY IMPERIAL OIL LIMITED

PARTS 1 AND 2 COMPRISE PART OF PIN 07424-0190(LT).

PLAN OF SURVEY OF

CITY OF TORONTO

Scale 1:200



5 0 5 10 METRES

Stantec Geomatics Ltd.

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

■	DENOTES	FOUND MONUMENTS
□	"	SET MONUMENTS
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
WIT	"	WITNESS
PIN	"	PROPERTY IDENTIFICATION NUMBER
M	"	MEASURED
S	"	SET
STANTEC	"	STANTEC GEOMATICS LTD.
OU	"	ORIGIN UNKNOWN
P1	"	PLAN 64R-31971

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99970.

BEARINGS ARE UTM GRID, DERIVED FROM G.P.S. OBSERVATIONS AND THE CAN-NET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17 NAD83 (CSRS)(2010.0).

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING
THE CAN-NET VIRTUAL REFERENCE STATION NETWORK:
UTM ZONE 17, NAD83 (CSRS) (2010.0)
COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.REG. 216/10


POINT ID	NORTHING	EASTING
(A)	4837555.483	614438.387
(B)	4837626.150	614418.968

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS
OR BOUNDARIES SHOWN ON THIS PLAN.

I CERTIFY THAT :

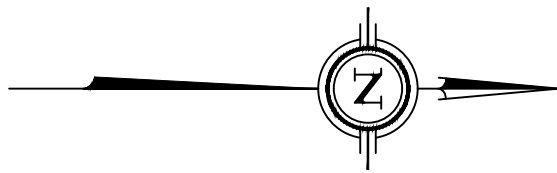
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 9th DAY OF OCTOBER, 2020.

DATE _____


JEREMY C.E. MATTHEWS
ONTARIO LAND SURVEYOR



DRAWN: DL	CHECKED: JM	DATE: JUNE 9 2021	PROJECT No.: 156660015
-----------	-------------	-------------------	------------------------



DRAWN: JB	CHECKED: JM	DATE: AUGUST 27 2020	PROJECT No.: 156660015
-----------	-------------	----------------------	------------------------

DESCRIPTION OF RIGHTS SOUGHT – TEMPORARY
WORKSPACESWORKSPACE EASEMENTS

In respect of the lands and premises legally described in Appendices D-2 and D-3 (the “Lands”), the rights sought for the temporary ~~workspaces~~easements are:

- a) ~~a rental hereinafter set forth, to Imperial all and singular those parts or portions of the~~
~~Lands,~~rights to be held by Imperial as ~~tenant~~grantee for the term of five (5) years (the “Term”) for the purpose of providing a temporary workspace easement to Imperial, its employees, agents and contractors, with respect to the Project, including the right to enter and use the Lands with vehicles, materials, machinery, supplies and equipment, together with the right of ingress and egress over the remainder of the Lands to and from the Lands, and to sample soil, survey lands and to lay down, construct, maintain, inspect, alter, remove, replace, reconstruct and repair one or more line(s) of pipe within an easement, together with the right at any time and from time to time during the Term to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation in, on, above, or under the Lands, and the right to remove buildings or other improvements from the Lands and to install temporary gates and fences and stockpiling of construction spoil, materials and equipment as required by Imperial. During the Term, the landowner shall not use the Lands for any purpose that would interfere with or detrimentally affect Imperial’s use of the Lands;
- b) the right to peaceably possess and enjoy the Lands and the rights described herein without any interruption or disturbance from or by the landowner or any other persons claiming by, through or under the landowner; and
- c) the right to remove or cause to be removed from the Lands all buildings, structures, fixtures, casing in wells, pipelines, material and equipment of whatsoever nature or kind, which Imperial may have placed on or in the Lands or on or in any area to be surrendered.

Document comparison by Workshare Compare on Tuesday, July 27, 2021
9:41:40 AM

Input:	
Document 1 ID	iManage://DMS-MCDM/LEGAL_CAL/15242803/2
Description	#15242803v2<LEGAL_CAL> - Draft Appendix C - February 2021
Document 2 ID	iManage://DMS-MCDM/LEGAL_CAL/15242803/3
Description	#15242803v3<LEGAL_CAL> - Draft Appendix C - February 2021 (revised July 2021)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
<u>Moved from</u>	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	5
Deletions	5
Moved from	0
Moved to	0
Style changes	0
Format changes	0
Total changes	10

**DESCRIPTION OF RIGHTS SOUGHT – TEMPORARY WORKSPACE
EASEMENTS**

In respect of the lands and premises legally described in Appendices D-2 and D-3 (the “**Lands**”), the rights sought for the temporary easements are:

- a) the rights to be held by Imperial as grantee for the term of five (5) years (the “**Term**”) for the purpose of providing a temporary workspace easement to Imperial, its employees, agents and contractors, with respect to the Project, including the right to enter and use the Lands with vehicles, materials, machinery, supplies and equipment, together with the right of ingress and egress over the remainder of the Lands to and from the Lands, and to sample soil, survey lands and to lay down, construct, maintain, inspect, alter, remove, replace, reconstruct and repair one or more line(s) of pipe within an easement, together with the right at any time and from time to time during the Term to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation in, on, above, or under the Lands, and the right to remove buildings or other improvements from the Lands and to install temporary gates and fences and stockpiling of construction spoil, materials and equipment as required by Imperial. During the Term, the landowner shall not use the Lands for any purpose that would interfere with or detrimentally affect Imperial’s use of the Lands;
- b) the right to peaceably possess and enjoy the Lands and the rights described herein without any interruption or disturbance from or by the landowner or any other persons claiming by, through or under the landowner; and
- c) the right to remove or cause to be removed from the Lands all buildings, structures, fixtures, casing in wells, pipelines, material and equipment of whatsoever nature or kind, which Imperial may have placed on or in the Lands or on or in any area to be surrendered.

APPENDIX D-2

Owner of the Parcel

Identifier	WTFN4076
Name	2394561 ONTARIO INC.
Address	246 Attwell Drive Etobicoke, ON M9W 5B4
Nature of the Property Interest	Registered Owner
Legal Description of Parcel	PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO
Nature of the Right Sought	Temporary Workspace by way of a lease <u>Easement</u> for a term of 5 years Permanent Easement
Legal Description of Interest to be Expropriated	<p>Temporary Workspace <u>Easement</u>: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO designated as Parts 1 & 2 Plan 66R- [REDACTED] being part of PIN 07424-0121 (LT), as depicted by Parts 1-& 2, <u>2, 5 and 6</u> on the draft expropriation plan dated [REDACTED], attached.</p> <p>Permanent Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO designated as Parts 3 <u>and 4</u> Plan 66R- [REDACTED] being part of PIN 07424-0121 (LT), as depicted by Parts 3 on the draft expropriation plan dated [REDACTED], attached.</p>

Interested Persons

Person 1	
Name	THE CORPORATION OF THE BOROUGH OF ETOBICOKE
Address	MCMASTER, MONTGOMERY & CO 133 RICHMOND ST. WEST TORONTO 1, ONTARIO M5H 2L3
Alternate Address	CITY OF TORONTO 55 JOHN STEET METRO HALL 26TH FLOOR TORONTO, ONTARIO M5V 3C6
Nature of the Property Interest	EB463521; AGREEMENT EB281418; AGREEMENT EB324828; TRANSFER EASEMENT
Person 2	
Name	DANTE A. SARACINI and ALBERT SARACINI, carrying on business in partnership as SARACINI CONSTRUCTION COMPANY
Address	WILLIS, DINGWALL AND NEWELL BARRISTERS & SOLICITORS SUITE 1400 4 KING STREET WEST TORONTO 1, ONTARIO
Nature of the Property Interest	EB280968Z; REST COV APL ANNEX
Person 3	
Name	THE TORONTO-DOMINION BANK
Address	2038 KIPLING AVENUE REXDALE, ONTARIO M9W 4K1
Nature of the Property Interest	AT3633663; CHARGE AT3633664; NO ASSGN RENT GEN

Document comparison by Workshare Compare on Monday, July 26, 2021
7:48:56 PM

Input:	
Document 1 ID	iManage://DMS-MCDM/LEGAL_CAL/15288399/1
Description	#15288399v1<LEGAL_CAL> - D-2 - 210113_LA_00367_GLD_WTFN4076_2394561_ONTARIO_INC (ABELL)_Exprop_AppendixD
Document 2 ID	iManage://DMS-MCDM/LEGAL_CAL/15288399/4
Description	#15288399v4<LEGAL_CAL> - D-2 - 210113_LA_00367_GLD_WTFN4076_2394561_ONTARIO_INC (ABELL)_Exprop_AppendixD (REVISED)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	4
Deletions	3
Moved from	0
Moved to	0
Style changes	0
Format changes	0

Total changes	7
---------------	---

APPENDIX D-2

Owner of the Parcel

Identifier	WTFN4076
Name	2394561 ONTARIO INC.
Address	246 Attwell Drive Etobicoke, ON M9W 5B4
Nature of the Property Interest	Registered Owner
Legal Description of Parcel	PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO
Nature of the Right Sought	Temporary Easement for a term of 5 years Permanent Easement
Legal Description of Interest to be Expropriated	<p>Temporary Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO designated as Parts 1 & 2 Plan 66R- [REDACTED] being part of PIN 07424-0121 (LT), as depicted by Parts 1, 2, 5 and 6 on the draft expropriation plan dated [REDACTED], attached.</p> <p>Permanent Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN TB875256; S/T EB324828; TORONTO (ETOBICOKE) ; CITY OF TORONTO designated as Parts 3 and 4 Plan 66R- [REDACTED] being part of PIN 07424-0121 (LT), as depicted by Parts 3 on the draft expropriation plan dated [REDACTED], attached.</p>

Interested Persons

Person 1	
Name	THE CORPORATION OF THE BOROUGH OF ETOBICOKE
Address	MCMASTER, MONTGOMERY & CO 133 RICHMOND ST. WEST TORONTO 1, ONTARIO M5H 2L3
Alternate Address	CITY OF TORONTO 55 JOHN STEET METRO HALL 26TH FLOOR TORONTO, ONTARIO M5V 3C6
Nature of the Property Interest	EB463521; AGREEMENT EB281418; AGREEMENT EB324828; TRANSFER EASEMENT
Person 2	
Name	DANTE A. SARACINI and ALBERT SARACINI, carrying on business in partnership as SARACINI CONSTRUCTION COMPANY
Address	WILLIS, DINGWALL AND NEWELL BARRISTERS & SOLICITORS SUITE 1400 4 KING STREET WEST TORONTO 1, ONTARIO
Nature of the Property Interest	EB280968Z; REST COV APL ANNEX
Person 3	
Name	THE TORONTO-DOMINION BANK
Address	2038 KIPLING AVENUE REXDALE, ONTARIO M9W 4K1
Nature of the Property Interest	AT3633663; CHARGE AT3633664; NO ASSGN RENT GEN

APPENDIX D-3

Owner of the Parcel

Identifier	WTFN4077
Name	1112308 ONTARIO INC.
Address	246 Attwell Drive Etobicoke, ON M9W 5B4
Nature of the Property Interest	Registered Owner
Legal Description of Parcel	PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE)
Nature of the Right Sought	Temporary Workspace by way of a lease <u>Easement</u> for a term of 5 years Permanent Easement
Legal Description of Interest to be Expropriated	Temporary Workspace <u>Easement</u> : Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE) designated as Part 2 Plan 66R- [REDACTED] being part of PIN 07424-0190 (LT), as depicted by Parts 2 on the draft expropriation plan dated [REDACTED], attached. Permanent Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE) designated as Parts 1 Plan 66R- [REDACTED] being part of PIN 07424-0190 (LT), as depicted by Parts 1 on the draft expropriation plan dated [REDACTED], attached.

Interested Persons

Person 1	
Name	THE TORONTO-DOMINION BANK
Address	2038 KIPLING AVENUE REXDALE, ONTARIO M9W 4K1
Nature of the Property Interest	AT3633716; CHARGE AT3633717; NO ASSGN RENT GEN

Document comparison by Workshare Compare on Monday, July 26, 2021
7:52:22 PM

Input:	
Document 1 ID	iManage://DMS-MCDM/LEGAL_CAL/15288562/1
Description	#15288562v1<LEGAL_CAL> - D-3 - 210113_LA_00367_GLD_WTFN4077_1112308_ONTARIO_INC_(ABELL)_Exprop_AppendixD
Document 2 ID	iManage://DMS-MCDM/LEGAL_CAL/15288562/3
Description	#15288562v3<LEGAL_CAL> - D-3 - 210113_LA_00367_GLD_WTFN4077_1112308_ONTARIO_INC_(ABELL)_Exprop_AppendixD (REVISED)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	2
Deletions	2
Moved from	0
Moved to	0
Style changes	0
Format changes	0

Total changes	4
---------------	---

APPENDIX D-3

Owner of the Parcel

Identifier	WTFN4077
Name	1112308 ONTARIO INC.
Address	246 Attwell Drive Etobicoke, ON M9W 5B4
Nature of the Property Interest	Registered Owner
Legal Description of Parcel	PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE)
Nature of the Right Sought	Temporary Easement for a term of 5 years Permanent Easement
Legal Description of Interest to be Expropriated	<p>Temporary Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE) designated as Part 2 Plan 66R- [REDACTED] being part of PIN 07424-0190 (LT), as depicted by Parts 2 on the draft expropriation plan dated [REDACTED], attached.</p> <p>Permanent Easement: Part of PT LT 20 CON 3 FTH ETOBICOKE AS IN CA339394; TORONTO (ETOBICOKE) designated as Parts 1 Plan 66R- [REDACTED] being part of PIN 07424-0190 (LT), as depicted by Parts 1 on the draft expropriation plan dated [REDACTED], attached.</p>

Interested Persons

Person 1	
Name	THE TORONTO-DOMINION BANK
Address	2038 KIPLING AVENUE REXDALE, ONTARIO M9W 4K1
Nature of the Property Interest	AT3633716; CHARGE AT3633717; NO ASSGN RENT GEN

Client Guide 2021-01

**Land Titles Act, Registry Act,
Expropriations Act**

Date: March 19, 2021

Expropriation Plans

1. Background

Section 1 of the *Expropriations Act* (the 'Act') defines "expropriate" to mean "the taking of land without the consent of the owner by an expropriating authority in the exercise of its statutory powers." "[L]and" is defined under the Act as including "any estate, term, easement, right or interest in, to, over or affecting land".

Section 9 of the Act establishes that the effect of registration of an expropriation plan in the proper land registry office is to vest the specified interests of the described land in the expropriating authority - the entity empowered by statute to expropriate land.

Section 9 of the Act requires the expropriating authority to register its expropriation plan within three months of the date when approval for the expropriation was granted by the approving authority. As a result, if the prescribed three-month period is exceeded, the expropriation plan cannot be registered in the land registration system. Because of this statutory time limit, expropriation plans are examined and registered in the land registration system as expeditiously as possible.

The purpose of this Client Guide is to provide guidance in the preparation and registration of expropriation plans and to ensure that these plans continue to meet land registration requirements.

2. Plan of Survey

Expropriation plans are to be prepared in accordance with Ontario Regulation 43/96 under the *Registry Act* and Ontario Regulation 216/10 under the *Surveyors Act*.

In accordance with s. 32 of Ontario Regulation 43/96 under the *Registry Act*, all expropriation plans shall include "Expropriations Act" in the title block.

In addition, all expropriation plans must refer to the name and section of the Act from which the expropriating authority derives its power to expropriate. Despite that requirement, if an expropriating authority derives its power to expropriate under the *Public Transportation and Highway Improvement Act*, s. 32(4) of Ontario Regulation 43/96 provides that the section of that Act under which the expropriating authority derives its power need not be shown on the expropriation plan.

3. Strata Plan of Survey

If the expropriation plan is a strata plan, the plan must include the title 'Strata Plan of Survey' as set out in clause 16(1)(a) of Ontario Regulation 43/96 under the *Registry Act*.

Section 16 also permits multiple sheet strata expropriation plans. Multiple sheet strata expropriation plans prepared for registration are required to include a Certificate of Registration, as prescribed in clause 16(1)(j) of Ontario Regulation 43/96, in the upper right corner of each sheet; and must show the plan sheet number and the total number of plan sheets on each plan sheet adjacent to the Certificate of Registration, pursuant to clause 16(1)(g).

For multi-sheet strata expropriation plans, the Certificate of Approval (see Section 5 below) or, where the Certificate of Approval is registered before the expropriation plan, the registration number of the Certificate of Approval, must be included on all sheets, however, the Surveyor's Certificate, including the statement "comprising sheets 1 to ____", is placed only on Sheet 1.

4. Existing Easements

In accordance with s. 18(1) of Ontario Regulation 216/10 under the *Surveyors Act*, all plans of survey must show,

- (a) every right of way and easement affecting the land shown on the plan that is,
 - (i) described in a registered instrument, or
 - (ii) shown on a registered or deposited plan;

In addition, clause 35(1)(b) of Ontario Regulation 43/96 requires that an expropriation plan include, below or adjacent to the Part Schedule, a list of all parts on the plan that are subject to easements and the registration instrument numbers of those easements.

During the approval and registration of an expropriation plan it is necessary for the representative for the land registrar to have certainty regarding whether some or all the existing easements will continue, or if all the easements are extinguished by the expropriating authority.

In determining the effect of the expropriation plan on the existing land registration records, the representative for the land registrar will rely upon the expropriating authority statement (see Section 6).

For additional certainty, an expropriating authority shall include a note in the form 'this easement has not been expropriated' following an easement set out on the list described in clause 35(1)(b) of Ontario Regulation 43/96 if the land continues to be subject to the easement following expropriation of the land.

While expropriation plans must show all existing underlying easements, there is no requirement to create a Part for existing easements included in a new subdivision unit created by the plan.

5. Certificate of Approval

Under s. 4(1) of the *Expropriations Act*, an expropriating authority shall not expropriate land without the approval of the approving authority. Subsection 32(2) of Ontario Regulation 43/96 under the *Registry Act* requires that this approval be:

- i) registered before the expropriation plan is registered using a Certificate of Approval in Form 5 as prescribed in Regulation 363 under the *Expropriations Act*,
or
- ii) endorsed on the expropriation plan using a Certificate of Approval (on Expropriation Plan) in Form 6 as prescribed in Regulation 363 under the *Expropriations Act*.

Under clause 32(1)(c) of Ontario Regulation 43/96, where the Certificate of Approval is registered before the expropriation plan, the registration number of the approval must be shown on the plan within the Certificate of Registration.

The Certificate of Approval must set out the interests being taken through clear and concise statements referencing Parts on the expropriation plan or with a registerable description if the Certificate is registered prior to the plan. If the approval includes a mix

of 'all right, title and interest' and 'limited estate, right or interest' in land, separate statements setting out the limited interest expropriations are required.

6. Expropriating Authority Statement

To ensure that the intended scope of the expropriation is clear and that the representative for the land registrar is able to understand the effect of the registration of the plan on the land registration records without the need to request additional information under the authority of s. 145(4) of the *Land Titles Act*, all expropriation plans, including plans with a Form 6 Certificate of Approval placed on the plan, are required to have a written statement of the land and interests being expropriated by the expropriation authority. This written statement may be located directly above the Plan Schedule as prescribed in s. 35 of Ontario Regulation 43/96 or it may be included in a statement located elsewhere on the plan.

Any registered interests that will remain following the expropriation should also be set out in the statement of land and interests being expropriated and referenced by document type and registration number.

The land expropriated by the expropriating authority must conform with what was approved by the approval authority, however it is acceptable for the plan to expropriate a lesser extent or a lesser interest than that stated in the Certificate of Approval.

Expropriation plans prepared to take both 'all right, title and interest' and a 'limited estate, right or interest' in land may be combined. A combined plan should show separate statements for different types of interests.

Other approval information required by s. 33 of Ontario Regulation 43/96 includes the following:

- Where a municipal expropriating authority has exercised its authority through passing a by-law, the name of the municipality, the by-law number and the date the by-law was passed must be shown on the plan.
- Approvals from entities other than a municipality require a reference to the official publication or public record (i.e. the Statute) where evidence of the exercising of the statutory power is published or recorded.

Section 9 of the *Expropriations Act* requires that an expropriation plan must be signed by the expropriating authority. If the expropriating authority is a corporation, including a municipal corporation, s. 33.1 of Ontario Regulation 43/96 under the *Registry Act* requires that the plan include a statement that the signing officers have the authority to bind the corporation.

7. Showing Purpose on Expropriation Plans

Section 11 of Ontario Regulation 43/96 under the *Registry Act* states as follows:

Except as required under any Act and subject to subsection 19(5), a plan shall not contain information describing the purpose for which any portion of the land on the plan is intended to be used.

If details about the purpose for which the land will be used are required, they must be included in a Certificate of Approval in Form 5 as prescribed in Regulation 363 under the *Expropriations Act*, which is registered prior to the registration of the expropriation plan.

Exception

Subsection 9(2) of the *Expropriations Act* states as follows:

9(2) Where the land is required for a limited time only or only a limited estate, right or interest therein is required, the plan registered under this section shall indicate **by appropriate words thereon** that the land is taken for such limited time only or that only such limited estate, right or interest therein is taken, and, by the registration in such case, the land for such limited time or such limited estate, right or interest therein vests in the expropriating authority. [emphasis added]

In accordance with Section 9(2), “appropriate words” may be included on an expropriation plan to indicate that the land is taken for a limited time or that only a limited estate, right or interest is taken. This wording may also include short statements so that the duration of the limited time or the limited estate, right or interest is clear. For example:

The Part(s) enumerated hereunder refers to land(s) in which a temporary interest, for a period of sixty (60) days to commence upon at least three (3)

months prior notice and in any event not to extend beyond December 31, 2025 for driveway rehabilitation and ancillary works is expropriated by the <expropriation authority>.

Extraneous language detailing the activities which may be carried out on the land should be avoided. As set out above, if detailed information about the use of the land is included, a Certificate of Approval using Form 5 should be used and registered in advance of the registration of the expropriation plan.

This Guide replaces Bulletin 2007-01 Expropriations Act and Bulletin 2011-05 Expropriation Plans to Acquire Existing Easement Interests.

(original signed by)

Ken Wilkinson
Examiner of Surveys

●●EXPROPRIATION CERTIFICATE

Imperial Oil Limited under and by virtue of section 99(1) of the Ontario Energy Board Act, 1998, S.O. 1998, Chapter 15, Schedule B, and in accordance with the Expropriations Act, R.S.O. 1990 (pursuant to the Order of the Ontario Energy Board No. EB-2021-0096 dated June 3, 2021) hereby takes and expropriates ~~the following:~~

~~Firstly, a permanent easement over Part~~Parts 3 and 4 in perpetuity ~~in favour of Imperial Oil Limited;~~

~~a) The exclusive right, licence, liberty, privilege, easement and right of way on, over, upon, across, along, in, under and through the lands ("Easement"), together with the right, licence, privilege and easement of ingress and egress over the remainder of the lands, to and from the easement, to sample soil, survey lands and to lay down, construct, operate, maintain, inspect, patrol (including aerial patrol), alter, relocate, remove, replace, reconstruct and repair one or more line(s) of pipe together with all facilities, appurtenances, or works of Imperial Oil Limited and its directors, officers, agents, employees, contractors, subcontractors, and invitees (the "Transferees") useful in connection with or incidental to the project, including but without limiting the generality of the foregoing, all such pipes, drips, valves, fittings, connections, meters, markers, corrosion control equipment, cathodic protection equipment and other equipment and appurtenances, whether or not similar to the foregoing, as may be useful or convenient in connection therewith or incidental thereto for the carriage, transmission, conveyance, transportation and handling of oil, diluent, refined products, natural and artificial gas and other gaseous or liquid hydrocarbons and any product or by-product thereof; b) the full and free right, licence, liberty, privilege and easement of ingress and egress at any and all times over, along, across and upon the Easement; c) 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 in, on, above, or under the lands; d) the right for the Transferees to exercise such rights as described above on foot and/or with vehicles, together with materials, machinery and equipment for all purposes useful or convenient in connection with or incidental to the exercise and enjoyment of the rights described above; and e) the owner of the lands shall not excavate, construct, drill, install, erect or permit to be excavated, constructed, drilled, installed or erected on, over or under any part of the Easement any pipe, pit, well, foundation, building or other structure, installation or improvement, or do or permit to be done any mining, quarrying, land levelling, landscaping or other work or activity of any like or similar nature on, in, or under the Easement; alter the grade of the Easement; add any paving or other material to the Easement; use the Easement for any other purpose which could compromise the integrity of the pipeline; or take any action which restricts or limits the exercise by the Transferees of any of the rights described above.~~

~~Secondly, and~~ a temporary workspace easement over Parts 1, 2, 5 and 6 for a period starting June 3, 2021, to June 3, 2026 ~~(five years)~~, in favour of Imperial Oil Limited; and any successors, assigns, servants or agents thereof, both in respect of a pipeline and all associated works as approved by and in accordance with Ontario Energy Board Order No. EB-2021-0096 dated June 3, 2021.

~~a) a rental herein after set forth, to Imperial Oil Limited all and singular those parts or portions of the lands, to be held by Imperial Oil Limited as tenant for the term of five (5) years (the "term") for the purpose of providing a temporary workspace to Imperial Oil Limited, its employees, agents and contractors, with respect to the project, including the right to enter and use the land with vehicles, materials, machinery, supplies and equipment, together with the right of ingress and egress over the remainder of the lands to and from the lands, and to sample soil, survey lands and to lay down, construct, maintain, inspect, alter, remove, replace, reconstruct and repair one or more line(s) of pipe within an easement, together with the right at any time and from time to time during the term to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation in, on, above, or under the lands, and the right to remove buildings or other improvements from the lands and to install temporary gates and fences and stockpiling of construction spoil, materials and equipment as required by Imperial Oil Limited. During the term, the landowner shall not use the lands for any purpose that would interfere with or detrimentally affect Imperial Oil Limited's use of the land; b) the right to peaceably possess and enjoy the land and the rights described herein without any interruption or disturbance from or by the landowner or any other persons claiming by, through or under the landowner; and c) the right to remove or cause to be removed from the lands all buildings, structures, fixtures, casing in wells, pipelines, material and equipment of whatsoever nature or kind, which Imperial Oil Limited may have placed on or in the lands or on or in any area to be surrendered.~~

Document comparison by Workshare Compare on Monday, July 26, 2021
12:46:59 PM

Input:	
Document 1 ID	iManage://DMS-MCDM/LEGAL_CAL/15554286/1
Description	#15554286v1<LEGAL_CAL> - Expropriation Certificate - 66R-31624
Document 2 ID	iManage://DMS-MCDM/LEGAL_CAL/15554286/5
Description	#15554286v5<LEGAL_CAL> - Expropriation Certificate - 66R-31624
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	11
Deletions	64
Moved from	0
Moved to	0
Style changes	0
Format changes	0
Total changes	75

EXPROPRIATION CERTIFICATE

Imperial Oil Limited under and by virtue of section 99(1) of the Ontario Energy Board Act, 1998, S.O. 1998, Chapter 15, Schedule B, and in accordance with the Expropriations Act, R.S.O. 1990 (pursuant to the Order of the Ontario Energy Board No. EB-2021-0096 dated June 3, 2021) hereby takes and expropriates ~~the following:~~

~~Firstly, a permanent easement over Part 1 in perpetuity in favour of Imperial Oil Limited;~~
~~a) The exclusive right, licence, liberty, privilege, easement and right of way on, over, upon, across, along, in, under and through the lands ("Easement"), together with the right, licence, privilege, and easement of ingress and egress over the remainder of the lands, to and from the easement, to sample soil, survey lands and to lay down, construct, operate, maintain, inspect, patrol (including aerial patrol), alter, relocate, remove, replace, reconstruct and repair one or more line(s) of pipe together with all facilities, appurtenances, or works of Imperial Oil Limited and its directors, officers, agents, employees, contractors, subcontractors, and invitees (the "Transferees") useful in connection with or incidental to the project, including but without limiting the generality of the foregoing, all such pipes, drips, valves, fittings, connections, meters, markers, corrosion control equipment, cathodic protection equipment and other equipment and appurtenances, whether or not similar to the foregoing, as may be useful or convenient in connection therewith or incidental thereto for the carriage, transmission, conveyance, transportation and handling of oil, diluent, refined products, natural and artificial gas and other gaseous or liquid hydrocarbons and any product or by product thereof; b) the full and free right, licence, liberty, privilege and easement of ingress and egress at any and all times over, along, across and upon the Easement; c) 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 in, on, above, or under the lands; d) the right for the Transferees to exercise such rights as described above on foot and/or with vehicles, together with materials, machinery and equipment for all purposes useful or convenient in connection with or incidental to the exercise and enjoyment of the rights described above; and e) the owner of the lands shall not excavate, construct, drill, install, erect or permit to be excavated, constructed, drilled, installed or erected on, over or under any part of the Easement any pipe, pit, well, foundation, building or other structure, installation or improvement, or do or permit to be done any mining, quarrying, land levelling, landscaping or other work or activity of any like or similar nature on, in, or under the Easement; alter the grade of the Easement; add any paving or other material to the Easement; use the Easement for any other purpose which could compromise the integrity of the pipeline; or take any action which restricts or limits the exercise by the Transferees of any of the rights described above.~~

~~Secondly, a temporary workspace easement over Parts Part 2 for a period starting June 3, 2021, to June 32, 2026 (five years), in favour of Imperial Oil Limited; and any successors, assigns, servants or agents thereof, both in respect of a pipeline and all associated works as approved by and in accordance with Ontario Energy Board Order No. EB-2021-0096 dated June 3, 2021.~~

~~a) a rental hereinafter set forth, to Imperial Oil Limited all and singular those parts or portions of the lands, to be held by Imperial Oil Limited as tenant for the term of five (5) years (the "term") for the purpose of providing a temporary workspace to Imperial Oil Limited, its employees, agents and contractors, with respect to the project, including the right to enter and use the land with vehicles, materials, machinery, supplies and equipment, together with the right of ingress and egress over the remainder of the lands to and from the lands, and to sample soil, survey lands and to lay down, construct, maintain, inspect, alter, remove, replace, reconstruct and repair one or more line(s) of pipe within an easement, together with the right at any time and from time to time during the term to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation in, on, above, or under the lands, and the right to remove buildings or other improvements from the lands and to install temporary gates and fences and stockpiling of construction spoil, materials and equipment as required by Imperial Oil Limited. During the term, the landowner shall not use the lands for any purpose that would interfere with or detrimentally affect Imperial Oil Limited's use of the land; b) the right to peaceably possess and enjoy the land and the rights described herein without any interruption or disturbance from or by the landowner or any other persons claiming by, through or under the landowner; and c) the right to remove or cause to be removed from the lands all buildings, structures, fixtures, casing in wells, pipelines, material and equipment of whatsoever nature or kind, which Imperial Oil Limited may have placed on or in the lands or on or in any area to be surrendered.~~

Document comparison by Workshare Compare on Monday, July 26, 2021
12:39:28 PM

Input:	
Document 1 ID	iManage://DMS-MCDM/LEGAL_CAL/15554291/1
Description	#15554291v1<LEGAL_CAL> - Expropriation Certificate - 66R-31971
Document 2 ID	iManage://DMS-MCDM/LEGAL_CAL/15554291/5
Description	#15554291v5<LEGAL_CAL> - Expropriation Certificate - 66R-31971
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	9
Deletions	62
Moved from	0
Moved to	0
Style changes	0
Format changes	0
Total changes	71

