



## STURGEON POINT NEWSLETTER, JUNE 2008

Dear Sturgeon Pointers,

Welcome to summer. I would like to bring everyone up-to-date with plans, activities and other information.

### **The Park**

Installation has been delayed due to one piece being back-ordered. However, we do have a commitment that the park will be completed by June 25<sup>th</sup>. Therefore, we will be having our **“PARK IN THE WOODS’ GRAND OPENING ON JUNE 28 at 12 Noon.**

**Come for a picnic with the whole family. We will have the mayor and others to help us celebrate this investment in our children’s future, fun and safety.**

On the subject of fund raising for our renovated “Park in the Woods” project, we have a *good news, bad news* message to share with you. The bad news relates to our original estimated budget, which had to be increased to reflect actual quotations from suppliers, and the need for a more expensive CSA approved “landing zone” around all of the new playground equipment. This enhanced zone allows the equipment manufacturer to extend to SPA broad liability coverage from 3 years, to 10 years.

The good news is that we have raised 85% of our new, higher budget. However, we are now running out of time! Some of our Fenelon retail, and most of the corporate donors, including the Trillium Foundation, did not donate to our cause. So we are urgently requesting those who have not donated, or those who might be able to assist further, to please help us close the gap. Donation cheques should be made out to **“City of Kawartha Lakes – SPA Park Fund”** and mailed to SPA, 10 Fourth St., Fenelon Falls, On. K0M 1N0.

### **SPA Memberships**

**Just a reminder that SPA memberships are due.** As summer approaches, it is once again that time of the year where you see the benefits of your membership at work. Your SPA membership is important so that SPA can carry on with Village beautification and

the annual summer social events and activities that have become part of our summer culture at Sturgeon Point. These are only two of the many areas where your membership fees are at work. It is the hope of the Directors that all adult members of a household will become members this year. The annual membership has not changed since 2000 while our expenses have continued to increase. Having all adult residents members will help to cover our increasing expenses. If you have misplaced your form please contact Maureen McKellar at 887-9193 and she will make sure another copy is delivered to your cottage. Memberships can be delivered to the SPA mailbox that is located at the Park.

### **Public Beach**

The beach committee has started to look at the beach and make recommendations. The slide cannot be put back into the water as it is very rusted and unstable. The raft is already back in the water and other improvements are being considered for over the next few years.

We are looking for recent pictures of the swimming and canoeing races. If you have any, please contact Maureen McKellar at 887-9193 for a possible grant proposal that has to be received by June 24, 2008.

### **August Civic Weekend**

This year marks the **170<sup>th</sup> Annual Sturgeon Point Regatta**. The Civic Week-End will see a number of activities taking place to celebrate this event. There will be a street dance on Saturday evening at the Park and that will be preceded by a Bar B Q and a variety of activities that will get underway in the afternoon at the Park. More details will follow closer to the day.

### **Adverse Possession**

**The following information on “Adverse Possession” has been passed on to us from another association. We thought that we should share it with our members**

In Ontario there are two types of land registry systems. The older system is called Land Registry, the newer one Land Titles. Older properties that have not changed hands for a while are typically Land Registry, while newer ones are typically Land Titles. Eventually the province will convert all properties to Land Titles.

Adverse possession, or **“squatter’s rights”**, can still be established in Ontario for Land Registry properties in certain circumstances. However, adverse possession cannot be established for Land Titles properties, no matter what the circumstances, and property lines can always be established by survey.

In Land Registry adverse possession of a piece of property may be established by one property owner (“A”) over the property of an adjacent owner (“B”) if A can prove **open, continuous and exclusive use for 10 years without consent.**

In a simple example, A builds a big fence that is on B’s property by 10 inches. A does not notice, object or consent. 11 years go by. A makes a claim for adverse possession of the 10 inches of B’s property enclosed by the fence. The use by A of B’s property is **open** because the fence is obvious, it is **continuous** because there is no interruption while the fence stands for 11 years, and it is **exclusive** because A has prevented B from using that piece of B’s property. Therefore A can assert a claim over the 10 inches of B’s property and have it annexed to A’s property, despite objections from B. (Caveat – this is a very simple example in a very complex and often contested area of law; each case is nuanced by facts and circumstances.)

### **WHAT TO DO:**

For Land Titles properties – sleep well.

For Land Registry properties – check your legal boundaries and address any encroachments; if in doubt, call a surveyor; if the survey shows concerns, seek legal advice – boundaries can change.

### **SPA Directors**

We are actively looking for SPA Directors for the 2008-2009. If you are interested or know anyone who is, would you please notify us. The term is three years and one-third of the directors rotate off each year.

We look forward to seeing everyone on June 28 at noon at the playground for our summer kick-off.

All the best,

Lynne Manning  
President  
Sturgeon Point Association