

SUBLEASE INSTRUCTION PACKAGE

A Consent to Sublease, authorized by the Department of Natural Resources, is required prior to the lessee subletting a Crown lease. The term of the Sublease runs until the lease expires and must be renewed if continued after this date. Lessees may only sublet the entire lease, not a portion, and it must be for the same purpose. The lessee remains the recipient of all correspondence and invoices associated with the lease.

It is strongly advised that you seek the assistance of a Solicitor to ensure that you complete the document in accordance with the attached prescribed form with appropriate affidavit(s)/notarial certificate(s), and that your interests are protected. If the Sublease package is approved by Department of Natural Resources, two original "Consent to Sublease" documents will be returned to the lessee.

Before submitting your Sublease, 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.
- The Sublease document is prepared in triplicate.
- A copy of "Schedule A", which is the legal lot description, must be included in the Sublease 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.
- A copy of "Schedule C", which is the Terms and Conditions of the lease, must be included in the Sublease as it is part of the legal document. If a copy of the "Schedule C" cannot be located, please contact a Leasing Officer toll-free at 1-888-312-5600.
- Proper affidavits/notarial certificates are completed, signed and attached to the Sublease document. Witnesses must be 19 years or older.
- The authorized signing officers of a **company** must sign and seal the Sublease document, plus provide the appropriate corporate affidavit.
- Enclose the Sublease preparation fee in the amount of **\$226.00** (\$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.
- Sublease Information form** is completed and enclosed. Information on all Sublessees, including telephone number(s), has been provided.

Once completed, please forward all documents to:

**Department of Natural Resources
Crown Lands Branch, Protection and Maintenance Section
PO Box 6000, Fredericton, NB E3B 5H1**

SUBLEASE INFORMATION/ INFORMATION SUR LA SOUS-LOCATION

Please provide the following information for all sublessees.
Veuillez fournir les renseignements suivants pour tous les sous-locataires.

File No. / N/Réf. : _____

Main Contact/La principale personne-ressource 8

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

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PHONE/TÉLÉPHONE

(HOME/RÉSIDENCE): _____

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(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

Sublessees must be at least 19 years of age or older./Tous les sous-locataires doivent être âgés de 19 ans ou plus.

Signature : _____

Contact Person/
La principale personne-ressource

Date : _____

Send to: Crown Lands Branch, DNR, PO Box 6000, Fredericton, NB, E3B 5H1 -
Envoyer à : Direction des terres de la Couronne, MRN, CP 6000, Fredericton, NB, E3B 5H1

Office Use :

Leasing Officer/ Agente des baux fonciers :

Date :

LUMS :

DNR File No.: [lease number]

PID #: ##

CONSENT TO SUBLEASE

THIS INDENTURE made in triplicate this _____ day of _____ A.D., 20
;

The parties to this consent are:

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

OF THE FIRST PART,

-and-

_____ having its office at _____
and being a duly constituted corporation under the laws of New Brunswick, the "**lessee**"

OF THE SECOND PART,

-and-

_____, having its office at _____
and being a duly constituted corporation under the laws of New Brunswick, the "**sublessee**"

OF THE THIRD PART,

WHEREAS the lessee is the holder of Crown Lands Lease No. _____, for the purpose of _____ dated _____, for a term expiring on the _____ of _____, 20____, herein referred to as the "**lease**".

AND WHEREAS the lessee wishes to sublet the lease, more particularly described in Schedule "A" and subject to the Terms and Conditions as described in Schedule "C", annexed hereto, to the sublessee and the lessor has, subject to the terms hereof, consented to the same:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of one Dollar (\$1.00) now paid by each of the parties hereto to each other, the receipt and sufficiency whereof is hereby acknowledged, the lessor doth hereby consent to the sublease, under Subsection 24(1) of the *Crown Lands and Forests Act*, by the lessee to the sublessee of the lands described in Schedule "A" annexed hereto for a term expiring on the _____ of _____, 20____, and all the benefit and advantage to be derived therefrom; provided always:

1. That the lessee shall not in any manner, as a result of this consent or otherwise, be relieved of any or all of its obligations, contracts, agreements, undertakings or covenants under the lease to the lessor and that the lease shall continue in full force and effect in accordance with the terms thereof;

2. That the sublessee shall during the currency of the sublease be bound by each and every of the obligations, contracts, agreements, undertakings or covenants of the lessee under the lease in the same manner and to the same extent as if it were the lessee under the lease; and
3. That in the event of conflict between any obligation, contract, agreement, undertaking or covenant contained in or flowing from the lease and any obligation, contract, agreement, undertaking or covenant contained in or flowing from the sublease, the provisions of the lease shall govern as between the lessor and the lessee or sublessee.

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

SIGNED, SEALED AND DELIVERED	)	HER MAJESTY THE QUEEN IN
in the presence of	)	RIGHT OF THE PROVINCE OF
	)	NEW BRUNSWICK AS
	)	REPRESENTED BY THE
	)	MINISTER OF NATURAL
	)	RESOURCES
)	
)	
_____)	_____
Witness	)	Per: (Leasing Officer Name)
	)	Designate
)	
)	
)	
)	
_____)	_____
Witness	)	(Name of lessee)
)	
)	
)	
_____)	_____
Witness	)	(Name of sublessee)

AFFIDAVIT FOR A COMPANY WITHIN NB ONLY

PROVINCE OF NEW BRUNSWICK

COUNTY OF

I, _____, of the _____
of _____, in the County of _____ and Province of New
Brunswick, MAKE OATH AND SAY:

1. That I am the _____ of _____ and have a personal knowledge of the matters and things herein deposed to and have authority to make this Affidavit on behalf of the said Company.
2. That the _____ is the authorized signing officer to execute documents in the name and on behalf of the said Company.
3. That the signature " _____ " subscribed to the within Instrument is the signature of me, the said _____ (name of person) as such _____ (his/her title) and was thereto subscribed by order of the duly authorized office of the said Company to and for the uses and purposes therein expressed and contained.
4. That the Corporate Seal, affixed to the said Instrument, is the corporate seal of _____ and was so affixed by order of the said Company for the purposes of the execution of the said Instrument.
5. The said Instrument was so executed by the said Company on the _____ day of _____, 20____, as and for its act and deed for the uses and purposes therein expressed and contained.

SWORN TO at the _____ of)
_____, in the)
County of _____ and)
Province of New Brunswick, this _____ day)
of _____, 20____.)
)
BEFORE ME:)
) _____)
))
))
_____))
Commissioner of Oaths)

AFFIDAVIT FOR A COMPANY OUTSIDE NB

PROVINCE OF

COUNTY OF

I, _____, of the _____
of _____, in the County of _____ and Province of _____,
, MAKE OATH AND SAY:

1. That I am the _____ of _____ and have a personal knowledge of the matters and things herein deposed to and have authority to make this Affidavit on behalf of the said Company.
2. That the _____ is the authorized signing officer to execute documents in the name and on behalf of the said Company.
3. That the signature " _____ " subscribed to the within Instrument is the signature of me, the said _____ (name of person) as such _____ (his/her title) and was thereto subscribed by order of the duly authorized office of the said Company to and for the uses and purposes therein expressed and contained.
4. That the Corporate Seal, affixed to the said Instrument, is the corporate seal of _____ and was so affixed by order of the said Company for the purposes of the execution of the said Instrument.
5. The said Instrument was so executed by the said Company on the _____ day of _____, 20____, as and for its act and deed for the uses and purposes therein expressed and contained.

SWORN TO at the _____ of)
_____, in the _____)
County of _____ and)
Province of _____, this _____ day)
of _____, 20____.)
)
BEFORE ME:)
) _____)
))
))
_____)
Notary Public)
Province of _____)