

Torkin Manes LLP
Barristers & Solicitors
151 Yonge Street, Suite 1500
Toronto, Ontario M5C 2W7

Tel: 416-863-1188
Fax: 416-863-0305
www.torkinmanes.com

M. Scott Martin
Lawyer
Direct Tel: 416-777-5411
Direct Fax: 1-888-587-9141
smartin@torkinmanes.com

Our File No: 17691.0234

An international
member of

AllyLaw

November 23, 2017

VIA E-MAIL

Ms. Sara Kunto
University Secretary and General Counsel
Laurentian University of Sudbury
935 Ramsey Lake Road
Sudbury, ON P3E 2C6

Dear Ms. Kunto:

Re: Property: 2115 South Bay Road, Sudbury, Ontario
Diary Date: December 5, 2017

Further to our recent discussion, I have now obtained instructions regarding a proposal for the purchase of land at the rear of the Crispo/Ansell property. I have attached a Draft Plan which indicates the land in issue, which is described as a "Proposed Lot Addition" of approximately 389 square metres. The Proposed Lot Addition would incorporate all of the land on which the encroachments are located, including the septic bed, patio, shed, secondary driveway, and related improvements.

The area of land in the Proposed Lot Addition is slightly larger than in the original proposal to purchase but is substantially smaller than the land in the proposed land exchange.

Drs. Crispo and Ansell are prepared to pay a purchase price of \$70,000.00 for the Proposed Lot Addition and will also pay all related costs associated with completing the conveyance and obtaining any necessary approvals.

They are also prepared to convey to the University a parcel of land from their residential property equal to 150% of the size of the Proposed Lot Addition (approximately 584 square metres). Drs. Crispo and Ansell agree to be responsible for the costs to have this portion of land transferred to the University. The location of this parcel of land is not shown on the attached draft plan and would be subject to further negotiation; however, the land would be part of the lands identified as Part 1, Plan 53R-9528.

The offer to purchase the Proposed Lot Addition includes the following terms:

1. Acceptance or rejection of the proposal by the University shall be communicated in writing to our office within sixty days of the date of this offer;
2. If requested by the University, Drs. Crispo and Ansell will enter into a non-disclosure agreement pertaining to the proposed purchase;
3. Drs. Crispo and Ansell reserve their rights to pursue claims against other parties (other than the University) relating to this matter; and
4. This Offer may be retracted at any point prior to receiving written acceptance from the University.

In our view, the above proposal is a reasonable resolution of the encroachment issues. In particular, the proposed purchase price exceeds any reasonable assessment of market value in the event a court concludes that Drs. Crispo and Ansell are entitled to a conveyance of the lands pursuant to s. 37 of the *Conveyancing and Law of Property Act*.

As we discussed, I understand that you will provide this revised offer to purchase the property to the Laurentian University Board of Governors for their consideration.

I look forward to hearing from you regarding the above.

Yours truly,

TORKIN MANES LLP

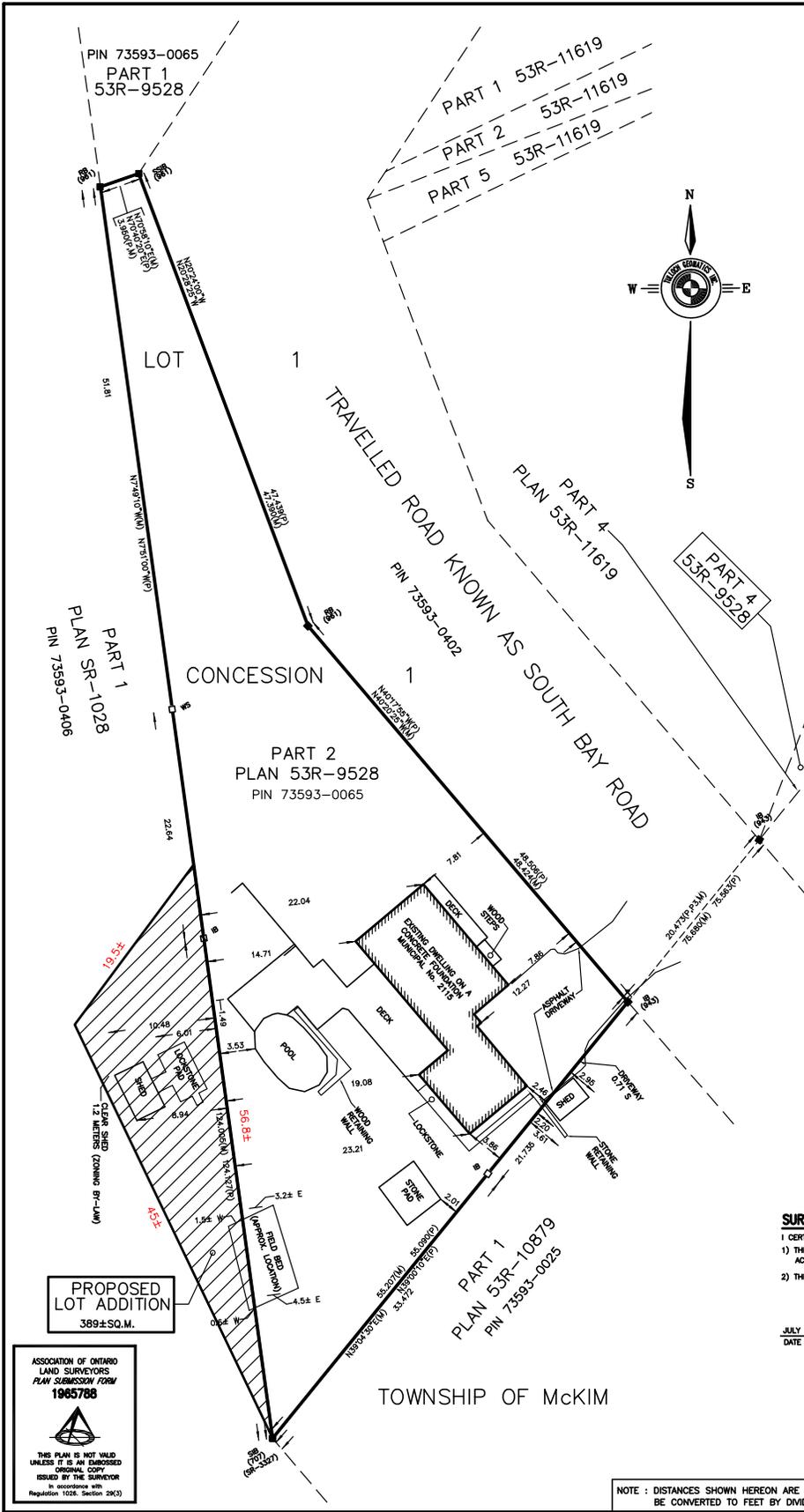
Per:



M. Scott Martin

MSM/tlh

Enc.



SURVEYOR'S REAL PROPERTY REPORT
ON
**PART OF
LOT 1
CONCESSION 1**
GEOGRAPHIC TOWNSHIP OF MCKIM
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
TERRY DEL BOSCO, ONTARIO LAND SURVEYOR
2016

SCALE 1 : 250
0 5 10 15 20 METRES

DESCRIPTION
PART OF PIN 73593-0065, BEING PART 2, PLAN 53R-9528
MUNICIPAL No. 2115 SOUTH BAY ROAD

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
NONE REGISTERED

NOTE
NONE

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
NOT CERTIFIED BY THIS REPORT.

NOTES
BEARINGS ARE UTM GRID, DERIVED BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD 83 (CSRS) (2010.0).
ALL UNDERLYING BEARINGS ARE ASTRONOMIC.
THIS PLAN AND REPORT IS PREPARED FOR JAMES ALEXANDER GEORGE CRISPO AND DOMINIQUE ANSELL. IT IS NOT VALID UNLESS SIGNED AND SEALED.
NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF TULLOCH GEOMATICS.
© TULLOCH GEOMATICS, 2016.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
RB	DENOTES	ROCK BAR
RPL	DENOTES	ROCK PLUG
M	DENOTES	MEASURED
S	DENOTES	SET
NVM	DENOTES	NO VISIBLE MARKINGS
WIT	DENOTES	WITNESS MONUMENT
WS	DENOTES	WOOD STAKE
PROP	DENOTES	PROPORTIONED
PIN	DENOTES	PROPERTY IDENTIFIER NUMBER
1655	DENOTES	TERRY DEL BOSCO, O.L.S.
707	DENOTES	R. T. LANE, O.L.S.
843	DENOTES	ENDELMAN, HOLDER, O.L.S.
P	DENOTES	PLAN 53R-9528
P2	DENOTES	PLAN 53R-10879
↖	DENOTES	NOT TO SCALE

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2) THIS SURVEY WAS COMPLETED ON THE 18th DAY OF JULY, 2016.

JULY 19, 2016
DATE
TERRY DEL BOSCO
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1965768

THIS PLAN IS NOT VALID
UNLESS IT IS AN UNBESSELED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1028, Section 29(3)

TULLOCH

1942 REGENT STREET SUDBURY, ONTARIO
UNIT L P3E 5V5 705-671-2295
FILE: 165655 SRPR PREPARED BY DD

NOTE : DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.