



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

PUBLISHED BY AUTHORITY

Vol. 88

ST. JOHN'S, FRIDAY, NOVEMBER 1, 2013

No. 44

### MINERAL ACT

#### NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

Mineral rights to the following mineral licenses have reverted to the Crown:

Mineral License 005632M  
Held by Teck Resources Limited  
Situates near West Tally Pond, Central NL  
On map sheet 12A/09, 12A/10

A portion of license 007923M  
Held by Quinlan, Roland  
Situates near Dildo Run, Central NL  
On map sheet 02E/10  
more particularly described in an application on file at Department of Natural Resources.

Mineral License 009687M  
Held by Teck Resources Limited  
Situates near Tally Pond, Central NL  
On map sheet 12A/09

Mineral License 012352M  
Held by Belmont Resources Inc.(50%)/International Montoro Resources Inc. (50%)  
Situates near Isabella Falls  
On map sheet 13L/02

Mineral License 015443M  
Held by Eagleridge International Limited  
Situates near Port Hope Simpson  
On map sheet 13A/09, 13A/10

Mineral License 017952M  
Held by Golden Dory Resources Corp.  
Situates near Strouds Pond Area, Burin Peninsula  
On map sheet 01M/03

Mineral License 016347M  
Held by Rare Earth Metals Inc.  
Situates near Isabella Falls  
On map sheet 13L/02

A portion of license 018720M  
Held by Quinlan, Roland  
Situates near Third Pond, Central NL  
On map sheet 02E/02  
more particularly described in an application on file at Department of Natural Resources.

Mineral License 019166M  
Held by Hicks, Darrin  
Situates near Doucers Brook, White Bay Area  
On map sheet 12H/10

Mineral License 019174M  
Held by Duffitt, Alexander S.  
Situates near South of Georges Pond, Eastern NL  
On map sheet 02D/01

Mineral License 019175M  
Held by Duffitt, Alexander S.  
Situates near South of Georges Pond, Eastern NL  
On map sheet 02D/01

A portion of license 020598M  
Held by MacDonald, David  
Situates near North of Shoulder Blade Lake, Central NL  
On map sheet 12A/09, 12A/16  
more particularly described in an application on file at Department of Natural Resources.

A portion of license 020597M  
Held by MacDonald, David  
Situates near North of Shoulder Blade Lake, Central NL  
On map sheet 12A/09, 12A/16  
more particularly described in an application on file at Department of Natural Resources.

A portion of license 020594M  
Held by MacDonald, David  
Situates near North of Shoulder Blade Lake, Central NL  
On map sheet 12A/16  
more particularly described in an application on file at Department of Natural Resources.

Mineral License 020357M  
Held by Lewis, Kenneth J.  
Situates near Baie Verte Area  
On map sheet 12H/16

Mineral License 020359M  
Held by 7980736 Canada Inc.  
Situates near Red Indian Lake, Central NL  
On map sheet 12A/15

Mineral License 020363M  
Held by Lewis, Gary E.  
Situates near Red Indian Lake, Central NL  
On map sheet 12A/15

Mineral License 020368M  
Held by Willcott, Stephen  
Situates near Northwest Gander River, Central NL  
On map sheet 02D/05

Mineral License 020374M  
Held by Bolt, Darryl  
Situates near Grand Le Pierre, Fortune Bay  
On map sheet 01M/10

Mineral License 021492M  
Held by Fox, Natasha Khan  
Situates near Rocky Pond Area, Western NL  
On map sheet 12H/05

Mineral License 020506M  
Held by Fox, Natasha Khan  
Situates near Fox Island River, Western NL  
On map sheet 12B/10

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/00, 36/01, 31/04, 78/06, 8/08, 28/09 and 5/13 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32<sup>nd</sup> clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES  
Justin Lake  
Manager - Mineral Rights

File #'s 774: 2814, 3713, 5324, 7260, 9908, 774:9917  
775: 0320, 2052, 2419, 2429, 2437, 2438, 2697, 2701,  
2705, 3317, 3319, 3323, 3328, 3332, 3401, 3427

Nov 1

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**MUNICIPALITIES ACT, 1999**  
**TOWN OF HANTS HARBOUR**  
**NOTICE**

The TOWN OF HANTS HARBOUR is seeking information on the following properties listed in the Assessment Roll of the Town of Hants Harbour:

Town of Hants Harbour 14-18 Caplin Cove	Gordon Critch 109-115 Meade Garden Road
Town of Hants Harbour 113 Hants Harbour Road	Estate of Samuel Gordon Evans 27-33 Meade Road
Town of Hants Harbour 251-253 Main Highway	Darrin Tilley 45 – 73A Main Highway
Estate of Robert Gulliford 16 Custard Head	Estate of Alexander Pelley 42 Caplin Cove

Estate of Alexander Pelley  
30A Caplin Cove

Any person having a claim to any of these properties or information pertaining to these properties are asked to contact the Town Office in writing no later than November 22<sup>nd</sup>, 2013. Inquiries to be addressed to:

TOWN OF HANTS HARBOUR  
Betty Tuck, Town Clerk

ADDRESS FOR SERVICE:  
P.O. Box 40  
Hants Harbour, NL A0B 1Y0

Nov 1

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**URBAN AND RURAL PLANNING ACT, 2000**  
**NOTICE OF REGISTRATION**  
**MOUNT PEARL MUNICIPAL PLAN 2010**  
**AMENDMENT NO. 2, 2012**  
**(COMMONWEALTH ROUTE AMENDMENT)**

TAKE NOTICE that the CITY OF MOUNT PEARL Municipal Plan 2010 Amendment No. 2, 2012, adopted on the 8<sup>th</sup> day of January, 2013 and approved on the 19<sup>th</sup> day of February, 2013, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of the Mount Pearl Municipal Plan 2010 Amendment No. 2, 2012 is to reflect, in the Municipal Plan policies, the current realignment of Mount Carson Avenue and the elimination of Grangel Road and the portion of Wyatt Boulevard that, prior to the realignment, previously formed part of the Mount Carson

Avenue/Grangel Road/Wyatt Boulevard arterial road connection.

The Mount Pearl Municipal Plan 2010 Amendment No.2, 2012 comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of this Amendment may do so at the Mount Pearl City Hall, 3 Centennial Street, during normal working hours.

CITY OF MOUNT PEARL  
Michele Peach, Chief Administrative Officer

Nov 1

**LANDS ACT**

**NOTICE OF INTENT**

***Lands Act, c36, SNL1991, as amended***

NOTICE IS HEREBY given that PORT SAUNDERS SEAFOODS LTD., of Port Saunders, NL intends to apply to the Department of Environment and Conservation, two months from the publication of this notice, to acquire title, pursuant to Section 7(2)(e) of the said Act, to that piece of Crown land situated within fifteen (15) metres of the waters of Port Saunders Harbour in the Electoral District of St. Barbe for the purpose of fish offloading wharf extension and being more particularly described as follows:

*Bounded on the North by Main Street  
for a distance of 65.53 metres;  
Bounded on the East by property of Boyd Lavers/  
Fishermen's Store  
for a distance of 68.58 metres;  
Bounded on the South by Port Saunders Harbour  
for a distance of 76.81 metres;  
Bounded on the West by property of E. J. Coffey  
for a distance of 23.775 metres;  
and containing an area of  
approximately 1000 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this Notice, with reasons for it, to the Minister of Environment and Conservation, and mail to the nearest Regional Lands Office:

c/o Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 1L7.

c/o Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0.

For further information on the proposed application, please contact: Port Saunders Town Office, Telephone number: (709) 861-3105.

(DISCLAIMER: The *Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant

and takes no responsibility for errors or omissions in the property being more particularly described.)

Nov 1

**QUIETING OF TITLES ACT**

**2013 01G 4493**

**IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION (GENERAL)**

IN THE MATTER OF that piece or parcel of land situate and being on the southwestern side of Point Verde Road, at Point Verde, in the Province of Newfoundland and Labrador, and an Application by PAUL GREENE and MARGARET GREENE pursuant to the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended;

NOTICE OF APPLICATION UNDER THE *QUIETING OF TITLES ACT*, RSNL1990 cQ-3, AS AMENDED

NOTICE IS HEREBY GIVEN to all parties that PAUL GREENE and MARGARET GREENE have applied to the Supreme Court of Newfoundland and Labrador, Trial Division (General), to have their title to all that piece or parcel of land situate and being on the southwestern side of Point Verde Road, at Point Verde, in the Province of Newfoundland and Labrador, and more particularly described and outlined in Schedule "A" as attached hereto in this matter in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division (General), at St. John's, investigated and for a declaration that the said Applicants are the absolute owner thereof.

All persons having title adverse to the said title claimed by the Applicants shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division (General), particulars of such adverse claim and serve same, together with an Affidavit verifying the same, on the undersigned solicitors for the Applicants on or before the 15<sup>th</sup> day of November, 2013, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just. All adverse claims shall be investigated in such manner as the Supreme Court may direct.

DATED AT St. John's, in the Province of Newfoundland and Labrador, this 1<sup>st</sup> day of October, 2013.

OTTENHEIMER BAKER  
Solicitors for the Applicants  
PER: Kristen A. Penney

ADDRESS FOR SERVICE:  
6<sup>th</sup> Floor, Baine Johnston Centre  
10 Fort William Place  
P.O. Box 5457  
St. John's, NL A1C 5W4

Tel: (709) 570-0581  
Fax: (709) 722-9210

**SCHEDULE "A"**

ALL THAT piece or parcel of land situate and being on the southwestern side of Point Verde Road, at Point Verde, in the electoral district of Placentia - St. Mary's, in the Province of Newfoundland and Labrador, Canada, being bounded and abutted as follows, that is to say:

COMMENCING at a point in the southwestern limit of Point Verde Road, the said point having NAD 83 Grid Coordinates of North 5 232 265.857 metres and East 230 767.807 metres;

THENCE running along the said southwestern limit of Point Verde Road (20.0 metres wide) and along the southwestern limit of a Public Road South sixty-five degrees three minutes zero seconds East a distance of one hundred and seventy-four decimal one one zero metres;

THENCE running by land of Patrick J. Greene and being registered in Roll 74 Frame 2070 at the Registry of Deeds South five degrees twelve minutes zero seconds East a distance of thirty-two decimal two eight zero metres;

THENCE South eight degrees fifty-six minutes zero seconds West a distance of thirty-six decimal two four zero metres;

THENCE South fourteen degrees twenty-eight minutes zero seconds East a distance of eleven decimal three one zero metres;

THENCE South two degrees sixteen minutes zero seconds West a distance of nine decimal three zero zero metres;

THENCE South thirteen degrees fourteen minutes zero seconds West a distance of sixteen decimal four zero zero metres;

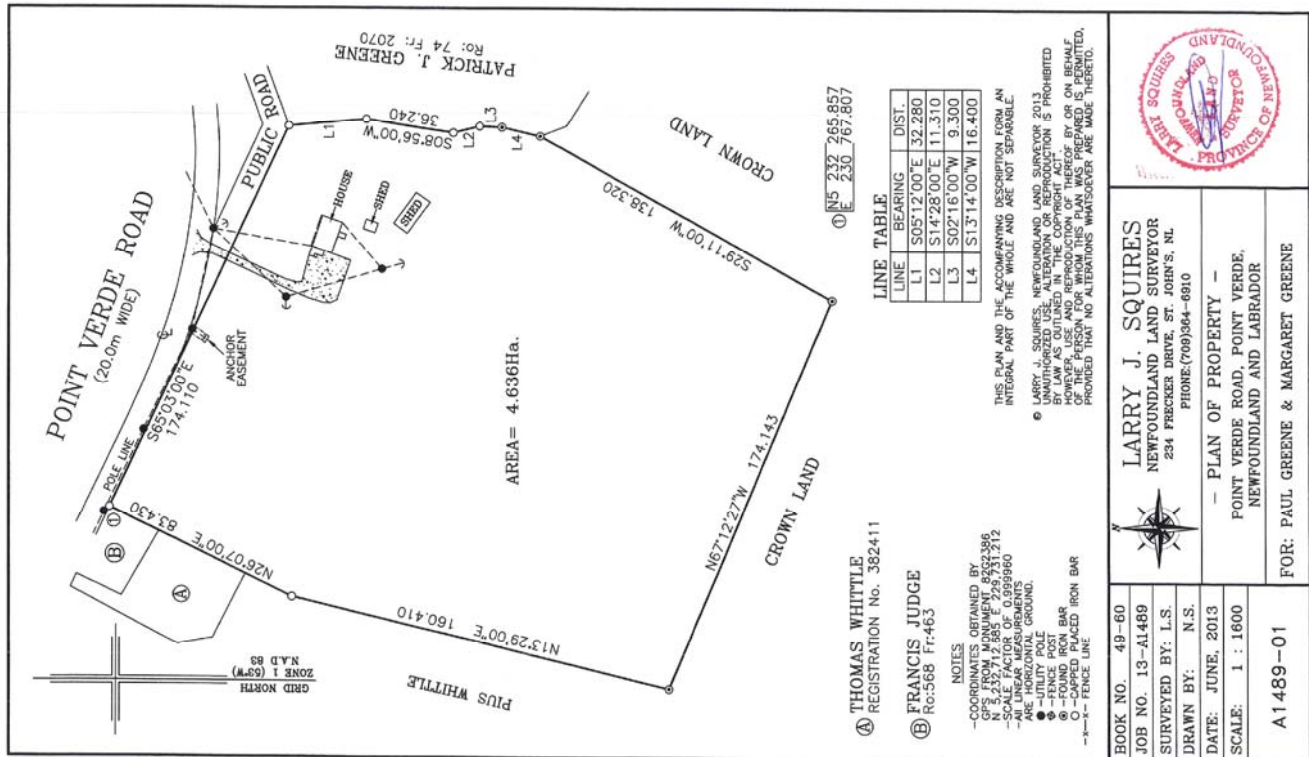
THENCE running by Crown land South twenty-nine degrees eleven minutes zero seconds West a distance of one hundred and thirty-eight decimal three two zero metres; THENCE North sixty-seven degrees twelve minutes twenty-seven seconds West a distance of one hundred and seventy-four decimal one four three metres;

THENCE running by land of Pius Whittle North thirteen degrees twenty-nine minutes zero seconds East a distance of one hundred and sixty decimal four one zero metres;

THENCE running by land of Pius Whittle, by land of Thomas Whittle being registered at the Registry of Deeds under registration number 382411, and by land of Francis Judge being registered in Roll 568 Frame 463 at the Registry of Deeds North twenty-six degrees seven minutes zero seconds East a distance of eighty-three decimal four three zero metres; more or less to the point of beginning and containing an area of 4.636 hectares and being more particularly described on Plan No. A1489 hereto annexed.

SUBJECT TO a utility pole anchor easement running through the property as shown on the attached plan.

ALL BEARINGS being referenced to the meridian of fifty-three degrees west longitude of the Three Degrees Modified Transverse Mercator Projection (Zone 1, NAD 83) for the Province of Newfoundland and Labrador.



**2013 04G 0199**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (GENERAL)**

IN THE MATTER OF that piece or parcel of land situate and being at Queen Street Extension, Stephenville, in the Province of Newfoundland and Labrador

AND

IN THE MATTER OF the Application of M. D. & K. AGENCIES LTD., for a Certificate of Title of said piece or parcel of land pursuant to the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

**NOTICE**

NOTICE IS HEREBY given to all persons that M. D. & K. AGENCIES, as Applicant, has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, to have investigated the title to ALL THAT piece or parcel of land situate and being at the Town of Stephenville, in the Province of Newfoundland and Labrador, and further bounded and described as set forth in Schedule "A" hereto; and for a Declaration that the said Applicant is the absolute owner thereof. The said Applicant has been ordered to publish notice of the Application as required by the above named Act.

All persons having title adverse to the said title claimed by the said Applicant shall file with the Registrar of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, particulars of such adverse claim and serve same, together with an Affidavit verifying the same, on the undersigned solicitor for the Applicant on or before the 29<sup>th</sup> day of November, 2013, after which date no party having any claim shall be permitted to file the same or be heard except by leave of the Court and subject to such terms and conditions as the Court may deem just.

All such adverse claims shall then be investigated in such manner as the Court may direct.

DATED at Deer Lake, Newfoundland and Labrador, this 17<sup>th</sup> day of September, 2013.

JAMES GOUDIE LAW OFFICE  
Solicitor for the Applicant  
PER: James Goudie

**ADDRESS FOR SERVICE:**

1A High Street  
Deer Lake, NL A8A 1M6

Tel: (709) 635-4300  
Fax: (709) 635-4301

**SCHEDULE "A"**

Description of Land Surveyed for  
M. D. & K. Agencies

**Parcel "B"**

Queen Street Extension, Stephenville, NL

All that piece or parcel of land situate and being at Stephenville, District of St. George's - Stephenville East,

Newfoundland and Labrador, Canada, abutted and bounded as follows:

That is to say; Beginning at a point being N47°09'16"W a distance of 1022.877 metres (grid) from Control Monument Number 85G4113;

THENCE by lands of H. & K. Holdings Ltd., and Bursej or Assigns and by Parcel "A" N87°52'24"E a distance of 538.410 metres to a point in a reservation; 10 metres wide, along the shore of Blanche Brook;

THENCE following said reservation in a general northerly direction to a second point being N16°18'05"W a distance of 162.419 metres from the last mentioned point;

THENCE by land of Angus White or Assigns S87°52'24"W a distance of 512.459 metres;

THENCE by the sideline of the Dump Road S7°08'36"E a distance of 158.078 metres to the point of beginning.

The herein described parcel of land contains an area of 8.274 hectares and is more particularly delineated on the Plan Number 13020-1 hereto attached.

All bearings refer to the meridian of fifty-eight degrees thirty minutes west longitude of the Modified Three Degree Transverse Mercator Projection (NAD 83).

Newfoundland and Labrador Land Surveyor  
Robin C. Davis  
Stephenville Crossing, NL

**SCHEDULE "A"**

Description of Land Surveyed for  
M. D. & K. Agencies

**Parcel "A"**

Queen Street Extension, Stephenville, NL

All that piece or parcel of land situate and being at Stephenville, District of St. George's - Stephenville East, Newfoundland and Labrador, Canada abutted and bounded as follows:

That is to say; Beginning at a point being N29°54'11"W a distance of 680.736 metres (grid) from Control Monument Number 85G4113;

THENCE by lands of Jenney Russell, Wayne Simon and the Town of Stephenville, and by the sideline of Whalen Crescent N82°50'36"E a distance of 390.416 metres to a point in a reservation, 10 metres wide, along the shore of Blanche Brook;

THENCE following said reservation in a general westerly direction to a second point being N73°32'13"W a distance of 271.039 metres from the last mentioned point;

THENCE by Parcel "B" S87°52'24"W a distance of 179.478 metres;

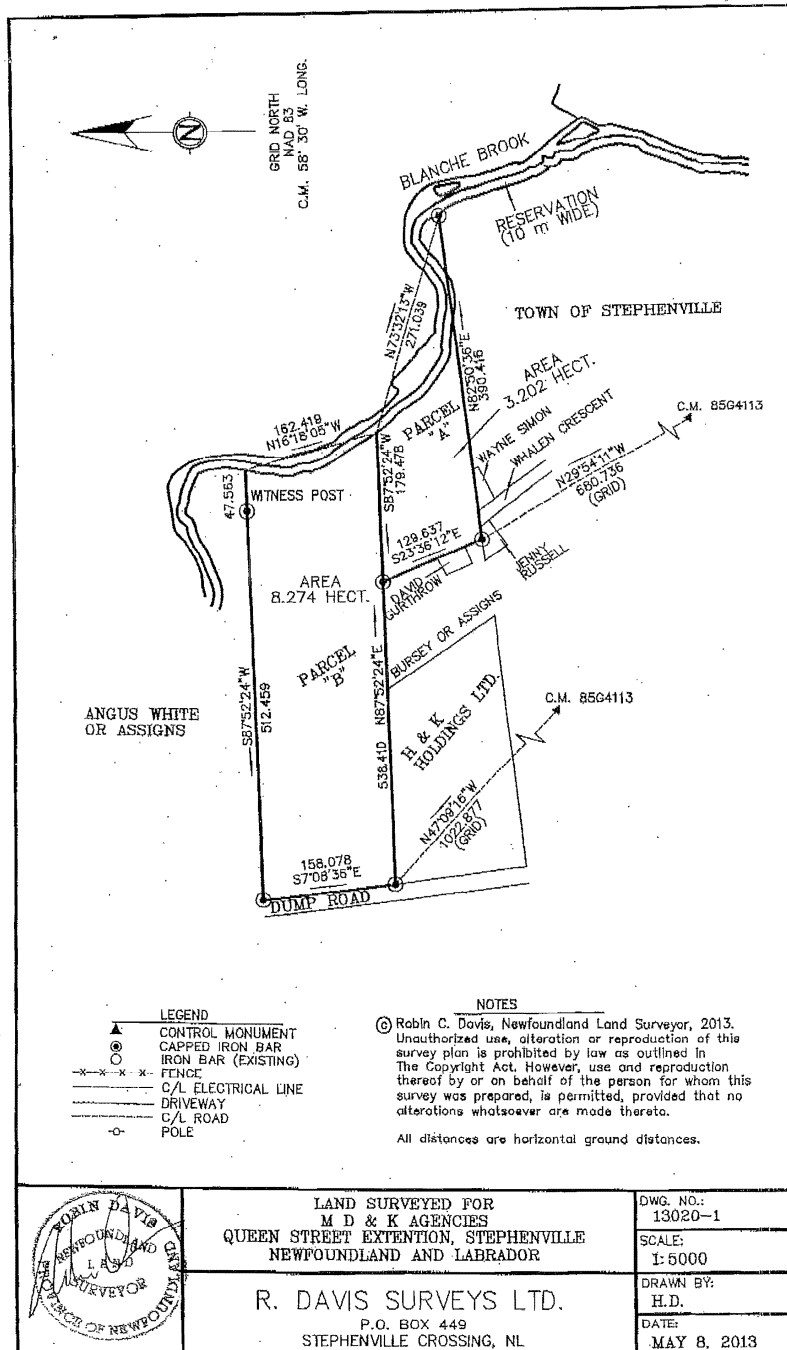
THENCE by lands of Bursej or Assigns and David Guthrow S23°36'12"E a distance of 129.637 metres to the point of beginning;

THE NEWFOUNDLAND AND LABRADOR GAZETTE  
November 1, 2013

The herein described parcel of land contains an area of 3.202 hectares and is more particularly delineated on the plan number 13020-1 hereto attached.

Newfoundland and Labrador Land Surveyor  
Robin C. Davis  
Stephenville Crossing, NL

All bearings refer to the meridian of fifty-eight degrees thirty minutes west longitude of the Modified Three Degree Transverse Mercator Projection (NAD 83).



**2013 01G 4860**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (GENERAL)**

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended;

NOTICE IS HEREBY given to all parties that W. AUGUSTUS POWER and CAROLINE J. POWER have applied to the Supreme Court of Newfoundland and Labrador, Trial Division, at St. John's, to have title to all that piece or parcel of land situate and being on the western side of Stick Pond Road, in the Town of Logy Bay-Middle Cove-Outer Cove, in the province of Newfoundland and Labrador, as more particularly described and set forth in the Schedule hereunto annexed marked "A" of which the Applicants claim to be the owner, investigated and for a Declaration that W. AUGUSTUS POWER and CAROLINE J. POWER are the absolute owners thereof.

By a Deed of Conveyance dated September 14, 2004 and registered as number 33625 at the Registry of Deeds for the province of Newfoundland and Labrador, W. AUGUSTUS POWER and CAROLINE J. POWER acquired the subject property from Angela Martin, as Executrix of the Estate of William Augustus Power.

The Applicant has been ordered to publish notice of the application as required by the above named Act. All persons having title adverse to the said title claimed by the Applicant shall file in the Registry of the Supreme Court of Newfoundland and Labrador at St. John's particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned solicitors for the Applicant on or before the 2<sup>nd</sup> day of December, 2013, after which date no party having any claim shall be permitted to file the same or be heard except by leave of the Court and subject to such conditions as the Court may deem just. All such adverse claims shall be then investigated as the said Supreme Court of Newfoundland and Labrador at St. John's may direct.

DATED AT the City of St. John's, in the province of Newfoundland and Labrador, this 21<sup>st</sup> day of October, 2013.

FRENCH & ASSOCIATES  
Solicitors for the Applicants  
PER: Christopher E. Gill

ADDRESS FOR SERVICE:  
Suite 122, Elizabeth Towers  
100 Elizabeth Towers  
St. John's, NL A1B 1S1

Tel: (709) 754-1800  
Fax: (709) 754-2701

**SCHEDULE "A"**

**DESCRIPTION**

**Parcel "B"**

Stick Pond Road

Logy Bay-Middle Cove-Outer Cove, NL

ALL that piece or parcel of land situate and being on the southwestern side of Slick Pond Road, at Logy Bay-Middle Cove-Outer Cove, Newfoundland and Labrador in the electoral district of Cape St. Francis and being bounded and abutted as follows, that is to say:

BEGINNING at a point on the southwestern side of Stick Pond Road at Logy Bay-Middle Cove-Outer Cove said point having coordinates of North 5 276 294.19 metres and East 327 883.27 metres in the Modified Three Degree Transverse Mercator Projection for the province of Newfoundland and Labrador, Zone One;

THENCE running along the land now or formerly of the Estate of John Devereaux, South 61°36'00" West, 65.875 metres; thence South 60°15'00" West, 35.820 metres; thence South 50°45'00" West, 65.010 metres; thence South 56°42'00" West, 24.790 metres;

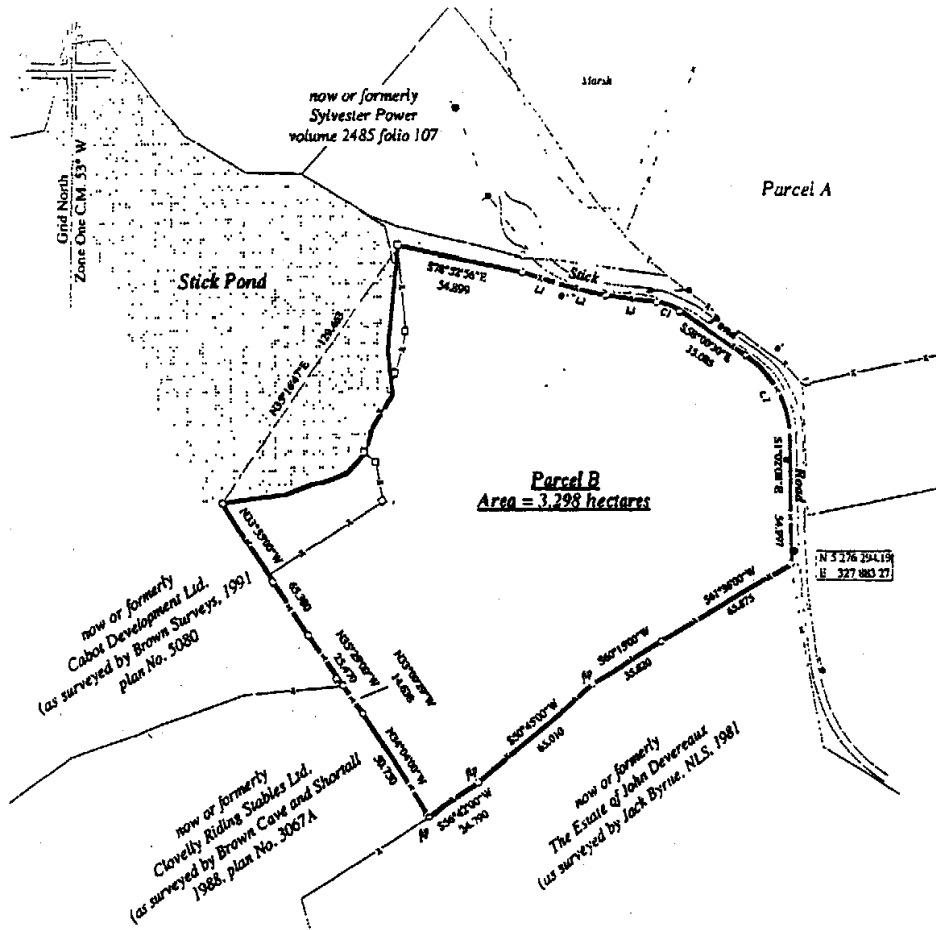
THENCE turning and running along the land now or formerly of Clovelley Riding Stables Ltd., North 34°04'00" West, 50.750 metres, thence North 33°00'29" West, 14.638 metres;

THENCE turning and running along the land now or formerly of Cabot Development Ltd., North 35°29'00" West, 25.470 metres; thence North 33°55'00" West, 65.380 metres,

THENCE turning and running along the southeastern side of Stick Pond to a point with a straight line bearing and distance of North 35°16'47" East, 129.463 metres:

THENCE turning and running along the southwestern side of Stick Pond Road. South 78°52'56" East, 54.899 metres; thence South 71°13'39" East, 14.872 metres; thence South 77°42'21" East, 22.539 metres; thence South 83°16'14" East, 23.517 metres; thence along the arc of a clockwise curve 11.382 metres long with a radius of 23.010 metres on a chord bearing and distance of South 72°12'01" East, 11.266 metres; thence South 58°00'30" East, 35.085 metres; thence along the arc of a clockwise curve 37.405 metres long with a radius of 41.000 metres on a chord bearing and distance of South 30°15'10" East, 36.121 metres; thence South 1°02'08" East, 54.997 metres, more or less, to the point of commencement and containing an area of 3.298 hectares, more or less, as shown on the attached plan, Job No. 01-566 dated December 5, 2001.

All bearings are Grid bearings referred to Grid North. All distances are horizontal ground distances.



Line No	Bearing	Distance
L1	S71°13'39"E	14.872
L2	S77°42'21"E	22.539
L3	S83°16'14"E	23.517

Curve No	Radius	Arc Length	Chord Length	Chord Bearing
C1	23.010	11.382	11.366	S72°12'04"E
C2	41.000	37.405	26.121	S30°15'10"E

**LEGEND**

- FENCE POST  □
- POLE OR LIGHT STANDARD  ●
- PROPERTY DEALT WITH  ○—○
- FENCE LINES  X
- EASEMENTS  - - -
- FOUND  Fd.
- FOUND IRON PIN  # ○

**NAD 83**

CONTROL MONUMENT (USE)	
029046	N 5 275 158.411
	E 328 140.862



**NOTES**

All distances are metric horizontal ground distances  
This plan and the accompanying description of Hawco King Renouf Ltd. form an integral part of the whole and are not separable.  
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<b>HAWCO • KING • RENOUF Limited</b>		Consulting Engineers Phone: (709) 579-1492 Fax: (709) 579-1019
300 Portugal Cove Place, St. John's Newfoundland		GEOGRAPHIC INFORMATION PROFESSIONALS
<b>SURVEY BY:</b> BH, JN	<b>LEGAL SURVEY PLAN</b>	<b>SCALE:</b> 1 : 2000
<b>DRAWN BY:</b> BH	<b>Augustus Power Property Parcel B</b>	<b>DATE:</b> December 5, 2001
<b>BOOK No.:</b> 01-12	Stick Pond Road, Logy Bay-Middle Cove-Outer Cove, Newfoundland	<b>JOB No.:</b> 01-566-B



**2013 04G 0203**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (GENERAL)**

IN THE MATTER OF ALL THAT piece or parcel of land situate, lying and being at the Community of Doyles, District of St. George's and Stephenville East in the Province of Newfoundland and Labrador, Canada

AND

IN THE MATTER OF the Application of WILFRED WHEELER and VERA WHEELER for a Certificate of Title of the said parcel of land pursuant to the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

NOTICE OF APPLICATION UNDER THE *QUIETING OF TITLES ACT*, CHAPTER Q-3 OF THE REVISED STATUTES OF NEWFOUNDLAND AND LABRADOR, 1990, AS AMENDED

NOTICE IS HEREBY given to all persons that WILFRED WHEELER and VERA WHEELER have applied to the Supreme Court of Newfoundland and Labrador, to have title investigated and declared to ALL THAT piece or parcel of land situate, lying and being at the Community of Doyles, District of St. George's and Stephenville East, Province of Newfoundland and Labrador and being more particularly described in Schedule "A" and hereto annexed, of which the said WILFRED WHEELER and VERA WHEELER claim to be the absolute owners thereof and the said WILFRED WHEELER and VERA WHEELER have been ordered to publish Notice of the said application as required by the above-named Act.

All persons having title adverse to the said title claimed by the said WILFRED WHEELER and VERA WHEELER shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division, at Corner Brook, Newfoundland and Labrador particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned solicitors for the Applicants on or before the 13<sup>th</sup> day of December, 2013, after which date no party having any claim shall be permitted to file same or to be heard except by leave of the court and subject to such conditions as the court may deem just.

All such adverse claims shall then be investigated in such manner as the court may direct.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 25<sup>th</sup> day of October, 2013.

MARKS & PARSONS  
Solicitor for the Applicant  
PER: M. Beverley L. Marks, Q.C

ADDRESS FOR SERVICE:  
174 Caribou Road,  
P. O. Box 640  
Channel-Port aux Basques, NL AOM 1C0  
Tel: (709) 695-7338/7341  
Fax: (709) 695-3944

**SCHEDULE "A"**  
Description of land surveyed for  
WILFRED AND VERA WHEELER  
Doyles, NL

All that piece or parcel of land situate and being at Doyles, District of St. Georges-Stephenville East. Newfoundland and Labrador, Canada abutted and bounded as follows:

That is to say; Beginning at a point being N63°08'56"E a distance of 2277.279 metres (grid) from Control Monument number 84G41871;

THENCE by land of Albert Bungay or Assigns S16°12'35"E a distance of 77.237 metres to a point in a Reservation, 10 metres wide, along Little Codroy River,

THENCE following the said Reservation in a general easterly direction to a second point in the reservation along Little Codroy River N71°52'22"E a distance of 266.369 metres from the last mentioned point;

THENCE by land of Shane Lomond N28°15'09"W a distance of 473.985 metres;

THENCE by the sideline of an Access Road to Doyles Pit S60°23'03"W a distance of 66.745 metres;

THENCE S65°05'23"W a distance of 209.648 metres;

THENCE by land of Gordon Osmond S19°38'29"E a distance of 77.101 metres;

THENCE by land of Albert Bungay or Assigns S25°15'51"E a distance of 137.008 metres;

THENCE S46°17'39"E a distance of 156.916 metres to the point of beginning.

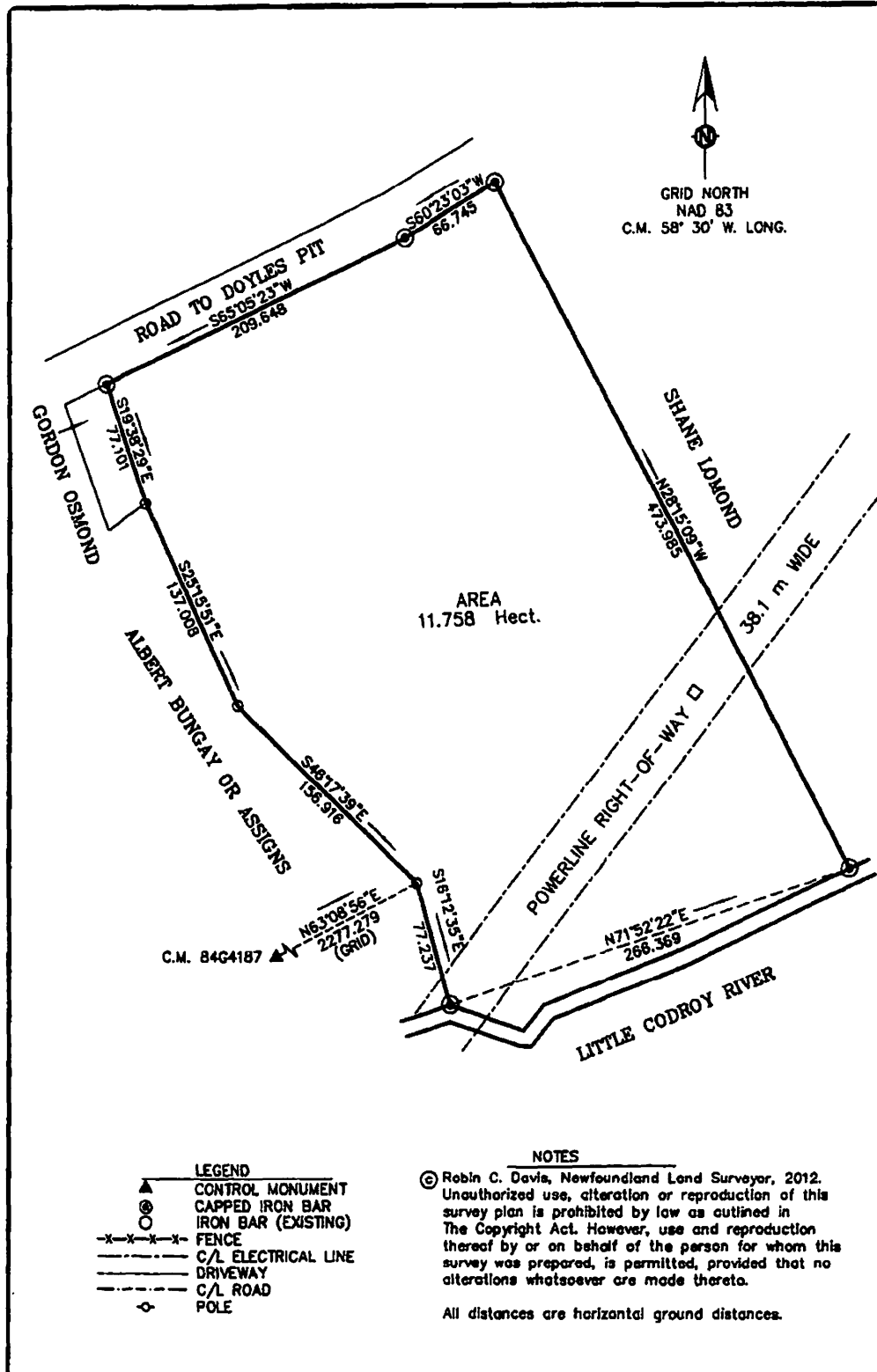
Reserving nevertheless from the above described parcel of land a pole line right of way, 38.1 metres wide. as shown;

The herein described parcel of land contains an area of 11.758 hectares and is more particularly delineated on the plan number 12118-1 hereto attached.

All bearings refer to the meridian of fifty-eight degrees thirty minutes west longitude of the Modified Three Degree Transverse Mercator Projection (NAD 83).

Newfoundland and Labrador Land Surveyor  
Robin C. Davis  
Stephenville Crossing, NL

SCHEDULE "A"



**TRUSTEE ACT**  
**ESTATE NOTICE**

IN THE ESTATE OF META COLEMAN, Widow, Homemaker, Late, of the Town of Isle aux Morts, District of Burgeo and La Poile, Province of Newfoundland and Labrador, Canada, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin, (by blood, legal adoption or marriage) upon or affecting the Estate of META COLEMAN, widow, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executrix of the Estate of the said deceased on or before the 27<sup>th</sup> day of November, 2013, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims to which she shall then have had notice.

DATED at the Town of Channel-Port aux Basques, Province of Newfoundland and Labrador, this 23<sup>rd</sup> day of October, 2013.

MARKS & PARSONS  
Solicitors for the Executrix

ADDRESS FOR SERVICE:  
P.O. Box 640  
174 Caribou Road  
Channel-Port aux Basques, NL A0M 1C0

Tel: (709) 695-7341  
Fax: (709) 695-3944

Nov 1

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**ESTATE NOTICE**

IN THE MATTER OF the Estate and Effects of RICHARD JOSEF SEYPKA, late of the City of St. John's, in the Province of Newfoundland and Labrador.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of RICHARD JOSEF SEYPKA, late of the City of St. John's, in the Province of Newfoundland and Labrador, are hereby requested to send particulars of the same in writing, duly attested, to the undersigned, Solicitors for the Executor of the Estate on or before the 29<sup>th</sup> day of November, 2013, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which he shall then have had notice.

DATED at the City of St. John's, Province of Newfoundland and Labrador, this 17<sup>th</sup> day of October, 2013.

O'DEA, EARLE  
Solicitors for the Executor  
PER: B. John Barrett

ADDRESS FOR SERVICE:  
323 Duckworth Street  
P.O. Box 5955  
St. John's, NL A1C 5X4

Tel: (709) 726-3524  
Fax: (709) 726-9600

Nov 1

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

### SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

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Vol. 88

ST. JOHN'S, FRIDAY, NOVEMBER 1, 2013

No. 44

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 115/13  
NLR 116/13





## NEWFOUNDLAND AND LABRADOR REGULATION 115/13

*Revenue Administration Regulations (Amendment)*  
under the  
*Revenue Administration Act*  
(O.C. 2013-314)

*(Filed October 29, 2013)*

Under the authority of sections 107, 110 and 113 of the *Revenue Administration Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, October 29, 2013.

Julia Mullaley  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |  |   |
|--|---|
| 1. S.2 Amdt.<br>Interpretation         | 4. S.60.1 Added<br>Determination of capital<br>Cost |
| 2. S.3 Amdt.<br>Tax returns            | 5. Commencement                                     |
| 3. S.60 Amdt.<br>Depreciation expenses |   |

NLR 73/11  
as amended

**1. Paragraph 2(1)(d) of the *Revenue Administration Regulations* is repealed and the following substituted:**

(d) "capital cost" with respect to an asset, means

- (i) the cost of the acquisition, construction or improvement of that asset, excluding interest charges and less government assistance pertaining to that asset, and

- (ii) costs incurred to withdraw an asset from use or service and place it in protective storage or to keep it in reserve for future use

and for the purpose of paragraph 2(ff) of the Act, "capital cost" includes only the capital cost in respect of an asset which is eligible for depreciation under section 60;

**(2) Paragraph 2(1)(z) of the regulations is repealed and the following substituted:**

- (z) "mining asset" means plant, machinery, equipment or structures acquired for and used in mining operations;

**2. (1) Subsections 3(4) and (4.1) of the regulations are repealed and the following substituted:**

(4) Notwithstanding subsection (1), for the purpose of Part VII of the Act,

- (a) an operator referred to in section 80 of the Act;
- (b) a person who has been issued a mining lease; and
- (c) a person who receives or is due a payment referred to in subsection 85(1) of the Act

shall file an annual tax return whether or not tax is payable under the Act.

(4.1) The tax return required under subsection (4) shall be filed with the minister not later than 3 months after the close of the year for which the tax return is made, together with the payment of the tax payable, if any, less the amount of payment made under subsection (7).

(4.2) Where a person was issued a mining lease before the coming into force of subsections (4) and (4.1) but tax is not yet payable under section 80 of the Act, that person shall nevertheless file an annual tax return in accordance with those subsections.

(4.3) Notwithstanding subsection (1), a utility liable to pay tax under section 6 of the *Taxation of Utilities and Cable Television Com-*



panies Act shall file an annual tax return not later than March 1 of the following year together with payment of the tax.

**3. (1) Section 60 of the regulations is amended by adding immediately after subsection (1) the following:**

(1.1) For the purpose of subsection (1), where an asset used in mining operations or processing is also used in other activities, the depreciation expense of that asset shall be reduced by the proportion that the asset is used in those other activities as compared to the total use of the asset during the year.

**(2) Subsection 60(5) of the regulations is repealed and the following substituted:**

(5) Where a mining operation ceases to be a new mining operation or a major expansion project and its class 3 assets have fully depreciated, those class 3 assets shall be reclassified as class 2 assets.

**4. The regulations are amended by adding immediately after section 60 the following:**

Determination of  
capital cost

**60.1** (1) Notwithstanding paragraph 2(1)(d), where an operator's asset has been used for activities other than exploration, mining operations or processing before being used by the operator for exploration, mining operations or processing, for the purpose of determining the depreciation expenses or another allowance under this Part, the capital cost of that asset shall be the lesser of

- (a) the fair market value of the asset; or
- (b) the net book value of the asset.

(2) An asset referred to in subsection (1) shall be considered to have been acquired for the purpose of exploration, mining operations, or processing when it is first used for one of those purposes, and the capital cost of that asset shall then be determined in accordance with subsection (1).

Commencement

**5. Sections 3 and 4 of these regulations shall be considered to have come into force on February 28, 2003.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 116/13**

*Notice of Protected Water Supply Area of Dormody's Brook,  
WS-S-0367, Town of Humber Arm South  
under the  
Water Resources Act*

*(Filed October 29, 2013)*

Under the authority of section 39 of the *Water Resources Act*, I designate the area generally known as the *Dormody's Brook Water Supply Area, WS-S-0367*, for the Town of Humber Arm South as a protected water supply area.

Dated at St. John's, October 29, 2013.

Joan Shea  
Minister of Environment and Conservation

**NOTICE**

This area includes all lands in the Provincial Electoral District of Bay of Islands abutted and bounded as follows:

Beginning at a point having scaled UTM coordinates of easting 416 968 metres and northing 5 426 268 metres;

Then running in a southeasterly direction for a distance of 729 metres, more or less, to a point having scaled UTM coordinates of easting 417 269 metres and northing 5 425 604 metres;

Then running in a southeasterly direction for a distance of 745 metres, more or less, to a point having scaled UTM coordinates of easting 417 935 metres and northing 5 425 271 metres;

Then running in a southerly direction for a distance of 355 metres, more or less, to a point having scaled UTM coordinates of easting 417 872 metres and northing 5 424 922 metres;

Then running in a southeasterly direction for a distance of 506 metres, more or less, to a point having scaled UTM coordinates of easting 418 137 metres and northing 5 424 490 metres;

Then running in a southerly direction for a distance of 1067 metres, more or less, to a point having scaled UTM coordinates of easting 418 253 metres and northing 5 423 429 metres;

Then running in a southerly direction for a distance of 361 metres, more or less, to a point having scaled UTM coordinates of easting 418 152 metres and northing 5 423 083 metres;

Then running in a southeasterly direction for a distance of 491 metres, more or less, to a point having scaled UTM coordinates of easting 418 414 metres and northing 5 422 667 metres;

Then running in a southerly direction for a distance of 819 metres, more or less, to a point having scaled UTM coordinates of easting 418 375 metres and northing 5 421 850 metres;

Then running in a southerly direction for a distance of 373 metres, more or less, to a point having scaled UTM coordinates of easting 418 285 metres and northing 5 421 487 metres;

Then running in a southeasterly direction for a distance of 650 metres, more or less, to a point having scaled UTM coordinates of easting 418 811 metres and northing 5 421 106 metres;

Then running in a southerly direction for a distance of 305 metres, more or less, to a point having scaled UTM coordinates of easting 418 917 metres and northing 5 420 821 metres;

Then running in a southwesterly direction for a distance of 272 metres, more or less, to a point having scaled UTM coordinates of easting 418 777 metres and northing 5 420 588 metres;

Then running in a southerly direction for a distance of 574 metres, more or less, to a point having scaled UTM coordinates of easting 418 835 metres and northing 5 420 016 metres;

Then running in a southwesterly direction for a distance of 196 metres, more or less, to a point having scaled UTM coordinates of easting 418 716 metres and northing 5 419 860 metres;

Then running in a southerly direction for a distance of 417 metres, more or less, to a point having scaled UTM coordinates of easting 418 806 metres and northing 5 419 453 metres;

Then running in a southwesterly direction for a distance of 269 metres, more or less, to a point having scaled UTM coordinates of easting 418 658 metres and northing 5 419 228 metres;

Then running in a westerly direction for a distance of 209 metres, more or less, to a point having scaled UTM coordinates of easting 418 449 metres and northing 5 419 230 metres;

Then running in a northwesterly direction for a distance of 89 metres, more or less, to a point having scaled UTM coordinates of easting 418 404 metres and northing 5 419 307 metres;

Then running in a northerly direction for a distance of 432 metres, more or less, to a point having scaled UTM coordinates of easting 418 433 metres and northing 5 419 738 metres;

Then running in a northwesterly direction for a distance of 304 metres, more or less, to a point having scaled UTM coordinates of easting 418 248 metres and northing 5 419 979 metres;

Then running in a westerly direction for a distance of 320 metres, more or less, to a point having scaled UTM coordinates of easting 417 935 metres and northing 5 420 051 metres;

Then running in a westerly direction for a distance of 1778 metres, more or less, to a point having scaled UTM coordinates of easting 416 160 metres and northing 5 419 950 metres;

Then running in a northwesterly direction for a distance of 269 metres, more or less, to a point having scaled UTM coordinates of easting 415 940 metres and northing 5 420 106 metres;

Then running in a southwesterly direction for a distance of 717 metres, more or less, to a point having scaled UTM coordinates of easting 415 422 metres and northing 5 419 611 metres;

Then running in a westerly direction for a distance of 434 metres, more or less, to a point having scaled UTM coordinates of easting 414 988 metres and northing 5 419 622 metres;

Then running in a northwesterly direction for a distance of 203 metres, more or less, to a point having scaled UTM coordinates of easting 414 819 metres and northing 5 419 733 metres;

Then running in a northerly direction for a distance of 392 metres, more or less, to a point having scaled UTM coordinates of easting 414 689 metres and northing 5 420 104 metres;

Then running in a northwesterly direction for a distance of 311 metres, more or less, to a point having scaled UTM coordinates of easting 414 406 metres and northing 5 420 233 metres;

Then running in a northerly direction for a distance of 301 metres, more or less, to a point having scaled UTM coordinates of easting 414 350 metres and northing 5 420 530 metres;

Then running in a northerly direction for a distance of 478 metres, more or less, to a point having scaled UTM coordinates of easting 414 488 metres and northing 5 420 987 metres;

Then running in a northerly direction for a distance of 688 metres, more or less, to a point having scaled UTM coordinates of easting 414 512 metres and northing 5 421 675 metres;

Then running in a northwesterly direction for a distance of 301 metres, more or less, to a point having scaled UTM coordinates of easting 414 342 metres and northing 5 421 924 metres;

Then running in a northerly direction for a distance of 393 metres, more or less, to a point having scaled UTM coordinates of easting 414 305 metres and northing 5 422 315 metres;

Then running in a northeasterly direction for a distance of 656 metres, more or less, to a point having scaled UTM coordinates of easting 414 596 metres and northing 5 422 903 metres;

Then running in a northerly direction for a distance of 511 metres, more or less, to a point having scaled UTM coordinates of easting 414 615 metres and northing 5 423 413 metres;

Then running in a northerly direction for a distance of 468 metres, more or less, to a point having scaled UTM coordinates of easting 414 697 metres and northing 5 423 874 metres;

Then running in a westerly direction for a distance of 242 metres, more or less, to a point having scaled UTM coordinates of easting 414 456 metres and northing 5 423 895 metres;

Then running in a northerly direction for a distance of 536 metres, more or less, to a point having scaled UTM coordinates of easting 414 284 metres and northing 5 424 403 metres;

Then running in a northwesterly direction for a distance of 414 metres, more or less, to a point having scaled UTM coordinates of easting 413 908 metres and northing 5 424 578 metres;

Then running in a northwesterly direction for a distance of 658 metres, more or less, to a point having scaled UTM coordinates of easting 413 493 metres and northing 5 425 088 metres;

Then running in a northeasterly direction for a distance of 221 metres, more or less, to a point having scaled UTM coordinates of easting 413 644 metres and northing 5 425 250 metres;

Then running in a northerly direction for a distance of 482 metres, more or less, to a point having scaled UTM coordinates of easting 413 649 metres and northing 5 425 731 metres;

Then running in an easterly direction for a distance of 362 metres, more or less, to a point having scaled UTM coordinates of easting 414 009 metres and northing 5 425 771 metres;

Then running in a northerly direction for a distance of 97 metres, more or less, to a point having scaled UTM coordinates of easting 414 025 metres and northing 5 425 866 metres;

Then running in an easterly direction for a distance of 129 metres, more or less, to a point having scaled UTM coordinates of easting 414 152 metres and northing 5 425 887 metres;

Then running in a northerly direction for a distance of 102 metres, more or less, to a point having scaled UTM coordinates of easting 414 168 metres and northing 5 425 988 metres;

Then running in a northeasterly direction for a distance of 399 metres, more or less, to a point having scaled UTM coordinates of easting 414 501 metres and northing 5 426 207 metres;

Then running in an easterly direction for a distance of 388 metres, more or less, to a point having scaled UTM coordinates of easting 414 877 metres and northing 5 426 305 metres;

Then running in an easterly direction for a distance of 1079 metres, more or less, to a point having scaled UTM coordinates of easting 415 952 metres and northing 5 426 390 metres;

Then running in an easterly direction for a distance of 1023 metres, more or less, to the point of commencement.

All coordinates refer Zone 21 of the NAD 83 Universal Transverse Mercator Projection.

**The Notice of Protected Water Supply Area, Consolidated Newfoundland and Labrador Regulation 549/96, is repealed.**

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## Index

### PART I

Lands Act – Notice .....	483
Mineral Act – Notice .....	481
Municipalities Act, 1999 – Notice .....	482
Quieting of Titles Act – Notices .....	483
Trustee Act – Notices .....	491
Urban and Rural Planning Act, 2000 – Notice .....	482

### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
<b>Revenue Administration Act</b>			
Revenue Administration Regulations (Amdt.)	NLR 115/13	Amends NLR 73/11 S. 2 Amdt. S. 3 Amdt. S. 60 Amdt. S. 60.1 Added	Nov 1/13 p. 745
<b>Water Resources Act</b>			
Notice of Protected Water Supply Area of Dormody’s Brook, WS-S-0367, Town of Humber Arm South	NLR 116/13	New	Nov 1/13 p. 749

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