

ASSIGNMENT OF LEASE INSTRUCTION PACKAGE

Prior to filing an Assignment of Lease, please complete the enclosed Lease Information form where the signatory is agreeing to a credit check. Information on all Assignee(s), including telephone number(s) is required. Once reviewed, you will be contacted.

It is strongly advised that you seek the assistance of a Solicitor to ensure that you complete the Assignment of Lease in accordance with the attached prescribed form with appropriate affidavit(s)/notarial certificate(s), and that your interests are protected. The Department's business practice is that all leases with more than one person be joint tenants or an incorporated group/club. *Joint Tenants means the interests of a deceased lessee would devolve to the surviving lessee partner(s) and not to the normal heirs of a deceased lessee.* If the Assignment of Lease package is approved by Department of Energy and Resource Development, Service New Brunswick requires that you register the Assignment of Lease. Before submitting your Assignment of Lease, please ensure the following:

- To meet registration requirements, all legal documents must have margins set at 1½" (3.8 cm) at the top and left-hand side, 1" (2.54 cm) at the bottom and right-hand side, and be printed on 8 ½ x 14 legal size paper. Include the Service New Brunswick registry number(s) of all documents (i.e. current lease and/or its subsequent assignments) related to this Assignment of Lease.
- Provide **two (2)** original signed copies of the Assignment of Lease document.
- A copy of "Schedule A", which is the legal lot description, must be included in the Assignment of Lease as it is part of the legal document. If a copy of the "Schedule A" cannot be located, please contact a Leasing Officer toll-free at 1-888-312-5600.
- Proper affidavits/notarial certificates, including a Marital Property Affidavit if applicable, are completed, signed and attached to the Assignment of Lease document. Witnesses must be 19 years or older.
- Enclose Assignment fee payment of **\$230.00** (\$200.00 + HST), made payable to the Minister of Finance.
- Proof of payment of the annual lease rental and property taxes in the form of a photocopied receipt, cancelled cheque or money order will expedite the approval process.
- In the case of an **Estate assignment**, a copy of the Death Certificate is required. If applicable, any order of appointment for the administration of the lessee's affairs/Estate must also accompany the assignment. In addition, one of the following documentation is required to prove authority to sign on behalf of the Estate:
 - a copy of the deceased person's Last Will and Testament, if the deceased died with a Will; *or*,
 - probate particulars or a notarized affidavit listing all the heirs, if the deceased died without a Will.
- In the case of an **unincorporated group/club**, a copy of minutes authorizing a member(s) to sign on behalf of the group/club must accompany the assignment document; otherwise, all members must sign the assignment document.
- In the case of a **company**, the authorized signing officers must sign and seal the assignment document, plus provide the appropriate corporate affidavit.
- In the case of a **maple sugary lease**, all associated Licenses of Occupation must be transferred. Please make this request in writing. Each license is subject to a \$230.00 (200.00 + HST) transfer fee. Any inquiries may be directed to the Land Use Application Service Centre by calling 1-888-312-5600.

**Once completed, please forward all documents to:
Protection and Maintenance Section, Crown Lands Branch
Dept. of Energy and Resource Development
PO Box 6000, Fredericton, NB E3B 5H1**

LEASE INFORMATION – ASSIGNMENT OF LEASE / INFORMATION SUR LE BAIL – CESSIION DE BAIL

*Please provide the following information for all assignees.
Veuillez fournir les renseignements suivants pour tous les cessionnaires.*

**ALL CORRESPONDENCE WILL BE FORWARDED TO THIS ASSIGNEE ONLY.
TOUTE CORRESPONDANCE SERA ENVOYÉE À CE CESSIONNAIRE SEULEMENT.**

Correspondance preference/Correspondance préférée: Postal Service/Service Postal E-mail/Courriel

NAME/NOM: Mr./M. Mrs./Mme Miss/Mlle

ADDRESS/ADRESS: _____

POSTAL CODE/
CODE POSTAL: _____

PHONE/TÉLÉPHONE

(HOME/RÉSIDENCE): _____

(BUSINESS/TRAVAIL): _____

(CELL/CELLULAIRE): _____

EMAIL/COURRIEL: _____

English Français

NAME/NOM: Mr./M. Mrs./Mme Miss/Mlle

ADDRESS/ADRESS: _____

POSTAL CODE/
CODE POSTAL: _____

PHONE/TÉLÉPHONE

(HOME/RÉSIDENCE): _____

(BUSINESS/TRAVAIL): _____

(CELL/CELLULAIRE): _____

EMAIL/COURRIEL: _____

English Français

NAME/NOM: Mr./M. Mrs./Mme Miss/Mlle

ADDRESS/ADRESS: _____

POSTAL CODE/
CODE POSTAL: _____

PHONE/TÉLÉPHONE

(HOME/RÉSIDENCE): _____

(BUSINESS/TRAVAIL): _____

(CELL/CELLULAIRE): _____

EMAIL/COURRIEL: _____

English Français

The applicant also understands that we may be required to evaluate information from the applicant on an ongoing basis. The applicant consents to the collection, use and disclosure of credit related information and the disclosure of credit related information to such organizations as credit bureaus, credit grantors, insurers, adjudicators and agents. The applicant also understands and agrees that if consent is revoked, the Department of Energy and Resource Development may no longer have access to their credit facilities and the amount owing may become due and payable in full. Notwithstanding any revocation, the applicant agrees that the Department of Energy and Resource Development may report the status of our account to the credit bureau and credit grantors.

Yes I am / we are 19 years of age or over

I certify that all the above information to be true and complete.

Le demandeur comprend que nous pourrions être amenés à évaluer régulièrement les renseignements qu'il nous fournit. Le demandeur consent à la cueillette, à l'utilisation et à la communication de renseignements liés au crédit et à la communication de ces renseignements à des organismes tels que des agences d'évaluation du crédit, des fournisseurs de crédit, des compagnies d'assurances, des arbitres ou des agents. Le demandeur comprend également que si le consentement est révoqué, le ministère du Développement de l'Énergie et des Ressources pourrait ne plus avoir accès à ses établissements de crédit et pourrait exiger que la totalité du montant en souffrance soit payée. Nonobstant toute révocation, le demandeur accepte que le ministère du Développement de l'Énergie et des Ressources puisse rendre compte de l'état du compte à l'agence d'évaluation du crédit et au fournisseur de crédit.

Oui, je suis / nous sommes âgé de 19 ans ou plus

Je soussigné certifie que les renseignements ci-dessus sont complets et conformes à la réalité.

Date _____ 20____ Signature of applicant / Signature du demandeur **x** _____

**Return to: Crown Lands Branch, ERD, PO Box 6000, Fredericton, NB, E3B 5H1 /
Envoyer à: Direction des terres de la Couronne, DER, CP 6000, Fredericton, NB, E3B 5H1**

Office Use:

Leasing Officer/

Agente des baux fonciers : _____

Effective Date/

La date effective : _____

Names to be Removed/Enlever les noms suivant: _____

LUMS: Updates Completed by/

Mettre à jour et compléter par : _____ Date: _____

ERD File No. : [lease number]
PID #: ##

ASSIGNMENT OF LEASE

The parties to this assignment are:

[ADD ADDITIONAL PARTIES AS REQUIRED]

[Name of assignor], [civic address]
_____, the "assignor"

and

[Name of assignee], [civic address]
_____, the "assignee"

and

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF NEW BRUNSWICK as represented by the Minister of Energy and Resource Development for the Province of New Brunswick, having an office at the Hugh John Flemming Forestry Center, Fredericton, New Brunswick, **the "lessor"**

In consideration of the sum of One Dollar, the assignor assigns to the assignee, [his, her, their, its] [heirs, executors, administrators, successors and assigns] all of [his/her/their/its] interest in Crown Lands Lease Number [lease number], as described in the attached Schedule "A", containing [#] hectares more or less. [, also registered under number #, and the Assignment of Lease registered under # at Land Registry.]

If more than one assignee to a lease, they are as joint tenants.

The assignee accepts this lease assignment and, in consideration of the lessor's consent, hereby covenants and agrees with the lessor to duly perform and fulfill all of the terms and conditions of the lease.

The lessor consents to this lease assignment under Subsection 24(1) of the *Crown Lands and Forests Act*. Such consent is no guarantee that the lot or its improvements meet prescribed standards.

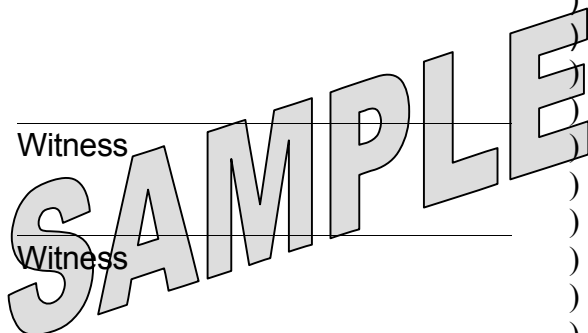
Dated on _____, 20____.

SIGNED, SEALED AND DELIVERED) HER MAJESTY THE QUEEN
in the presence of) IN RIGHT OF THE PROVINCE OF
) NEW BRUNSWICK AS REPRESENTED
) BY THE MINISTER OF ENERGY AND
) RESOURCE DEVELOPMENT PER

Witness _____) Designate

Witness _____) Name (add lines as required), Assignor

Witness _____) Name (add lines as required), Assignee



NOTARIAL CERTIFICATE FOR NOTARY PUBLIC (within / outside NB)

PROVINCE OF

COUNTY OF

BE IT REMEMBERED that before me a Notary Public for the Province of _____ by royal authority duly appointed, commissioned and sworn residing and practising in the _____ of _____, in the County of _____ and Province of _____, personally came and appeared before me, _____, of the _____ of _____, in the Province of _____, who acknowledged that **he/she/they** did sign, seal, execute and deliver the foregoing Assignment of Lease as and for **his/her/their** act and deed to and for the uses and purposes expressed and contained therein.

IN FAITH AND TESTIMONY WHEREOF, I, _____, the said Notary Public, have hereunto set my hand and affixed my Notarial Seal the _____ day of _____, 20____.

SAMPLE

A NOTARY PUBLIC IN AND FOR
THE PROVINCE OF

AFFIDAVIT FOR A COMMISSIONER OF OATHS (within NB only)

PROVINCE OF NEW BRUNSWICK

COUNTY OF

I, **(name of witness)**, of the _____ of _____, in the County of _____ and Province of New Brunswick, MAKE OATH

AND SAY:

1. My name and place of residence are correctly set forth as above.
2. I was personally present on the _____ day of _____, 20____, and did see the foregoing instrument duly executed, signed, sealed and delivered by _____ therein named and described.
3. The same was so executed at the _____ of _____, in the County of _____ and Province of New Brunswick.
4. I know the said _____ and I fully believe that **he/she** is upwards of the full age of nineteen years.
5. That the said _____ is a resident of the _____ of _____, in the County of _____, and Province of New Brunswick.

SWORN TO at the _____ of _____, in the _____ and _____ Province of New Brunswick this _____ day of _____, 20____.

BEFORE ME:

Commissioner of Oaths

) _____
) **Name of witness**

