

**DECLARATION OF POSSESSION**

**CANADA**

**PROVINCE OF ONTARIO**

**IN THE MATTER OF TITLE TO**

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AND THE SALE THEREOF**

**FROM:**

Vendor: \_\_\_\_\_

Vendor: \_\_\_\_\_

**TO:**

Purchaser: \_\_\_\_\_

Purchaser: \_\_\_\_\_

WE / I \_\_\_\_\_ of the City of \_\_\_\_\_,

in the Province of Ontario, **SOLEMNLY DECLARE THAT:**

1. That the ownership of the property is as listed on the registered title and that I am / we are the absolute owner(s). I / We either personally or by tenants, have been in the actual, peaceable, continuous, exclusive, open, undisturbed and undisputed possession and occupation thereof, and of the houses and other buildings used in connection therewith since I / we obtained a conveyance of same and continuously thereafter until the present time.
2. That save and except any taxes and local improvement rates charged thereon there are no liens, easements, charges, mortgages or encumbrances affecting the lands, except as is disclosed by the registered title, and I / we have no knowledge of any person or corporation having any claim or interest in the said lands or any part thereof adverse to or inconsistent with the title to the property and I / we positively believe that none such exists.
3. The possession and occupation of the above mentioned lands have been undisturbed throughout by any action, suit or other proceedings or adverse possession or otherwise on the part of any person whatsoever and during such possession and occupation no payment has ever been made or acknowledgment of title given by me / us, or, so far as I / we know, by anyone else, to any person in respect of any right, title, interest or claim upon the said lands, and I / we believe that none such exists.

4. That the Deed, evidences of title and other papers which have been produced by me / us are all the title Deeds, evidences of title and other papers relating to the title to the said lands that are in my / our possession or power and that to the best of my / our knowledge and belief that said title Deeds and papers produced and this declaration and the registered title fully and fairly disclose all facts material to the title claimed by me / us and all contracts and dealings which affect the same or any part thereof so far as I / we have any knowledge thereof.

5. That to the best of my / our knowledge and belief the buildings used in connection with the premises are situate wholly within the limits of the said lands and during the said period there has been no change in the location of the fences or other enclosures defining the boundaries.

6. I / We have never heard of any claim or encroachment or of any easement affecting the lands, either for light, drainage or right-of-way or otherwise, except as disclosed by the registered title.

7. At the time of the execution and delivery of the Transfer / Deed of Land herein, I or each of us was not a non-resident of Canada within the meaning of Section 116 of **The Income Tax Act of Canada**, and amendments thereto.

8. I / We do not retain the fee or equity of redemption in, or a power or right to grant, assign or exercise a power of appointment with respect to any land abutting the lands being conveyed in the subject transaction.

AND I / WE MAKE THIS DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

SEVERALLY SWORN before )  
me at the City of \_\_\_\_\_ )  
in the Province of Ontario )  
 )  
this \_\_\_\_ day of \_\_\_\_\_ )  
200 )  
 )  
 )

Vendor: \_\_\_\_\_

Vendor: \_\_\_\_\_

A COMMISSIONER ETC.