



## APPENDIX A

ERD Conditional Land Offer

August 2, 2018

File No: 625 02 3303

Mr. Gerald Richard  
Canneberges St.-Charles Cranberries Inc.  
402 St.-Charles Station Road  
St.-Charles, NB E4W 5R8

Via e-mail: [gerald.richard1967@gmail.com](mailto:gerald.richard1967@gmail.com)

Dear Mr. Richard:

**Subject: Land Exchange - Conditional Offer**

This is further to your application to exchange a 26.1-ha parcel of freehold land, identified as a portion of PID 25126368, for an 20.2-ha parcel of Crown land, identified as portions of PIDs 25147844 and 25356114. Both parcels are in the Parish of Richibucto, Northumberland County (see attached map). The application has been reviewed by the Crown Lands Branch in conjunction with other agencies. Please be advised that the Crown Lands Branch is prepared to recommend that this exchange be approved, subject to your acceptance of this offer and the following terms and conditions:

- 1) This land exchange is subject to the approval of the Minister and the Lieutenant Governor-in-Council.
- 2) In accordance with legislation regarding the sale of lands, the provincial government must collect the HST on the full market value of the Crown lands. The independent appraisal report prepared on your behalf and dated May 14, 2018, determined commercial peat land in this general vicinity to have a unit value of \$1,072 per acre (\$2,648/ha). The amount due for HST will be determined upon completion of the survey of the Crown parcel, which will provide its exact area.

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- 3) The Crown would convey the 20.2 ha Crown parcel to you by way of a deed under the registry system. You and ERD are responsible for obtaining all necessary approvals or exemptions for the respective land holdings under the *Community Planning Act*.
- 4) You will be required to transfer ownership of the 26.1-ha freehold parcel (portion of PID 25126368) to the Crown. The Crown must obtain clear title to this parcel under the *Land Titles Act*. The land must be free of all encumbrances, environmental liabilities and charges, including property taxes.
- 5) A boundary survey of both parcels will be required and must be surveyed at your expense, by a registered New Brunswick Land Surveyor of your choice. The Land Surveyor must submit a co-ordinated survey plan on which co-ordinates shown were derived from ties to adjusted NB Monuments or HPN Monuments. It is recommended that the Surveyor contact Jim Dickie, Project Manager for additional details and for information on submitting a preliminary plan for evaluation. **You will be advised when to proceed with the survey and are cautioned not to incur any expenses for a survey until advised to do so.**
- 6) In accordance with Subsection 3(2) of the *Mining Act*, the Crown shall reserve all coals, also all gold and silver and other mines and minerals from the parcel to be transferred.
- 7) This land exchange may subject to consultation with New Brunswick First Nations communities.

As you are aware, the proposed expansion of your peat/cranberry operation will be subject to an Environmental Impact Assessment (EIA) by the Department of Environment and Local Government. It is understood that this land exchange would only be finalized upon the proposal being given a positive EIA determination.


If you agree to the terms and conditions stated above and wish to proceed with the proposed exchange, please sign where indicated below and forward a copy to Jim Dickie, Crown Lands Branch, at the address on the previous page by **August 22, 2018**. If there is no response from you by that date, it will be assumed that you are not interested in proceeding with the land exchange and this offer shall be **null and void and the file will be closed**.

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Please note that should you wish to pursue this application once the file is closed, you will be required to submit a new application through the Land Use Application Service Centre (telephone: 1-888-312-5600 or website: [www.gnb.ca/naturalresources](http://www.gnb.ca/naturalresources)) and pay the appropriate fees.

In the interim, please direct any questions or concerns you may have to Mr. Dickie at 444-3645 or toll-free at 1-888-312-5600.

Yours truly,



Bernie Doucet  
Approvals Section Manager  
Crown Lands Branch

BD/jad

Encl.

**ACCEPTANCE:**

I hereby agree to this Land Exchange - Conditional Offer and wish to proceed with the land exchange proposal.

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**Gerald Richard**  
Canneberges St.-Charles Cranberries Inc.

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**Date**

c.c: Shona Millican, Crown Lands Forester, Region 2