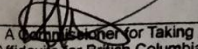




LAND TITLE ACT
STATE OF TITLE CERTIFICATE

PERRY FAINSTEIN, BARRISTER & SOLICITOR
3410 WOODBURN AVENUE, VICTORIA, BC, V8P
(250) 592-3239
RE: DALEY

This is Exhibit " C "
Referred to in the affidavit of
Victoria Nevens
sworn before me this
day of 3 FEB 2020


A Commissioner for Taking
Affidavits for British Columbia

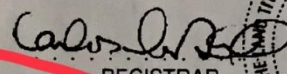
YOUR FILE NUMBER:
DALEY

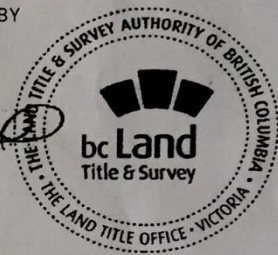
LAND TITLE DISTRICT: VICTORIA, BRITISH COLUMBIA

CERTIFICATE NO: STBC1670762

TITLE NO: EV10002

THIS IS TO CERTIFY THAT AT 05:44 ON 14 MARCH, 2013,
THE STATE OF THE TITLE TO THE LAND DESCRIBED HEREIN IS AS STATED
AND IS SUBJECT TO THE NOTATIONS APPEARING BELOW. THIS CERTIFICATE
IS TO BE READ SUBJECT TO THE PROVISIONS OF SECTION 23(2) OF
THE LAND TITLE ACT (R.S.B.C. 1996 CHAPTER 250) AND MAY BE AFFECTED BY
SECTIONS 50 AND 55-58 OF THE LAND ACT (R.S.B.C. 1996 CHAPTER 245).


REGISTRAR



APPLICATION FOR REGISTRATION RECEIVED ON: 30 JANUARY, 2003
ENTERED: 03 FEBRUARY, 2003

REGISTERED OWNER IN FEE SIMPLE:
GERALD WAYNE JACK DALEY, SALESMAN
604 POLYANTHUS CRESCENT
VICTORIA, BC
V8Z 2J4

TAXATION AUTHORITY:
MUNICIPALITY OF SAANICH

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 002-872-391
LOT 2, SECTION 82, VICTORIA DISTRICT, PLAN 25077

**My spouse GIFTED
me, Victoria N. our
homestead in a
testamentary trust**

THIS IS THE LAST WILL AND TESTAMENT of me, GERALD WAYNE JACK DALEY, of the City of Victoria, in the Province of British Columbia.

1. I revoke all my prior wills and codicils.

2. I appoint my friend, VICTORIA ANN NEVENS, to be the executor of this my Will and the trustee of my estate (my "Trustee"). If VICTORIA ANN NEVENS is unwilling or unable to act or to continue to act as my Trustee, I appoint my friend, [REDACTED], to be my Trustee in her place.

3. I give my Trustee all my property of every kind and wherever located to administer as I direct in this Will. In administering my estate, my Trustee may convert or retain my estate as set out in paragraph 4(a) of this Will. I direct my Trustee:
 - (a) to pay out of my estate my debts, including: income taxes payable up to and including the date of my death; my funeral and other expenses related to this Will and my death; and all estate, gift, inheritance, succession, and other death taxes or duties payable in respect of all property passing on my death;

 - (b) to distribute all articles of personal, household and domestic use or ornament belonging to me at my death as my Trustee in her discretion considers advisable; provided that, in the discretion of my Trustee, all or any of the said articles may be sold, and the proceeds of sale shall form part of the residue of my estate;

(c) if either VICTORIA ANN NEVENS or [REDACTED] assumes the duties of my Trustee, to pay to him or her a cash legacy of FIVE THOUSAND DOLLARS (\$5,000.00); and

(d) to divide the residue of my estate in equal shares among those of [REDACTED] DALEY, [REDACTED] DALEY, and VICTORIA ANN NEVENS, who are alive at my death.

4. In addition to all powers conferred by law, I give my Trustee the following powers to be exercised or not exercised at the discretion of my Trustee, for the administration of my estate and the trusts of my Will:

(a) My Trustee may convert my estate or any part of my estate into money, and decide how, when, and on what terms; and my Trustee may keep my estate, or any part of it, in the form it is in at my death and for as long as my Trustee decides, even for the duration of the trusts in this Will. This power applies even if the property is not an investment authorized under this Will, a debt is owing on the property, or the property does not produce income.

(b) My Trustee may, at any time, compromise, settle, or waive any claim due to or due by my estate for whatever consideration and on whatever terms my Trustee decides; and extend, continue, or renew any evidence of any liability I may have as endorser, guarantor, surety, or otherwise for any liability of any person.

(c) My Trustee may not claim remuneration for acting as Trustee of my Will, in addition to any gift or benefit I give to my Trustee in this Will

or any Codicil to it, with the exception of any care and management fee to which by law my Trustee may be entitled.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 27th day of January, 2016.

SIGNED, PUBLISHED AND DECLARED
by **GERALD WAYNE JACK DALEY**,
the above named Testator, as and for his
Last Will and Testament, in the presence of
us, both present at the same time, who, at
his request, in his presence, and in the
presence of each other, have hereunto
subscribed our names as witnesses:

The Grantor in a private trust is the lawmaker. The trustee makes sure everyone is following them.

The trustee becomes the legal owner of the property (res). An owner sets the rules.



D. Edlund
Legal Assistant
201 - 300 Gorge Rd. W.
Victoria, BC V9A 1M8



GERALD WAYNE JACK DALEY



HOIWON KIM
Barrister & Solicitor
201 - 300 Gorge Road West
Victoria, BC V9A 1M8

When the Grantor grants a trustee something the trustee manages those affairs for the Grantor.

TITLE SEARCH PRINT

2021-12-11, 12:34:30

File Reference:

Requestor: Wendy Smith

Declared Value \$860000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District VICTORIA
Land Title Office VICTORIA

Title Number CA8652951
From Title Number CA8061764

Application Received 2020-12-16

Application Entered 2020-12-18

Registered Owner in Fee Simple
Registered Owner/Mailing Address: HOWFAM HOLDINGS INC., INC.NO. BC0448824
1474 FAIRCLIFF LANE
VICTORIA, BC
V8S 5L2

Taxation Authority Saanich, The Corporation of the District of

Description of Land
Parcel Identifier: 002-872-391
Legal Description:
LOT 2 SECTION 82 VICTORIA DISTRICT PLAN 25077

Legal Notations NONE

Charges, Liens and Interests
Nature: MORTGAGE
Registration Number: CA8652952
Registration Date and Time: 2020-12-16 16:08
Registered Owner: THE BANK OF NOVA SCOTIA

Nature: ASSIGNMENT OF RENTS
Registration Number: CA8652953
Registration Date and Time: 2020-12-16 16:08
Registered Owner: THE BANK OF NOVA SCOTIA

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

**Sandra Dennis &
Benjamin How of 1474
Faircliff Lane Victoria
BC are "HOWFAM
HOLDINGS, INC."**

ATTENTION BENJAMIN HOW and SANDRA DENNIS

Following info provides proof beyond a reasonable doubt you and those illegally occupying my stolen property are aware you are committing indictable crime as well as serious, financially devastating to you, civil torts against my family who actually own that home as explained in evidence provided repeatedly.

There has been ample proof provided to all involved parties, now plenty of time to get over the shock. Action is now required.

I am under contract for Jack Daley who gifted me our home 2017 in a legally binding trust contract of which you have been provided. I belong to a cultural that does not permit crime or abuse/harm, civil or criminal to be committed against us, most certainly never against widows as that's pure evil. Monday January 10 2022 6 pm I shall retrieve my stolen gift from the trespassers in adverse possession without incident. Sandra Dennis and Benjamin How **MUST** be present at 604 Polyanthus Crescent to provide all house keys to me the lawful occupier and to assure the trespassers leave peacefully or arrests will be made on all involved parties at that time.

These persons have no legal rights, NONE nor do those who falsely believe they own my private property as carefully, completely explained repeatedly for weeks. I am an expert in my rights so in full authority to perform arrests, if necessary, on these trespassers. Presently its two criminal charges, trespassing and mischief. More will be required as I know there's more indictable crime being committed as has been since November 27 2021 when these persons were requested in writing to vacate my private property. Yet these crimes continue against me and my spouse as you made the choice to ignore the truth, the law and my rights. That's disgusting. Who are you? What are you?

I am the victim in this life-threatening situation, you will not forget. I have been homeless since my property was stolen. I am requiring peaceful, kind cooperation from all and shall be provided with all respect due for what I've survived. I will be filing civil claims against all involved persons as well as against "HOWFAM HOLDINGS" for relief and remedy as you all chose to ignore my rights and vacate upon written notification. I will require copies of the trespassers BC IDENTIFICATION and or FULL NAMES to locate these persons later to deliver these civil claims.

As repeatedly explained, armed with a lawful and legally binding proof/contract/trust I am the **LAWFUL OCCUPIER** of property located at 604 Polyanthus Crescent Victoria BC. I am the only Woman with lawful entitlement to possession of those premises.

Do you understand? Read all I've said! LISTEN! Legally but more importantly morally you must actually listen as I've jurisdiction being the lawful owner of my private property.

The persons trespassing can make appointment to remove their personal chattel, by appointment only, before end of **January 31 2022**. Personal chattel left after January 31 2022 will be considered "abandoned" & irretrievable. I will not be touching these persons personal property at anytime for any reason as I'm not into harming or disrespecting others like all of you enemies of the peculiar people clearly are. What a shame. Your ignorance is exhausting. Your greed is nauseating. Your refusal to act is criminal. The harm you have all caused me will be relieved and remedied in Small Claims Court. Each person, by law, must cooperate peacefully and promptly.

TRESPASS ACT
[RSBC 2018] CHAPTER 3

Deposited with Clerk of the Legislative Assembly on August 20, 2018

Contents

1	Definitions
2	Trespass prohibited
3	Defences to trespass charge
4	Methods of posting or giving notice
5	Offence to remove, alter or deface posted signs
6	Trespasser must give name and address
7	Arrest without warrant
8	Court may order compensation
9	Prosecution not defeated by variation in lawful fence
10	Owners in rural area responsible for lawful fence
11	Section 5 of the Offence Act does not apply
12	Power to make regulations
	Revision Schedule — Amendment to Other Act

**I Victoria Nevens am the
LAWFUL OWNER
ENTITLED TO
IMMEDIATELY POSSESS
604 Polyanthus Crescent**

Definitions

1 In this Act:

"authorized person" means a person authorized by an occupier of premises to exercise a power or perform a duty of the occupier under this Act;

"enclosed land" includes land that is

- (a) surrounded by a lawful fence,
- (b) surrounded by a natural boundary,
- (c) surrounded by a lawful fence and a natural boundary, or
- (d) posted, in accordance with section 4 (1) *[methods of posting or giving notice]*, with signs prohibiting trespass;

"lawful fence" means a lawful fence as defined by regulation;

"occupier", in relation to premises, means the following:

- (a) in the case of premises that are
 - (i) land, including enclosed land, foreshore and land covered by water, or
 - (ii) property described in paragraph (b) (i) of the definition of "premises",a person entitled to maintain an action for trespass in respect of those premises;
- (b) in the case of premises that are property described in paragraph (b) (ii) or (iii) of the definition of "premises", a person lawfully entitled to possession of those premises;
- (c) in the case of premises that are water, a person described in paragraph (a) of this definition in relation to the land under the water;

Trespass prohibited

- 2 (1) Subject to section 3, a person who does any of the following commits an offence:
- (a) enters premises that are enclosed land;
 - (b) enters premises after the person has had notice from an occupier of the premises or an authorized person that the entry is prohibited;
 - (c) engages in activity on or in premises after the person has had notice from an occupier of the premises or an authorized person that the activity is prohibited.
- (2) A person found on or in premises that are enclosed land is presumed to be on or in the premises without the consent of an occupier of the premises or an authorized person.
- (3) Subject to section 3, a person who has been directed, either orally or in writing, by an occupier of premises or an authorized person to
- (a) leave the premises, or
 - (b) stop engaging in an activity on or in the premises
- commits an offence if the person
- (c) does not leave the premises or stop the activity, as applicable, as soon as practicable after receiving the direction, or
 - (d) re-enters the premises or resumes the activity on or in the premises, as applicable.

🔒 mmlc.ca

will look at the Trespass Act (B.C.). In the next article we will review the different procedure and remedies available through common-law "tort" (wrong) of trespass. In subsequent articles we will look at roads and trails, and the many and varied ways that public access to private land can be obtained.

Trespass Act

The Trespass Act (B.C.) says that a person found inside enclosed land without the consent of the owner, lessee or occupier is a trespasser. So is someone who remains if asked to leave, or who re-enters after having been asked to leave and having done so.

Offenses.

The trespasser commits an offence, and can be prosecuted under the Trespass Act. A person found on enclosed land must give his true name and address to the owner, tenant or occupier of the land, and if he does not do so, also commits an offence.

Penalty.

The penalty, if prosecuted for trespass, is under the Summary Conviction Act (B.C.), and is up to six months imprisonment or a fine of up to \$2,000.

Exemption for Land Surveyors.

There is a special exemption for land surveyors and their assistants when actually engaged in their duties. If you refuse to permit a land surveyor or assistant to enter your property, even if cultivated, you commit an offence and if convicted, are liable for imprisonment for up to two months, or a fine of not more than \$50. The surveyor must make good any damage he does.

Summary.

The Trespass Act provides that a person can be prosecuted for trespass, if the police, conservation officer, and Crown counsel are willing. If the police and Crown counsel are not willing to lay charges, then one can lay a private information and prosecute the charge with one's own lawyer.

Mischief Sandra Dennis, Benjamin How, trespassers in adverse possession of my stolen premises after written eviction notification was delivered 11/26/21 GUILTY of "MISCHIEF"

430 (1) Every one commits mischief who wilfully

(a) destroys or damages property;

(b) renders property dangerous, useless, inoperative or ineffective;

(c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property; or **MY life is MY PROPERTY therefore Sandra Dennis and Benjamin How, trespassers in adverse possession of my stolen property are all obstructing, interrupting, interfering with the lawful enjoyment and operation of MY PROPERTY, MY LIFE ...**

(d) obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property. **Sandra Dennis, Benjamin How, trespassers in adverse possession of my stolen property all obstructing, interrupting, interfering with the lawful enjoyment and operation of MY PROPERTY CAUSING ACTUAL, SURE DANGER TO MY LIFE**

Punishment

(2) Every one who commits mischief that causes actual danger to life is guilty of an indictable offence and liable to imprisonment for life.

Punishment

(3) Every one who commits mischief in relation to property that is a testamentary instrument or the value of which exceeds five thousand dollars

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years

Criminal Code of Canada section 494(2)

Arrest by owner, etc., of property

Written eviction notice provided 11/26/21 to those trespassing on my land and premises. Benjamin How, Sandra Dennis, and trespassers will be arrested by either myself or law enforcement posthaste. Criminal charges of trespass and mischief filed against ALL GUILTY persons currently committing civil and indictable crimes against me by refusing to vacate as lawfully instructed.

(2) The owner or a person in lawful possession of property, or a person authorized by the owner or by a person in lawful possession of property, may arrest a person without a

warrant if they find them committing a criminal offence on or in relation to that property and

(a) they make the arrest at that time; or

(b) they make the arrest within a reasonable time after the offence is committed and they believe on reasonable grounds that it is not feasible in the circumstances for a peace officer to make the arrest

I Victoria Nevens LAWFUL OWNER OF 604 POLYANTHUS CRES AM REQUIRED BY LAW TO LAY CRIMINAL CHARGES AGAINST BENJAMIN HOW, SANDRA DENNIS AND ALL PERSONS TRESPASSING and COMMITTING MISCHIEF POSTHASTE. I WILL BE FILING CIVIL ACTION AGAINST THESE PERSONS FOR KNOWINGLY, WILLINGLY CAUSING ME, LOSS, HARM AND INJURY FOR GENERAL, SPECIAL AND PUNITIVE DAMAGES AFTER BEING PROVIDED WRITTEN EVICTION 11/26/21 OF WHICH THEY ALL IGNORED.

[All other Claims up to \\$35,000 | Provincial Court of British Columbia](#)

Tort law

Trespass to land is one of the oldest torts known in law. Historically, it has been held to occur whenever there has been an unauthorized physical intrusion onto the private property of another. Trespass also occurs when a person remains on an individual's land after permission has been withdrawn.

Trespass to land is actionable "per se". That means that someone can be sued and found liable for trespassing even if there is no proof of damage. In a trespass case, if the incident was for particularly malicious purposes, such as to intimidate the land owner, even punitive damages may apply.

That said, however, any person can go onto the private property of another during daylight hours if permission to do so is implied. For example, if there is a path up to the front door of a residence and there are no signs warning people to stay off the land, there is implied permission for people to enter, such as a letter carrier. This implied permission can, of course, be revoked instantly by the person in charge of the property. If you are told to leave, you must leave or you could be sued for trespass.

GUILTY OF INDUCING BREACH OF CONTRACT Sandra Dennis, Benjamin How and trespassers/squatters in adverse possession of my stolen property

The elements of the tort of inducing breach of contract are:

1. The existence of an enforceable contract;
2. Knowledge on the part of the evildoer(s) of the existence of their victim's contract;
3. An intention on the part of the evildoer(s) to cause a breach of that contract;
4. Wrongful interference on the part of the evildoer(s); and
5. Resulting damage.

GUILTY OF UNLAWFUL MEANS Sandra Dennis, Benjamin How, trespassers/squatters in adverse possession of my stolen property

The elements of the tort of causing loss by unlawful means are:

1. Intention to cause economic harm to their victim/target;
2. Interference with their victim's economic relations by the use of unlawful means against a third party that is actionable by that third party, or would be actionable if the third party had suffered loss as a result; and
3. Resulting economic loss to their victim.

A.I. Enterprises Ltd. v. Bram Enterprises Ltd., 2014 SCC 12, at paras. 23 and 76.

GUILTY OF CONVERSION Sandra Dennis and Benjamin How, trespassers/squatters in adverse possession of my stolen property

The tort of conversion involves a wrongful interference with the goods of another, such as taking, using or destroying these goods in a manner inconsistent with the owner's right of possession.

The tort is one of strict liability and accordingly it is no defence that the wrongful act was committed in all innocence.

Boma Manufacturing Ltd. v. Canadian Imperial Bank of Commerce, [1996] 3 S.C.R. 727, at para. 31.

NOTE: Conversion is the tort equivalent of theft in criminal law.

