

PROTECT YOUR
B UNDARIES

Easement Report

123 FAKE STREET
Richmond Hill, ON

Property Address:

123 FAKE STREET
Richmond Hill, ON

Property Identification Number (PIN):

03208-2864 (LT)

Legal Description:

PT BLK 8, PLAN 65M4316, PTS 13 & 14, 65R33818;
S/T AN EASMENT FOR ENTRY AS IN YR1848957
SUBJECT TO AN EASEMENT OVER PT 14, 65R33818
IN FAVOUR OF PT BLK 8, PLAN 65M4316, PTS 15 &
16, 65R33818 AS IN YR1940873 TOGETHER WITH
AN EASEMENT OVER PT BLK 8, PLAN 65M4316, PT
16, 65R33818 AS IN YR1940873 TOWN OF RICH-
MOND HILL

Official documents attached:

PARCEL IDENTIFICATION NUMBER (PIN):

03208-2864 (LT)

EASEMENT DOCUMENT:

YR1848957

EASEMENT DOCUMENT:

YR1940873

Easement 1: Subject To

It means that another property or party has legal rights to use a portion of your land for a specific purpose.

Easement Detection

PT BLK 8, PLAN 65M4316, PTS 13 & 14, 65R33818; S/T AN EASMENT FOR ENTRY AS IN YR1848957

| Instrument Identifier | Instrument Date | Easement Date | Parties To | Parties To |
|-----------------------|-----------------|---------------|----------------------------------|------------|
| YR1848957 | 2012/07/04 | 2012/07/04 | DUKE OF RICHMOND DEVELOPMENT INC | |

Easement Language

THE SUBJECT PROPERTY (123 FAKE STREET) IS SUBJECT TO THE FOLLOWING LEGAL RIGHTS: Reserving a right in the nature of an easement in favour of the transferor, its servants and agents, successors and assigns for a period commencing on the date of the registration of this transfer and continuing thereafter for a period of three (3) years from the date that the transferee conveys the lot to a subsequent purchaser to undertake modification to the surface drainage features of the said lot in accordance with the drainage patterns proposed by the subdivision agreement and for the purposes of rectifying grading, drainage, fencing, paving and landscaping. The benefit of the easement, license, or right-of-way hereinbefore described shall be annexed to and run with each and every lot and block located within plan 65M-4316, as applicable, registered in the name of the transferor on the date of the registration of this transfer.

Please see Instrument No. YR1848957 for full description.

Summary

An easement existed on title of this property in favour of Duke of Richmond Development Inc, which allowed them access across the entire property, including for the purpose to undertake modifications to the surface drainage features. This easement was time-limited. It expired on the later of 3 years from the registration of the easement (3 years from 2012/07/04), after the home was purchased by a homeowner.

The 3-year period has expired, as such, the easement should be considered expired.

Easement 2: Subject To

It means that another property or party has legal rights to use a portion of your land for a specific purpose.

Easement Detection

SUBJECT TO AN EASEMENT OVER PT 14, 65R33818 IN FAVOUR OF PT BLK 8, PLAN 65M4316, PTS 15 & 16, 65R33818 AS IN [YR1940873](#)

| Instrument Identifier | Instrument Date | Easement Date | Parties To | Parties To |
|-----------------------|-----------------|---------------|-----------------|------------|
| YR1940873 | 2013/01/31 | 2013/01/31 | 121 FAKE STREET | |

Easement Language

THE SUBJECT PROPERTY (123 FAKE STREET) IS SUBJECT TO THE FOLLOWING LEGAL RIGHTS: Reserving/ subject to a right-of-way in favour of the owner(s) from time to time of the dwelling erected on that part of Block 8, plan 65M-4316, designated as parts 15 & 16, on reference plan 65R-33818, over, along, upon and across that part of Block 8, plan 65M-4316, designated as Part 14, on reference plan 65R-33818 for the purposes of maintenance and repair of the said dwelling and any appurtenances or additions thereto and for the purposes of installing, maintaining, keeping, preserving, repairing, restoring and/or rebuilding any existing roof overhangs, downpipes, footings, drainage pipes, eaves and eavestroughs and hydro-electric, water and gas meters and other projections of the said dwelling.

Summary

The Subject Property (123 Fake Street) gives access to the Neighbouring Property (121 Fake Street) to use a portion of it's property from time to time to maintain its dwelling. This is illustrated as Part 14 on Reference Plan 65R-33818.

Easement 3: Together With

It means that your property has legal rights to use a portion of another property for a specific purpose.

Easement Detection

TOGETHER WITH AN EASEMENT OVER PT BLK 8, PLAN 65M4316, PT 16, 65R33818 AS IN YR1940873 TOWN OF RICHMOND HILL

| Instrument Identifier | Instrument Date | Easement Date | Parties To | Parties To |
|-----------------------|-----------------|---------------|-----------------|------------|
| YR1940873 | 2013/01/31 | 2013/01/31 | 123 FAKE STREET | |

Easement Language

THE SUBJECT PROPERTY (123 FAKE STREET) HAS THE FOLLOWING LEGAL RIGHTS OVER NEIGHBOURING PROPERTIES: Together with a right-of-way in favour of the owner(s) from time to time of the dwelling erected on that part of Block 8, plan 65M-4316, designated as parts 13 & 14, on reference plan 65R-33818, over, along, upon and across that part of Block 8, plan 65M-4316, designated as Part 16, on reference plan 65R-33818 for the purposes of maintenance and repair of the said dwelling and any appurtenances or additions thereto and for the purposes of installing, maintaining, keeping, preserving, repairing, restoring and/or rebuilding any existing roof overhangs, downpipes, footings, drainage pipes, eaves and eavestroughs and hydro-electric, water and gas meters and other projections of the said dwelling.

Summary

The Subject Property (123 Fake Street) has access to use a portion of the Neighbouring Property (121 Fake Street) from time to time to maintain its dwelling. This is illustrated as Part 16 on Reference Plan 65R-33818.

About easements and this document:

What Documents Are in this Report?

We have provided you with two types of document:

The Parcel Register for your property.

Easement Instruments on title

Where does the information in this report come from?

The Parcel Register and Easement Instruments come from Teranet Inc. Teranet is the exclusive provider of Ontario's online property search and registration. They developed, own and operate the Ontario Electronic Land Registration System – one of the most advanced, secure and sophisticated land registration systems in the world. Protect Your Boundaries is a licensed partner of Teranet.

How Accurate is this Report?

This report is based on the easements identified in the thumbnail legal description of a property provided by Teranet Inc. If an easement is in the property's thumbnail legal description, we have made every reasonable effort to identify it and provide you with the legal documentation that describes the easements, along with a simplified explanation. We do not warrant the identification or explanation of any easements (registered or unregistered) that do not appear in the property's thumbnail legal description, or that have been documented in the thumbnail legal description in a nonconventional manner.

Is this report a full title search?

No it is not. It is simply an identification of, and explanation of the easements identified in a property's thumbnail legal description.

What is an easement?

An easement provides the legal right to use a portion of another's land for specific purposes. Are there different types of easement? Yes, there are dozens of types of easement, however the two most common ones in residential properties are access easements (including shared driveways, laneways and access paths), and utility easements.

Are all easements shown on title?

The answer should be yes, however the sheer volume of easement that exist means that occasionally a legitimate easement does not make it onto a property's title. That does not mean it doesn't exist or that it's not valid. Unregistered easements are a rare occurrence, so if you suspect that there's an easement on a property that's not shown in the legal description contact us at Protect Your Boundaries for a full investigation.

What is a Parcel Register?

A Parcel Register is the official record of land ownership and property information that is held by the Land Registration System of Ontario. It is a realtime current account of the property you own that is managed by Teranet Inc. who is responsible for managing and providing access to this information.

What is an Easement Instrument?

An easement instrument is a legal document that is registered on title and describes the location, extent and use of an easement, and the rights and obligations of those party to the easement.

Subject To vs. Together With Easement Rights

There are always two parties to an easement:

The Servient Tenement the—party giving up the access right.

The Dominant Tenement—the party gaining the right.

If a property is the servient tenement in an easement, it is "Subject To" the rights of another party. In the property's legal description this is usually abbreviated to "ST" or "S/T". If a property is the dominant tenement in an easement, it holds rights over another property "Together With" that property. In the property's legal description this is usually abbreviated to "TW" or "T/W".

What does it mean if my property is Subject To (S/T) and easement.

It means that another property or party has legal rights to use a portion of your land for a specific purpose. The extent and location of the easement are usually described in the easement instruments (attached to this report), or on a land survey, which you can search for on Protect Your Boundaries (www.protectyourboundaries.ca).

What Does it mean if my property has Together With (T/W) rights on an easement.

It means that your property has legal rights to use a portion of another property for a specific purpose. The extent and location of the easement are usually described in the easement instruments (attached to this report), or on a land survey, which you can search for on Protect Your Boundaries (www.protectyourboundaries.ca).

Selling a House with Easements

Easements affect how you can use your land and therefore can affect the value of the property. Always disclose easements to your agent who will advise you on how best to document them in your property's listing.

Buying a house with easements

Before you put a bid in on a property make sure you understand if there are easements that affect it. Easement scan drastically affect your use of land, and so understanding what you can and cannot do on parts of your new house is an important step in your research and decisionmaking.

Further Reading

More on Easements

[How Easement Affect Private Property Rights](#)

[Homeowner's Guide to Easements](#)

[Province of Ontario Bulletin 200502: Easements and Release of Easements.](#)

[BoundaryBoss.com blog: Easements can Impact the Real Estate Transaction](#)

Glossary and Definitions:

| | |
|------------------|--|
| PIN | Property Identification Number |
| NY/TB/AT/TR/etc. | Instrument Prefixes |
| LT | Lot or Land Titles Act Instrument Document |
| PL | Registered Plan ROW Right of way |
| S/T | Subject To PT Part (usually in reference to lot) |
| T/W | Together With |

BoundaryPlus™: report integrating ownership and boundary information for homeowners

Charge: also known as a mortgage

Easement: an interest or right in land owned by another that entitles its holder to a specific limited use

Instrument: legal “document” available in land registration system

Land titles: the system of land registration in which ownership and interests affecting ownership interests are recorded and guaranteed, subject to statutory and common law exceptions

Legal description: geographic location of property based on lot/concession/township or lot/block/plan

Parcel register: a record of transactions affecting a property and other information including the current owner, a short legal description, and the estate/qualifiers affecting title

Property Identification Number (PIN): unique 9digit number assigned for each Ontario property

Reference plan: graphic “legal description” in plan form

Registered plan: plan with a unique sequential number placed in the official land registration system whereby an action related to land occurs upon registration

Right of way: a right of access or passage in relation to someone else’s property

Transfer: previously known as a “deed” of property

Terms and Conditions:

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