

July 19, 2023

Philip J. Rafuse
Appeals Administrator
Prince Edward Island
Regulatory and Appeals Commission

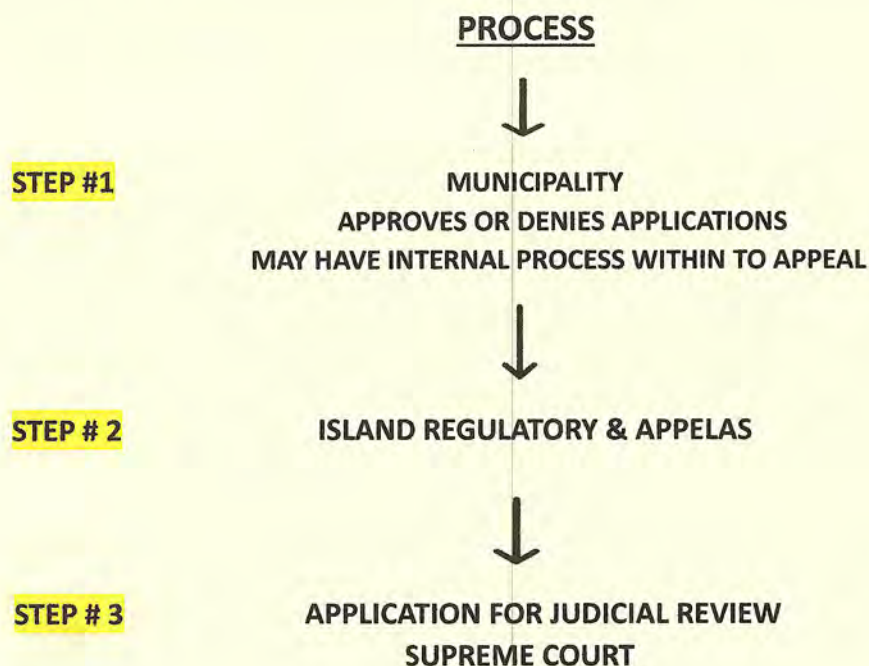
RE: Appeal # LA23010 – Randy Pitre v. City of Summerside

On April 24, 2023, the Prince Edward Island Regulatory and Appeals Commission Received Randy Pitre Notice of Appeal, Appealing the April 4th, 2023, decision of the City of Summerside to Approve Zoning Amendments for PID # 1118009 located at 690 Water Street in Summerside, P.E.I. to Allow **Strategic Holdings Inc / Strategic Enterprises Inc** to move Forward with its Application.

On **April 25th, 2023**, the Commission invited written submissions from all Parties on the issue of Jurisdiction because of the Grounds of Appeal Raised by the Appellant.

****NOTE****

The Appellants want to be **very clear** on the following **issue** of Jurisdiction. There are **"Set Procedures"** in place to be followed by individuals or parties that want to file an Appeal of a **decision** of or from a **municipality** that they don't agree with the Decision of.



There is no other mechanism or process in place known to the Defendant other than the above that are in place that are available. So, there is no deviation. Any Application to that effect must go through the process that is already in place. There are no Acts, regulations or authorities that the Appellants are aware of that would govern otherwise. That having been said, when a Municipality receives an application as the City of Summerside has received from the Respondent, that Application is Received as a "Whole Application" and all of which is in that application and cannot be considered in part. The Application is either Approved or Denied. As Stated, That Application therefore must work its way through the System & Process in place of the 3 steps of the system as a "Whole Application".

The Defendants have Appealed the Decision of the City of Summerside in this matter. So, the Next Step and process in the Action is The Island Regulatory & Appeals Commission. The Commission must consider the respondents Whole Application as it was made to the City of Summerside and the Appellants appeal of that Whole Application to the Commission. There are issues.

The Respondent Strategic Holdings Inc and its Sole Owner Nathan Kember are involved in unlawful activities. There are Approximately 55 fake Companies and Trade Names that are operating with the Province of PEI. These Fake Companies and trade names are generating hundreds of thousands of dollars in Revenue with No Tax # or Business #. These same Fake Companies and Trade names are Applying Unlawfully for building Permits and re-Zonings of properties on Applications to The City of Summerside using Names and Addresses that are either non-Existent or using Addresses that do not belong to them and are addresses that belong to another being used without that persons Knowledge or Consent. Rather known as (Identity theft). Nathan Kember and his Companies are presently subject to Court Action in the Supreme Court and investigation on Various levels. This Must be taken into consideration as it

goes to the credibility of the individual involved and the contents of the Application the Respondent submitted to the City of Summerside.

SOME HISTORY ON NATHAN KEMBER

I provide 2 letters from the Department of Corporations Division of 19 Companies that have been confirmed do not exist as a Company or as tradenames within the province that the Respondent is purporting to operate and scamming people in the process.

SEE Government Confirmations as Attachment # 1

One of those Fake Companies is Strategic Enterprises Inc. I was a Person scammed by this Company, and several other of the Respondents Fake Companies in the Hundreds of thousands of Dollars. This Respondent Nathan Kember also sued and has scammed the PEI Housing Corporation & the Provincial Government for Approximately \$ 2,000,000.00 which is Also a matter that is now unfolding in the Supreme Court. I provide a Copy of that Court action where NK (Nathan Kember) Quality Restoration Ink operating as Strategic Enterprises is an entity that already has been confirmed does not exist.

SEE STATEMENT OF CLAIM as Attachment # 2.

I also provide a copy of a Contract that was entered into by Strategic Enterprises Inc with a Cushman & Wakefield which is also a Fake and Fraudulent Contract as Nathan Kember Signed it as President on behalf of a Company Strategic Enterprises Inc that does not exist. This Fake Contract is also subject now to litigation in the Supreme Court.

SEE FAKE & FRAUDULENT CONTRACT AS ATTACHEMENT # 3

There was an application that the Respondent made to the City of Summerside under the Names of Strategic Enterprises Inc, and Strategic Holdings Inc for the Development of over 100 subdivision lots & other Lots on the property. These lots were being advertised for sale on the City of Summerside Website & social media "prior" to the Application being approved before the City of Summerside which shows Bias. The Appellant appeared at a Public Meeting on April

26, 2023, when the Appellant Learned about **mid-April 2023** that the Respondent had filed an Application with the City of Summerside. At the Public Meeting, I provided Summerside Council with all the fake entities and companies and a false address the Respondent was using on the Application and for the **Fake Company address**. The City of Summerside City Council Retained Derek Key of Key Murray law to assist in a legal opinion on this matter to the City of Summerside. The City Council on May 15, 2023, ended up turning down the Application of Nathan Kember, Strategic Holdings Inc, & Nathan Kember after much information sharing & Debate.

SEE MINUTES CITY OF SUMMERSIDE MEETING ATTACHMENT # 4

The Appellants learned that "Prior" to the May 15, 2023 turning down of the Respondents Application from the City of Summerside, that the Respondent had previously been Approved by the City of Summerside on a previous Application on April 4th, 2023, under similar circumstances which is now Subject of this Appeal. The Contents of that Application has a "fake Address of the Corporation" which is actually a **Residential Home Address** of a Victoria Zotova which is (Identity Theft). Appellants had met with Victoria Zotova who has a Home Residential Address of **364 Blue Shank Road** in Wilmot Valley. She informed the Defendants she did not know Whom the Company **Strategic Holdings Inc** was or ever had heard of it who was using her Residential Home Address for Strategic Holdings Inc Corporate Address. She was very upset her address was being used in this manner without her permission, knowledge, or consent. She stated that she had bought a house personally off Nathan Kember & his wife but there were no Companies involved in that transaction.

SEE VICTORIA ZOTOVA GOVT OF PEI INFORMATION & ADDRESS/PROPERTY ATTACHMENT # 5

SEE DEED OF NATHAN KEMBER & VICTORIA ZOTOVA ATTACHMENT # 6

The City of Summerside to date has not Revoked that Application issued to the Respondent with the fake Corporate Address of 364 Blue Shank Road. Furthermore, it has come to light that Derek key was and is in a Conflict of interest as he was Legal Counsel who was Advising the City of Summerside on the **Respondents (Nathan kember) Applications** before the City why he

was also was the Lawyer who signed the Deed for closing for Victoria Zotova / Nathan Kember which is subject of the fake Address being used on the City of Summerside Application by the Respondent for April 4th, 2023.

SEE DEED ATTACHMENT # 6

The Appellant provides the Corporate Registration for Strategic Holdings Inc having a corporate address of **364 Blue Shank Road** registered which equates to (Identity theft)

SEE REGISTRATION AS Exhibit # 7

The Appellants **disclosing** and having had **made public** the **identity theft of fake address** to Summerside City Council at the public meeting, the Respondent through its legal counsel discreetly and quietly attempted to change the corporate address **from 364 Blue Shank Road** to **674 Water Street** without anyone noticing, but the Appellants wrote to province and Province Confirmed the change and by whom. City Staff of City of Summerside also change information such as the identity on documents of the Respondent Application without authorization on several occasions by Council.

SEE PROVINCE CONFIRMATION AS EXHIBIT # 8

CONCLUSION

The Application to the City of Summerside by Nathan Kember has been effected by fraud and an **unlawful and fake address** of the Applicant. Once **Part of the Application has been effected**, the **Whole Application is affected**. The application therefore must be Struck. Derek Key is acting in a **Conflict of interest** and **should not be acting or advising City Council on this matter throughout on the file** as he is **not** at **arm's length** from the **Applicant**, or the **fake address** involved of his own client Victoria Zotova to be giving the City of Summerside legal advice on

the matter. The Appellants Brought this to the attention of Derek key but he **refused to respond** to the matter to date and has **not resigned** from the file or discontinued to act.

Respectfully Submitted this 19 day of July, 2023

Randy Pitre

Randy Pitre
280 Keppoch Road
Stratford, P.E.I.
C1B 2J6
(902) 314-7738

Randypitre67@outlook.com

RE: Confirmation of of this Company " Strategic enterprises inc. "

Consumer and Corporate Services <ccs@gov.pe.ca>

Fri 12/2/2022 9:36 AM

To: Randy Pitre <RandyPitre67@outlook.com>

Hi Randy

After reviewing our registries I do not see anything registered in PEI with this entity name.

Please let me know if we can assist you further.

Thanks

Natasha

Natasha Monaghan (she/her)

Administrative Assistant

Financial & Consumer Services

nmonaghan@gov.pe.ca

Phone: 902-368-4550 ext. #1

Justice & Public Safety

Government of Prince Edward Island

1st floor, Shaw North Building

105 Rochard Street

P.O. Box 2000

Charlottetown, PE C1A 7N8

www.PrinceEdwardIsland.ca

This is Exhibit C "18" referred to in
the affidavit of Randy Pitre sworn
before me in Charlottetown, P.E.I.
on the 12 day of July 2023.

Randy MacDonald
A Commissioner for Affidavits
Supreme Court of P.E.I.

From: Randy Pitre <RandyPitre67@outlook.com>

Sent: Friday, December 2, 2022 8:52 AM

To: Consumer and Corporate Services <ccs@gov.pe.ca>

Subject: Confirmation of of this Company " Strategic enterprises inc. "

You don't often get email from randypitre67@outlook.com. [Learn why this is important](#)

I have a document that has been presented to me with one of the parties identifying themselves as " **Strategic enterprises inc.** " I have done a search online thru your registry thru the old and new system and this corporate name is not showing up under any status when searched. Can you conduct a search and confirm the existence or non existence of this company name and confirm by e-mail.

Thanks

Kind Regards

Randy

Caution External Email - Do not click links or open attachments unless you recognize the sender.

Supreme Court Motion Hearing for April 5th, 2023

Randy Pitre <RandyPitre67@outlook.com>

Thu 3/23/2023 9:03 AM

To: corporate-services@gov.pe.ca <corporate-services@gov.pe.ca>

Cc: Randy Pitre <RANDYPITRE67@OUTLOOK.COM>

Good Morning,

I have a matter that is coming before the Supreme Court Justice on April 5th, 2023. It involves an Individual that is operating a host of companies in PEI that he is presently operating and deriving income from on a daily basis. I have done a check in your Registry on the following Companies that he is operating under and these Companies and tradenames are not Listed or registered under or in your Registry. Considering that Corporations Division has been undergoing a major transfer/Renovation into its registry process, I wanted to ensure that I had not made a mistake between the old and new Registry as the information will be presented to a judge.

I will therefore request that your Department confirm if these following Companies or tradenames are in existence or registered with your Department. I have done the search myself and nothing shows up. There is a Company by the name of Omega but that is an Oil and gas Company out of Province and not considered the same company this Individual has started as a Real estate company as under the Name of Omega in Summerside P.E.I. @ 674 Water Street P.E.I.

Finally, if your Confirmation can be confirmed in a letter head from the Department (as its going to a Justice) and just send it PDF form thru e-mail and I will download same. Your assistance is much appreciated.

Please confirm the following Companies for PEI Registry. These are not intra Provincial Companies.

1. Omega Real Estate
2. Omega Property
3. Omega Rentals
4. Platinum Kitchens
5. Platinum Floors
6. Platinum Floral decor
7. Strategic Business Center
8. Strategic Enterprises Inc
9. Strategic Enterprises
10. Strategic Cold Storage
11. Strategic technologies
12. Strategic Equipment Rentals & sales
13. Strategic Municipal Products
14. Strategic Flooring
15. Strategic landscaping
16. Strategic Sales
17. Strategic Property Management
18. Strategic Associates
19. Strategic Cabinetry & Furniture.

Justice and
Public Safety

Justice et
Sécurité publique

Financial and Consumer Services

PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Services financiers et aux consommateurs

C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

March 24, 2023

VIA EMAIL

Randy Pitre
RandyPitre67i@outlook.com

Dear Mr. Pitre:

Re: Confirmation of Corporate Registry Status

Further to your email request of March 23, 2023, we completed a search of the below listed names in our new and old corporate registries:

- | | |
|------------------------------|---|
| 1. Omega Real Estate | 11. Strategic technologies |
| 2. Omega Property | 12. Strategic Equipment Rentals & sales |
| 3. Omega Rentals | 13. Strategic Municipal Products |
| 4. Platinum Kitchens | 14. Strategic Flooring |
| 5. Platinum Floors | 15. Strategic landscaping |
| 6. Platinum Floral decor | 16. Strategic Sales |
| 7. Strategic Business Center | 17. Strategic Property Management |
| 8. Strategic Enterprises Inc | 18. Strategic Associates |
| 9. Strategic Enterprises | 19. Strategic Cabinetry & Furniture. |
| 10. Strategic Cold Storage | |

We confirm that STRATEGIC FLOORING is actively registered as a trade name by NK QUALITY RESTORATION INC. We note that STRATEGIC CONSTRUCTION is also actively registered as a trade name by NK QUALITY RESORTATION INC.

Regards,



Attachment 2

SUPREME COURT OF PRINCE EDWARD ISLAND
In the Matter of the *Mechanics' Lien Act*, RSPEI 1988, c. M-4, as amended.

FORM 14A
STATEMENT OF CLAIM (GENERAL)

SI-GS-29658

BETWEEN:

NK QUALITY RESTORATION INC. carrying on business as
STRATEGIC ENTERPRISES

Plaintiff

and

THE GOVERNMENT OF PRINCE EDWARD ISLAND as
represented by the Minister of Transportation, Infrastructure
and Energy, and the PRINCE EDWARD ISLAND HOUSING
CORPORATION

Defendants

STATEMENT OF CLAIM

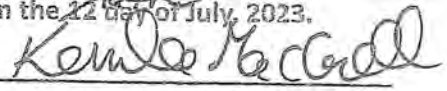
TO:

The Defendant
The Government of Prince Edward Island as represented by the Minister of
Transportation, Infrastructure and Energy
c/o Mitchell O'Shea
Departmental Solicitor – Legal Services
Prince Edward Island Department of Justice and Public Safety
95 – 105 Rochford Street
Charlottetown, PE C1A 7N8

AND TO:

The Defendant
The Prince Edward Island Housing Corporation
c/o David Keedwell – Chief Executive Officer
2nd Floor – Jones Building
11 Kent Street, PO Box 2000
Charlottetown, PE C1A 7N8

This is Exhibit C "20" referred to in
the affidavit of Randy Pitre sworn
before me in Charlottetown, P.E.I.
on the 22 day of July, 2023.


A Commissioner for Affidavits
Supreme Court of P.E.I.

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff.
The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a lawyer acting for you must
prepare a statement of defence in Form 18A and a designation of address for service (Form 16A.1),
prescribed by the Rules of Civil Procedure, serve it on the Plaintiff's lawyer or, where the Plaintiff does not
have a lawyer, serve it on the Plaintiff, and file it, with proof of service, in this court office, WITHIN
SIXTEEN DAYS (pursuant to section 37(1) of the *Mechanics' Lien Act*) after this Statement of Claim is
served on you, if you are in Prince Edward Island. If you are served in another province or territory of
Canada or in the United States of America, the period for serving and filing your statement of defence is
forty days. If you are served outside Canada and the United States of America, this period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Dated this 22nd day of April, 2022.

Issued by: M. Curran
Registrar

TO: The Defendant
The Government of Prince Edward Island as represented by the Minister of
Transportation, Infrastructure and Energy

AND TO: The Defendant
The Prince Edward Island Housing Corporation

CLAIM

The Parties

1. The Plaintiff, NK Quality Restoration Inc., carrying on business as Strategic Enterprises (hereinafter referred to as "NK"), is a body corporate pursuant to the laws of the Province of Prince Edward Island. NK's office is located at 674 Water St. E., Suite 5, Summerside, Prince Edward Island.
2. The first Defendant is the Government of Prince Edward Island as represented by the Minister of Transportation, Infrastructure and Energy (the "DTIE").
3. The second Defendant, the Prince Edward Island Housing Corporation (the "Housing Corporation"), is a statutory corporation created pursuant to the *Housing Corporation Act, RSPEI 1989, c. H-11.1*.

Background

4. The Housing Corporation is the owner of lands known as PID No. 442400, and also known as 113 Pioneer Avenue, Charlottetown, Prince Edward Island (hereinafter referred to as the "Project Lands"), as described in the Claim of Lien for Registration registered by NK against such lands on or about December 23, 2021, and recorded at the Office of the Registrar of Deeds for Queens County, Charlottetown, Prince Edward Island, Book 5936 and Document No. 12261 (the "Lien").
5. DTIE, on behalf of itself and on behalf of the Housing Corporation, entered into a CCDC2 Stipulated Price Contract with NK dated November 25, 2019 (the "Contract"), pursuant to which NK was engaged to construct a 32 unit senior's housing complex upon the Project Lands (the "Work"). Following completion of the Work, the housing complex was to be operated and maintained by the Housing Corporation.

6. The Contract stipulated a rate of interest on late payments of 2% per annum above the Royal Bank of Canada prime rate for the first 60 days, and 4% per annum above the Royal Bank of Canada prime rate, after the first 60 days, and that all such interest was to be compounded monthly.
7. NK supplied work and materials in accordance with the Contract up to and including December 6, 2021. The Defendants received such work and materials and incorporated same into the Project Lands. As a result, the value of the Project Lands has been increased.
8. Furthermore the Defendants prematurely and unlawfully terminated NK's Contract and prohibited NK from completing its remaining Work under the Contract. The Defendants' purported termination of the Contract constituted a breach of the Contract.
9. At the time of the Defendants' wrongful termination of the Contract, the amount due and owing to NK for the work and materials supplied by NK for the improvement of the Project Lands was \$1,962,155.61 plus interest at the contractual rates. Despite repeated demands, and in further breach of the Contract, the Defendants have failed to render payment in full to NK for such amounts owing. By reason of supplying such work and materials as set out herein, NK is entitled to a Lien on the estate of the Defendants in the Project Lands.
10. On or about December 23, 2021, NK registered the Lien at the Registrar of Deeds for Queens County, Charlottetown, Prince Edward Island, against the estate of the Defendants in the Project Lands. The Lien was in the amount of \$1,962,155.61, and was verified by the Affidavit of Nathan Kember, a duly authorized representative of NK, said Affidavit having been sworn before a Commissioner for taking Affidavits in the Province of Prince Edward Island on December 22, 2021.
11. Furthermore, NK claims damages in respect of the Defendants' wrongful termination of the Contract including, without limitation, lost anticipated profits on NK's remaining Contract scope of work.

Summary

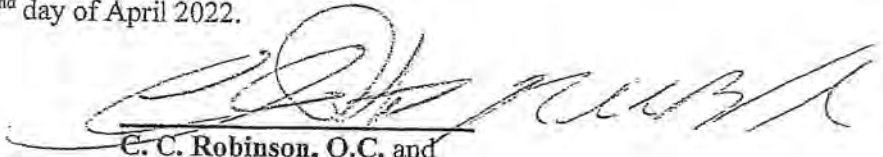
12. NK repeats the foregoing and claims for the following relief:
 - a. A Declaration that NK is entitled to a Mechanics' Lien against the Project Lands in the amount of \$1,962,155.61, plus interest at the contractual rates and costs;
 - b. An Order that the Defendants pay to NK the sum of \$1,962,155.61 plus interest at the contractual rates and costs, and that in default of such payment, all of the estate, interest and title of the Defendants in the Project Lands be sold and that the proceeds thereof be applied towards payment of such amounts to NK and the costs of the claim, pursuant to the provisions of the *Mechanics' Lien Act*, RSPEI 1988, c. M-4, as amended;
 - c. Judgment against the Defendants for the deficiency (if any) between the amount recovered by NK from the sale of the Project Lands and the amount of the total debt due and owing to NK for work and materials performed, namely \$1,962,155.61 plus interest at the contractual rates and costs;
 - d. In addition to any remedies under the *Mechanics' Lien Act* (and/or if NK fails to establish a valid Mechanics' Lien against the Project Lands), a judgment against the Defendants in the amount of \$1,962,155.61 plus interest at the contractual rates up to and including the date that judgment is entered herein;

- e. Damages in respect of the Defendants' breaches of contract, including without limitation lost anticipated profits on NK's remaining Contract scope of work, the particulars of which will be provided at Trial;
- f. The costs of these proceedings; and
- g. Such further and other relief as the nature of this case may require.

Place of Trial: The Plaintiff proposes that this Action be tried at Charlottetown, Prince Edward Island.

Signature

Signed at Halifax, Nova Scotia, the 22nd day of April 2022.



C. C. Robinson, Q.C. and

Michael P. Blades

Pink Larkin

Suite 201 – 1463 South Park Street

Halifax, NS B3J 3S9

Tel: (902) 423-7777

Email: crobinson@pinklarkin.com

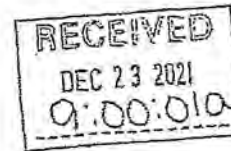
mblades@pinklarkin.com

Solicitors for the Plaintiff

NK Quality Restoration Inc. carrying
on business as Strategic Enterprises

12261

CANADA
PROVINCE OF PRINCE EDWARD ISLAND



IN THE MATTER of the *Mechanics' Lien Act*, being Chapter M-4 of the Revised Statutes of Prince Edward Island, 1988, and amendments thereto

- and -

IN THE MATTER of a Claim for a Mechanics' Lien by NK Quality Restoration Inc., a body corporate, against the estate of PEI Housing Corporation.

CLAIM OF LIEN

NK Quality Restoration Inc., a body corporate with an address for service at 674 Water St. E, Suite 5, Summerside, Prince County, Prince Edward Island, under the *Mechanics' Lien Act*, *supra*, claims a lien upon the estate of PEI Housing Corporation, a body corporate having its head office in Charlottetown, Queens County, Prince Edward Island, in the lands described in Schedule "A" hereto attached, in respect of the following work and materials, that is to say, for construction of a 32 unit senior's housing complex upon the lands and premises herein described, which work and materials were furnished for, and upon the credit of, Her Majesty the Queen in Right of The Province of Prince Edward Island as Represented by the Minister of Transportation, Infrastructure and Energy and for the direct benefit, and with the consent of, PEI Housing Corporation on or before the 6th day of December, 2021.

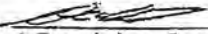
The amount claimed as due and owing (or to become due) is the sum of \$1,962,155.61.


A description of the land to be charged is set out in Schedule "A" attached hereto, being and intended to be property owned by PEI Housing Corporation located at 113 Pioneer Avenue in Charlottetown, Queens County, Prince Edward Island and bearing, as of the date hereof, PID 442400 (or a part thereof).

DATED at Charlottetown, Prince Edward Island, this 22 day of December, 2021.

SIGNED, SEALED AND DELIVERED in
the presence of:

NK Quality Restoration Inc.


A Commissioner for taking Affidavits in the
Province of Prince Edward Island


Nathan Kember
President/Director



CANADA
PROVINCE OF PRINCE EDWARD ISLAND

IN THE MATTER of the *Mechanics' Lien Act*, being Chapter M-4 of the Revised Statutes of Prince Edward Island, 1988, and amendments thereto

- and -

IN THE MATTER of a Claim for a Mechanics' Lien by NK Quality Restoration Inc., a body corporate, against the estate of PEI Housing Corporation.

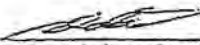
AFFIDAVIT OF VERIFICATION


I, Nathan Kember, President of NK Quality Restoration Inc. named in the annexed claim, do make oath that the said claim is true.

The Company's address for service is:

674 Water St. E, Suite 5
Summerside, Prince Edward Island
C1N 4H1

SWORN to before me at Charlottetown, in Queens County, in the Prince Edward Island, this 22 day of December, 2021.


A Commissioner for taking Affidavits in the
Province of Prince Edward Island


Nathan Kember

CERTIFICATE OF COMMISSIONER

Document witnessed by a commissioner during an emergency period
Section 36.1 of the *Registry Act*

I, W. Alexander Baird, being commissioner under the *Registry Act* certify that in witnessing the within document executed by Nathan Kember on the 22 day of December, 2021:

I have complied with Section 36.1 of the *Registry Act*, and more particularly as follows:

1. that I witnessed the signature in a *single session* during which I was able at all times to *see and hear* the person signing the document by electronic means;
2. that
 - (a) the person
 - (i) who executed the document was personally known to me, or I am satisfied that the person named in the document is who the person purports to be,
 - (ii) is the person named in the document and whose name is subscribed to the document, and
 - (iii) is 18 years of age or over;
 - (b) I observed the person executing the document;
 - (c) I received from the person who executed the document by immediate transmission by electronic means an image of the document executed by the person;
 - (d) I printed the executed document and executed the document as witness;
 - (e) I identified under my signature my name and status as a commissioner in the province;
 - (f) I have maintained in my files the document with my signature as witness, and I have requested that the person whose signature I witnessed provide to me the document containing the person's original signature.

Dated this 22 day of December, 2021


Signature of Commissioner

W. Alexander Baird
Print or type Commissioner's name

☒ I am a Commissioner in and for the Province of Prince Edward Island.

SCHEDULE "A"

ALL THAT PARCEL OF LAND situate, lying and being at the City of Charlottetown, Queens County, Prince Edward Island, bounded and described as follows:

COMMENCING at a point on the southeast side of Pioneer Drive, Charlottetown, marked number 135 on a plan of survey entitled "Plan of Survey Showing Parcels 18-1, 18-2, 18-3 and R-1 Being a Subdivision of Property of the Prince Edward Island Housing Authority, Parcel No. 442400" prepared by Wayne L. Tremblay of the office of the Provincial Chief Surveyor, said plan being dated December 31, 2018 and bearing the number File No. 18-101-S01 (the "Plan"), the said point having coordinates Northing 690021.305 metres and Easting 392475.808 metres;

THENCE azimuth $69^{\circ} 20' 18''$ for a distance of 50.063 metres or to a point designated as survey marker No. 119 on the Plan;

THENCE azimuth $159^{\circ} 21' 00''$ for a distance of 15.210 metres or to a point designated as survey marker No. 118 on the Plan;

THENCE azimuth $69^{\circ} 21' 15''$ for a distance of 15.240 metres or to a point designated as survey marker No. 116 on the Plan;

THENCE azimuth $339^{\circ} 20' 36''$ for a distance of 15.215 metres or to a point designated as survey marker No. 117 on the Plan;

THENCE azimuth $69^{\circ} 20' 18''$ for a distance of 109.915 metres or to a point designated as survey marker No. 102 on the Plan;

THENCE counter-clockwise along a curve having a radius of 400.000 metres for the arc distance of 177.908 metres or to a point designated as survey marker No. 103 on the Plan;

THENCE azimuth $114^{\circ} 48' 52''$ for a distance of 21.491 metres or to a point designated as survey marker No. 106 on the Plan;

THENCE azimuth $204^{\circ} 48' 52''$ for a distance of 290.434 metres or to a point designated as survey marker No. 202 on the Plan;

THENCE azimuth $204^{\circ} 48' 52''$ for a distance of 93.899 metres or to a point designated as survey marker No. 112 on the Plan;

THENCE azimuth $301^{\circ} 07' 39''$ for a distance of 101.921 metres or to a point designated as survey marker No. 133 on the Plan;

THENCE azimuth $31^{\circ} 07' 39''$ for a distance of 30.200 metres or to a point designated as survey marker No. 134 on the Plan;

THENCE azimuth $339^{\circ} 20' 18''$ for a distance of 59.59 metres or to the point at the place of commencement.

BEING parcels 18-1, 18-2, 18-3 and R-1 shown on the aforesaid Plan and being a portion of the land described in a Crown grant from Her Majesty, the Queen (in right of Prince Edward Island) to the Prince Edward Island Housing Authority issued pursuant to order in council EC233/75 made March 13, 1975 and registered at the office of the Registrar of Deeds for Queens County, Prince Edward Island on March 15, 1975 in book 215 on page 86.

SUBJECT TO various sidewalk related right-of-way in favour of the City of Charlottetown.

BEING AND INTENDED to include PID No. 442400.

CANADA
PROVINCE OF PRINCE EDWARD ISLAND

IN THE MATTER of the *Mechanics' Lien Act*, being Chapter M-4 of the Revised Statutes of Prince Edward Island, 1988, and amendments thereto

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IN THE MATTER of a Claim for a Mechanics' Lien by NK Quality Restoration Inc., a body corporate, against the estate of PEI Housing Corporation.

CLAIM OF LIEN

Office of the Registrar of Deeds

For Queens County, Charlottetown, P.E. Island

Book 5936

Doc # 12261

The within document was registered on

The 23rd Day of Dec A.D., 2021 on

COMMISSIONER WITNESSED

Melissa Cullen

ASST REGISTRAR

Attachment
3

Cushman & Wakefield Atlantic - Court File No. S1-GS-29793

Keeler, Tom <tom.keeler@mcinnescooper.com>

Tue 4/4/2023 5:15 PM

To:randypitre67@outlook.com <randypitre67@outlook.com>

1 attachments (2 MB)

Signed listing agreement.pdf

Mr. Pitre,

Further to our discussion this morning, please find enclosed a digital copy of the listing agreement. This document will be contained in our affidavit of documents once pleadings have closed, and so I do not object to providing a copy at this stage. I would anticipate we will be able to provide a clearer copy at a later date.

Regards,

Tom Keeler

Partner

McInnes Cooper

M. INNES
COOPER

tel +1 (902) 629 8188 | fax +1 (902) 368 8345

141 Kent Street, Suite 306 Charlottetown, PE, C1A 1N3

asst Patricia Fleming | +f (902) 629 6269

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Avis Les informations contenues dans ce courriel, y compris toute(s) pièce(s) jointe(s), sont confidentielles et peuvent faire l'objet d'un privilège avocat-client. Les informations sont dirigées au(x) destinataire(s) seulement. Si vous avez reçu ce courriel par erreur, veuillez en aviser l'expéditeur par courriel ou par téléphone, aux frais de McInnes Cooper.

This is Exhibit C "13" referred to in
the affidavit of Randy Pitre sworn
before me in Charlottetown, P.E.I.
on the 22 day of July 2023.

Kenneth MacGillivray
A Commissioner for Affidavits
Supreme Court of P.E.I.

EXCLUSIVE LISTING AGREEMENT - LEASING
Strategic Enterprises Inc.
26172 ALL WEATHER HIGHWAY
INDUSTRIAL SPACE
TRAVELLERS REST, SUMMERSIDE

1. In consideration of the listing for lease of Unit 2 of the real property located at 26172 All Weather Hwy, Summerside, PE C1N 5L4 (the "Property") by Cushman Wakefield Atlantic ("Agent"), and Agent's agreement to use its best efforts to effect a lease or leases of same, the undersigned ("Landlord") hereby grants to Broker the exclusive right to negotiate a lease(s) of the Property for a period commencing October 21st, 2021 and ending midnight April 30th, 2022 (the "Term").
2. Landlord agrees to pay Agent a leasing commission in accordance with the following:
 - a. Commissions shall be earned and payable upon the execution of a binding offer to lease and Tenant taking occupancy of all or part of Property.
 - b. Commission shall be calculated at the rate of \$.80 per square foot of the total gross rent each lease year over the term of the lease for a five or 10 year term. Regardless of the form of lease entered into between the Landlord and Tenant, the rental for purposes of calculating Commission shall be the gross rental including Operating Costs, Maintenance Costs, and Real Estate Taxes.
 - c. In the event the subject space is leased through the efforts of another licensed real estate Agent representing a tenant ("Outside Agent"), the above Leasing Commissions shall be shared equally with the Outside agent, and the Agent shall arrange to pay the Outside Agent after receipt of payment from the Landlord. Any other claims for additional fees from an Outside Broker shall be the responsibility of the landlord.
 - d. This commission shall be earned for services rendered if, during the Term the Property is leased to a Tenant procured by Agent, Landlord, or anyone else or any contract for the lease of the Property is entered into by Landlord.
3. Landlord further agrees to pay Agent a commission in accordance with the above if, within one hundred and twenty (120) calendar days after the expiration or termination of the Term the Property is leased to, or negotiations continue, resume or commence and thereafter continue leading to the execution of a lease with any person or entity introduced by Agent during the Term. Broker agrees to submit a list of such persons or entities to Landlord not later than fifteen (15) calendar days following the expiration or termination of the Term, provided, however, that if a written offer has been submitted, it shall not be necessary to include the offeror's name on the list.
4. Landlord agrees to co-operate with Agent in effecting leases of the Property and to immediately refer to Agent all inquiries to anyone interested in the

Property. All negotiations are to be through Agent. Agent is authorized to accept a deposit from any prospective Tenant. Subject to authorization from the Landlord, Agent is further authorized to advertise the Property and to place a "For Lease" sign or signs on the Property if in Agent's opinion such would facilitate the leasing of the Property.

5. Landlord agrees to hold Agent harmless from all claims, disputes, litigation and judgments, and to pay all costs and reasonable solicitor's fees incurred by Agent in connection therewith, arising from any incorrect information supplied by Landlord, or from any material fact known by Landlord concerning the Property which Landlord fails to disclose. The Agent is entitled to offset the amount of its commission against any deposit held by it on the closing of the transaction.
7. This Agreement shall be governed by and shall be subject to the laws of the Province of Prince Edward Island.
8. The Landlord hereby agrees that the Broker may include the listing information pertaining to the Property on their website or on any other best of class listing service in this marketplace that the Agent deems appropriate.
9. The Landlord acknowledges and agrees that from time to time Agent may represent a Tenant in a dual agency relationship and the Landlord hereby consents to the possibility of limited dual agency wherein Agent maintains confidentiality with respect to pricing intentions, corporate objectives, motivation, etc. for both principals to the transaction.

The undersigned Landlord hereby acknowledges receipt of an executed copy of this Agreement.

Landlord:

Witness
s. 

By 

Date

Oct 21/21

Title

President

Address

674 W. Main East Summerside PE

Agent:

CUSHMAN WAKEFIELD ATLANTIC

Witness
s. 

By 

Date

Oct 21/21

Office

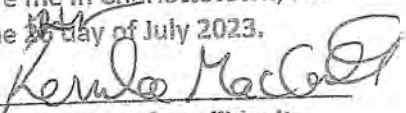
Special Council Meeting Minutes

April 26, 2023

Present

Deputy Mayor Cory Snow
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Norma McColeman
Councillor Barbara Gallant
Councillor Rick Morrison
Councillor Carrie Adams
JP DesRosiers, Deputy Chief Administrative Officer
Brian Hawrylak, HR Officer
Members of the Public

This is Exhibit C "35" referred to in
the affidavit of Randy Pitre sworn
before me in Charlottetown, P.E.I.
on the 26 day of July 2023.


A Commissioner for Affidavits
Supreme Court of P.E.I.

Call to Order / Approval of Agenda / Land Acknowledgement / Conflict of Interest Declaration

The meeting was called to order by Deputy Mayor Snow at 6pm

Motion It was moved and seconded;
That The Agenda be approved as circulated.
Motion Carried

Land Acknowledgement - We acknowledge that the land upon which we gather is unceded Mi'kmaq territory. Epekwitk is covered by the historic Treaties of Peace and Friendship. We pay our respects to the Indigenous Mi'kmaq People who have occupied this island for over 12,000 years; past, present, and future.

Land Acknowledgement is a small but meaningful way of showing respect and honoring the Indigenous Peoples of the land where we live.

It is also a way of resisting the erasure of indigenous histories, and an important step on the pathway towards reconciliation.

Conflict of Interest Declaration – There were no conflicts declared by any Council member with any item on the agenda

674 Water Street East – Zoning amendments

The City of Summerside has received an application from Strategic Enterprises for a portion of PID #73536 and a portion of PID #72421 to amend the *City Zoning Bylaw* from Single Family Residential

(R1) zone to High Density Residential (R4) zone. The purpose of the zoning amendment is to allow row housing and/or apartment building(s) in proposed R4 zone.

Proposed Zoning Bylaw Amendment:

- Change the zoning from Single Family Residential (R1) zone to High Density Residential (R4) zone

The application was advertised in the April 15, 2023 edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Single-Family Residential (R1) Zone (Current zone)

15.1 The purpose of this zone is to provide for low-density, single-family housing and other compatible uses.

Permitted Uses

15.2 Subject to Bylaw requirements:

R1 Zone - Permitted Uses

single family dwelling	accessory building	assisted living
------------------------	--------------------	-----------------

Discretionary Uses

15.3 Subject to Council approval:

* Also requires Conditional Use approval

R1 Zone - Discretionary Uses

child care facility: medium

Conditional Uses

15.4 Subject to a Development Officer approval:

R1 Zone - Conditional Uses

home based business	secondary suite	tourism establishment: vacation rental property
---------------------	-----------------	--

High-Density Residential (R4) Zone (Proposed Zoning)

19.1 The purpose of this zone is to provide for high-density housing in the form of apartments, as well as housing in the form of single-family, semi-detached, duplex dwellings, row house, townhouse and other compatible uses.

Permitted Uses

19.2 Subject to Bylaw requirements:

R4 Zone - Permitted Uses

single family dwelling	assisted living	row house
semi-detached dwelling	duplex dwelling	townhouse
apartment building	group home	nursing care facility: community care and nursing home
boarding house	child care facility: medium	social services agency

accessory building rooming house

Discretionary Uses

19.3 Subject to Council approval:

R4 Zone - Discretionary Uses

tourism establishment*: tourist
home and inn

* Also requires Conditional Use approval

Conditional Uses

19.4 subject to Development Officer approval

R4 Zone - Conditional Uses

home based business tourism establishment: B&B and vacation rental secondary suite
property

Comments and questions

Staff displayed a development concept for one portion of the PID# that they had recently received from the applicant.

The applicant is invited to make comments.

The applicant, Nathan Kember, was not in attendance at the meeting.

The public is invited to make comments.

Krista Hickey, Hunter Avenue, stated that she is the owner of the property to the north and south to the property in question and that she is in support of the project and had some questions on proposed streets.

Randy Pitre, 280 Keppoch Road, had a few questions on the concept that was provided by the applicant. He inquired on the registered address for Strategic Holdings Inc. Deputy Mayor Snow responded that questions asked would be answered at the Planning Board meeting on May 2. Mr. Pitre stated that he had provided a detailed response to the application. He stated Strategic Holdings Inc. does not hold a registered office in PEI and the address on the registry on Blue Shank Road is a residential home and the person living there has never heard of Strategic Holdings as he had to go there to serve papers. He stated that under the Acts that apply, there must be a registered office with the province. Mr. Pitre stated that he had emailed Council a packet of detailed information a few days before and asked them to review it. He stated that his understanding is that the City of Summerside cannot promote the sale of property that they do not own under the Real Estate Trading Act of PEI. He said on the City website, there are listings on there not owned by the City. He stated that some parcels for sale on the website are property that is part of the application this evening. Mr. Pitre is to drop hard copies of his information to Council.

Councillor Adams stated that she has seen the lots on the applicants website for sale. Staff stated the lots are not approved by the City yet.

Mike Martin, Water St east, stated that on previous occasions, including tonight, revisions have been made to drawings the day of a meeting that the public is not aware of, that they may have question on if they were aware of it. Staff stated that the concept was provided to them that day. Mr. Martin stated that safety is a concern and Council has to consider the amount of vehicles that could potentially be coming out of that area that is already busy. He would like some data comparisons with speed in the area, traffic accident, volume of vehicles of other areas compared to this part of Water Street east. He stated that he would also like to know about water and sewer services being able to access that area through a wetland area.

Staff stated that the purpose of this evening is to provide the information they have at once and ask questions at the same time.

Mr. Pitre stated that there are over 100 lots for sale on the strategic website that states lots can be reserved, so he stated that it is more than a concept.

Explanation of the process

Explanation of the Process

In order to process a zoning bylaw amendment, the following steps are required:

- (1) The zoning bylaw amendment is read a first time and declared as read at a first Council meeting.
- (2) The zoning bylaw amendment is referred to Planning Board for review and recommendation.
(Steps 1 and 2 take place at the same meeting of Council and will take place this evening)
- (3) Planning Board reviews the application and prepares a recommendation to Council.
(Step 3 takes place at Planning Board meeting May 2)
- (4) The zoning bylaw amendment is read a second time and declared as read at a second Council meeting.
- (5) The zoning bylaw amendment is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council. If the zoning bylaw amendment, is adopted by Council, it is sent to the Minister of Housing, Land and Communities for signature and the amendment becomes official.

(Steps 4 - 5 take place at Council's second meeting May 15)

Please note, that in accordance with section 5.20 of the *City Zoning Bylaw*, any person who is dissatisfied by a decision of Council in respect of the administration of this Bylaw, may appeal Council's decision within 21 days to the Island Regulatory & Appeals Commission [IRAC].

Deputy Mayor Snow asked if a Planning Board meeting on May 2 is enough time for a recommendation. Staff stated that some items brought up are outside their area and would defer it to legal services.

Resolutions

COS 23-059

It was moved and seconded

WHEREAS an application was received from Strategic Holdings Inc. for a zoning amendment for a portion of PID # 73536 from Single Family Residential (R1) zone to High Density Residential (R4) zone under the City of Summerside Zoning Bylaw;

BE IT RESOLVED THAT zoning amendment 0081A, be hereby declared as read a first time.

[schedule B is attached]

ZONING AMENDMENT 0081A

A BYLAW TO AMEND THE CITY OF SUMMERSIDE ZONING BYLAW

The Council of the City of Summerside under authority vested in it by Section 18 and Section 19 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

I. The zoning for a portion of PID# 73536 shown on Schedule B of the City of Summerside Zoning Bylaw, is designated as High Density Residential (R4) zone, hereby excluding it from its former designation of Single Family Residential (R1) zone.

Resolution carried 6-0

COS 23-060

It was moved and seconded

WHEREAS an application was received from Strategic Holdings Inc. for a zoning amendment for a portion of PID # 73536 from Single Family Residential (R1) zone to High Density Residential (R4) zone under the City of Summerside Zoning Bylaw;

AND WHEREAS zoning bylaw amendment 0081A a bylaw to amend the *City of Summerside Zoning Bylaw*, was read and declared as read a first time at this Council meeting;

BE IT RESOLVED THAT zoning bylaw amendment 0081A, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

Resolution carried 6-0

COS 23-061

It was moved and seconded

WHEREAS an application was received from Strategic Holdings Inc. for a zoning amendment for a portion of PID # 72421 from Single Family Residential (R1) zone to High Density Residential (R4) zone under the City of Summerside Zoning Bylaw;

BE IT RESOLVED THAT zoning amendment 0081B, be hereby declared as read a first time.

[schedule B is attached]

**ZONING AMENDMENT 0081B
A BYLAW TO AMEND THE CITY OF SUMMERSIDE ZONING BYLAW**

The Council of the City of Summerside under authority vested in it by Section 18 and Section 19 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

I. The zoning for a portion of PID # 72421 shown on Schedule B of the City of Summerside Zoning Bylaw, is designated as High Density Residential (R4) zone, hereby excluding it from its former designation of Single Family Residential (R1) zone.

Resolution carried 6-0

COS 23-062

It was moved and seconded

WHEREAS an application was received from Strategic Holdings Inc. for a zoning amendment for a portion of PID # 72421 from Single Family Residential (R1) zone to High Density Residential (R4) zone under the City of Summerside Zoning Bylaw;

AND WHEREAS zoning bylaw amendment 0081B a bylaw to amend the *City of Summerside Zoning Bylaw*, was read and declared as read a first time at this Council meeting;

BE IT RESOLVED THAT zoning bylaw amendment 0081B, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

Resolution carried 6-0

Adjournment

Motion It was moved and seconded;
That The meeting be adjourned.
Motion Carried

Cory Snow
Deputy Mayor

Brian Hawrylak
HR Officer

Action item	Assigned to	Due Date	Notes
Recommendation 674 Water Street east	Staff	May 2, 2023 Planning Board meeting	

PROPERTY INFORMATION

5



CREATED ON 2023-03-27 10:22 AM

PARCEL NUMBER

1040328

ACREAGE

4.6

SCALE

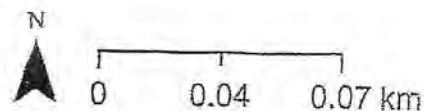
1:2,290

OWNER

VICTORIA ZOTOVA

ADDRESS

364 BLUE SHANK RD - RTE 107, WILMOT VALLEY



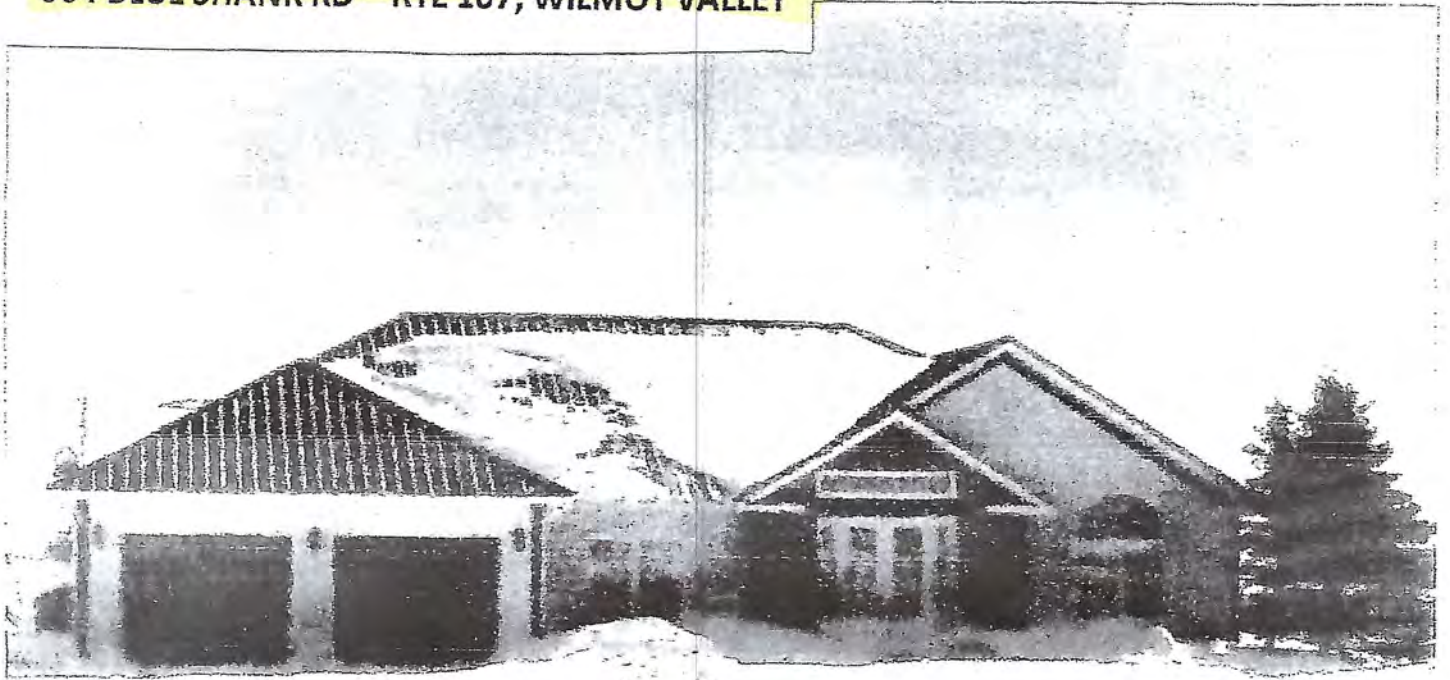
DISCLAIMER: Care has been taken to provide high quality information from the data available to the Department. However, the user is cautioned that data may have been obtained from third party sources and it may be incomplete or inaccurate. Conditions may also have changed since the collection of the data.

GOVERNMENT OF PRINCE EDWARD ISLAND**DEPARTMENT OF FINANCE****TAXATION AND PROPERTY RECORDS DIVISION**

95 Rochford Street
1st Floor Shaw Building - South
Charlottetown, PE C1A 7N8

Office: (902) 368-4070
Fax: (902) 368-6164
taxandland@gov.pe.ca

364 BLUE SHANK RD – RTE 107, WILMOT VALLEY



This is Exhibit C "Al" referred to in
the affidavit of Randy Pitre sworn
before me in Charlottetown, P.E.I.
on the 12 day of July, 2023.

Kenneth MacCann
A Commissioner for Affidavits
Supreme Court of P.E.I.

1503

→ ⑥

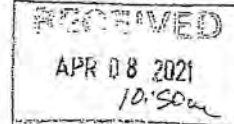
THIS INDENTURE MADE THIS 6 DAY OF APRIL, IN THE YEAR OF OUR LORD
Two Thousand and Twenty-One.

IN PURSUANCE OF THE ENACTMENTS RESPECTING SHORT FORMS OF
INDENTURES:

BETWEEN:

NATHAN KEMBER, of Wilmot, in Prince County, Province of Prince Edward
Island;

(hereinafter called the Grantors)



AND:

BRITTANY KEMBER, of Wilmot, aforesaid, spouse of the said **Nathan Kember**;

of the one part,

AND:

VICTORIA ZOTOVA of Wilmot, Prince County, Province of Prince Edward
Island;

(hereinafter called the Grantee)

of the other part.

WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful
money of Canada now paid by the Grantee to the Grantors (the receipt whereof is hereby by
them acknowledged), they the said Grantors DO grant unto the Grantee her heirs and assigns
forever, all and singular the lands described in Schedule "A" hereto annexed;

TOGETHER with all the rights, privileges, easements, advantages 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 Grantee her heirs and assigns forever.

- (1) The said Grantors covenant with the said Grantee;
- (2) That they have the right to convey the lands to the said Grantee notwithstanding
any act of the said Grantors;
- (3) That the said Grantee shall have quiet possession of the said lands;
- (4) Free from all encumbrances;
- (5) The said Grantors covenant with the said Grantee that they will execute such
further assurances of the said lands as may be requisite;
- (6) The said Grantors covenant with the said Grantee that they have done no act to
encumber the said lands; and

CANADA
PROVINCE OF PRINCE EDWARD ISLAND

IN THE MATTER OF THE Family Law Act, S.P.E.I., 1995;

- and -

IN THE MATTER OF the Registry Act, being Revised Statutes
of Prince Edward Island, 1988, Chapter R-11, as amended;

- and -

IN THE MATTER of the Excise Tax Act (Canada).

AFFIDAVIT OF SPOUSAL STATUS

WE, Nathan Kember and Brittany Kember, both of Wilmot, in Prince County,
Province of Prince Edward Island, MAKE OATH AND SAY AS FOLLOWS:

1. We were at least eighteen (18) years of age at the time we signed this affidavit and
have personal knowledge of the matters hereinafter stated.

2. THAT for the purposes of this affidavit:

(i) "Spouse" has the same meaning as set forth in the Family Law Act, Stats. P.E.I.
1995, Chapter 12, Section 1(g) which provides as follows:

"Spouse" means an individual who, in respect of another person,
(a) is married to the other person, or
(b) has entered into a marriage with the other person that is voidable or void.

(ii) "Family home" has the same meaning as set forth in the Family Law Act, Stats.
P.E.I., 1995, Chapter 12, Section 4(1) which provides as follows:

"Family home" means a family home under Section 19 and includes property that is
a family home under that section at the valuation date. Section 19 provides as follows:

- (1) Every property in which a married person has an interest and that is or, if the
spouses are living separate and apart, was at the time of separation ordinarily
occupied by the person and his or her spouse as their family residence is their
family home.
- (2) The ownership of a share or shares, or of an interest in a share or shares, of a
corporation entitling the owner to occupy a housing unit owned by the
corporation shall be deemed to be an interest in the unit for the purposes of
subsection (1).
- (3) If the property that includes a family home is normally used for a purpose other
than residential, the family home is only the part of the property that may
reasonably be regarded as necessary to the use and enjoyment of the
residence.

3. THAT I have no former spouse with a right to possession or other interest in the
property described in Schedule "A" hereto (the "Property") by reason of an Order of the Court
or a domestic contract pursuant to the Family Law Act.

.../2

4. Mark the applicable of the following blanks
- _____ I have read the definition of "Spouse" given. I am not a spouse.
- xx We have read the definition of "Spouse" given above and we are the only spouses of one another.
- _____ I have read the definition of "Family Home" above. At the time of making this disposition or encumbrance, I was a spouse who was not living separate and apart from my spouse and that the property referred to in the transaction has never been occupied by me and my spouse as our family home.
- _____ I have read the definition of "Family Home" above. The property is not designated as a Family Home under Section 21 of the Family Law Act, and amendments thereto and an instrument designating another property as the Family Home of me and my Spouse is registered under Section 21 and has not been cancelled.
- _____ I have read the definition of "Family Home" above. I am a spouse who is living apart from my spouse and that the property was not occupied by me or my spouse at the time of my separation as our Family Home.
- _____ My spouse has released all interests under Part II of the Family Law Act pursuant to the provisions of a separation agreement.
- _____ The property is not now the subject of a Court Order, Interim or otherwise, under the Provisions of the Family Law Act.
5. At the time we signed this Affidavit, we are not a Non-Resident of Canada within the meaning of the *Income Tax Act* (Canada).
6. As Vendor, we hereby certify that the sale of the property described in the foregoing Deed is an exempt supply of property as provided in Sections 2 to 5, 8 and 9 of Part I of Schedule V of The Excise Tax Act (Canada).

SWORN to before me at Summerside,
in Prince County, Province of Prince
Edward Island this 6 day of
April, A.D. 2021.

A Commissioner for taking affidavits in the Supreme Court

~~Nathan Kember~~

Brittany Kember

SCHEDULE "A"

PID 1040328

ALL THAT PARCEL OF LAND SITUATE, lying and being at Wilmot Valley, Lot or Township No. 25, in Prince County, Province of Prince Edward Island, bounded and described as follows, that is to say:

COMMENCING at a point located on the southern boundary of the Blue Shank Road as shown on a plan of survey entitled "Plan Showing a Proposed Subdivision of Property of David Hogg and Janice Hogg", as prepared by G.J.S. Innovations Ltd., on the 31st day of May, 2010, as File 2010-H-3 & Drawing No. G-10-29, being a plan certified by Brian P. Potter, P.E.I.L.S., approved by the Dept. of Environment, Energy, and Forestry on the 3rd day of June, 2010, as Case No. 23589A, said point being indicated by placed survey marker number 39 as shown on the said plan, having the co-ordinates E. 318529.10 and N. 388956.93;

THENCE on an azimuth of 73° 03' 00" for the distance of 275.98 feet or to found survey marker number 30 having coordinates E. 318793.09 and N. 389037.39;

THENCE on an azimuth of 162° 27' 30" for the distance of 580.00 feet or to found survey marker number 31 having coordinates E. 318967.91 and N. 388484.36;

THENCE continuing on an azimuth of 162° 27' 30" for the distance of 80.00 feet, a little more or less, or to the ordinary high water mark of the Wilmot River;

THENCE following the various courses of the ordinary high water mark of the Wilmot River for the distance of 330 feet, a little more or less;

THENCE on an azimuth of 341° 53' 14" for the distance of 108.00 feet, a little more or less, or to placed survey marker number 44 having coordinates E. 318752.94 and N. 388272.60;

THENCE continuing on an azimuth of 341° 53' 14" for the distance of 473.00 feet or to placed survey marker number 43, having coordinates E. 318605.89 and N. 388722.17;

THENCE on an azimuth of 251° 53' 14" for the distance of 52.00 feet or to placed survey marker number 42, having coordinates E. 318556.47 and N. 388706.00;

THENCE on an azimuth of 341° 53' 14" for the distance of 60.00 feet or to placed survey marker number 41, having coordinates E. 318537.81 and N. 388763.03;

THENCE on an azimuth of 71° 53' 14" for the distance of 52.00 feet or to placed survey marker number 40, having coordinates E. 318587.24 and N. 388779.19;

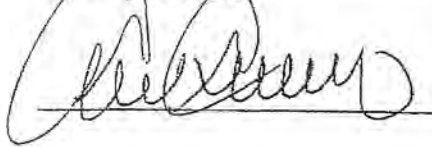
THENCE on an azimuth of 341° 53' 14" for the distance of 187.00 feet or to placed survey marker number 39, being the point or place of commencement, being and intended to be the remainder of parcel 901272 as shown on the said plan, and containing an area of 2.0 Acres of land, a little more or less.

(7) The said Grantors release to the said Grantee all their claims upon the said lands.

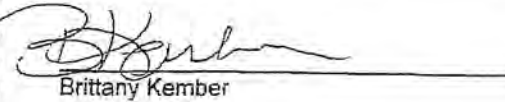
AND I, Brittany Kember, do hereby release all my rights and interest pursuant to Part III of the *Family Law Act*, S.P.E.I., and hereby consent to the disposition of and release all my interest in and to the lands herein described in the Schedule "A" annexed hereto,

IN WITNESS WHEREOF the parties of the first part have hereunto set their hands and seals on the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

A large, stylized handwritten signature in black ink, appearing to read 'Nathan Kember', written over a horizontal line.A large, stylized handwritten signature in black ink, appearing to read 'Nathan Kember', written over a horizontal line. To the right of the signature is a circular embossed seal.

Nathan Kember

A handwritten signature in black ink, appearing to read 'Brittany Kember', written over a horizontal line.

Brittany Kember

DATED the 6 day of April, A.D. 2021.

BETWEEN:

NATHAN KEMBER

(herein called the "Grantor")

OF THE FIRST PART

AND:

VICTORIA ZOTOVA

(herein called the "Grantee")

OF THE SECOND PART

DEED OF CONVEYANCE

DEREK D. KEY, Q.C.
KEY MURRAY LAW
Lawyers/Avocats
494 Granville St, P.O. Box 1570
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