

INCREMENTAL TREATY AGREEMENT AMENDING AGREEMENT

This Agreement is dated the 15th day of August, 2019.

BETWEEN:

Her Majesty the Queen in right of the Province of British Columbia,
as represented by the Minister of Aboriginal Relations and Reconciliation
(the "Province")

AND:

Pacheedaht First Nation, on behalf of itself and its Members,
as represented by their Chief and Council
(“Pacheedaht First Nation”)

(Collectively referred to as the “Parties” and individually referred to as a “Party”)

WHEREAS:

- A. The Parties entered into an Incremental Treaty Agreement dated March 26, 2013 under which District Lot 247 Block A, District Lot 247 Block B, District Lot 251 and District Lot 252 (the “Lands”) are to be transferred by the Province to Pacheedaht First Nation prior to the Effective Date of the Pacheedaht Final Agreement;
- B. Article 5 of the Incremental Treaty Agreement sets out the timeframes for the Lands to be transferred;
- C. The Parties wish to change the timeframe for transferring District Lot 247 Block A and District Lot 252 under the Incremental Treaty Agreement;
- D. Section 11.11 of the Incremental Treaty Agreement provides that it may be amended from time to time by the Parties by an instrument in writing.

NOW THEREFORE the Parties agree as follows:

ARTICLE 1: INTERPRETATION

1.1 **Definitions.** In this Amending Agreement and the Recitals to this Amending Agreement:

“**AIP Date**” means the date on which the authorized signatories for the Parties and Canada initial the Agreement in Principle, as described and defined in the ITA;

“**Amending Agreement**” means this Incremental Treaty Agreement Amending Agreement;

"Final Agreement" means the Pacheedaht First Nation Final Agreement to be concluded by Canada, the Province and the Pacheedaht First Nation at the conclusion of Stage 5 of the British Columbia Treaty Commission Process;

"Final Agreement Signing Date" means the date on which the authorized signatories for the Parties and Canada sign the Final Agreement, as described and defined in the ITA;

"ITA" means the Incremental Treaty Agreement, dated for reference March 26, 2013, entered into by the Province and Pacheedaht First Nation;

"ITA Date" means the date on which the ITA is executed and delivered by the Parties, as described and defined in the ITA;

"Permitted Encumbrances" means the reservations, exceptions, liens, charges, and interests as described in Part 2 of Schedule 1 of the ITA, as described and defined in the ITA.

ARTICLE 2: TRANSFER

- 2.1 **Transfers of District Lot 247 Block A and District Lot 252.** In accordance with Article 11.11 of the ITA, the Parties hereby amend Section 5.1(a) and Section 5.1(c) of the ITA to change the timeframe for transferring District Lot 247 Block A from "as soon as practicable after the Final Agreement Signing Date" to "as soon as practicable after the AIP Date" and District Lot 252 from "as soon as practicable after the ITA Date" to "as soon as practicable after the Final Agreement Signing Date." In all other respects, the ITA remains unaltered, and unless provided otherwise, its provisions are applicable in respect of this Amending Agreement.

ARTICLE 3: COMING INTO EFFECT

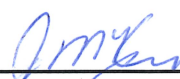
- 3.1 **Commencement.** This Amending Agreement comes into effect on the date first written above.

IN WITNESS WHEREOF the Parties have executed this Agreement as set out below:

Signed on behalf of the Pacheedaht First Nation this 1st day of August, 2019



Chief of the Pacheedaht First Nation

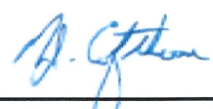


Witness as to the signature of the Chief of the Pacheedaht First Nation

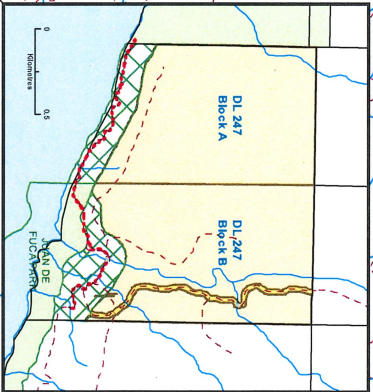
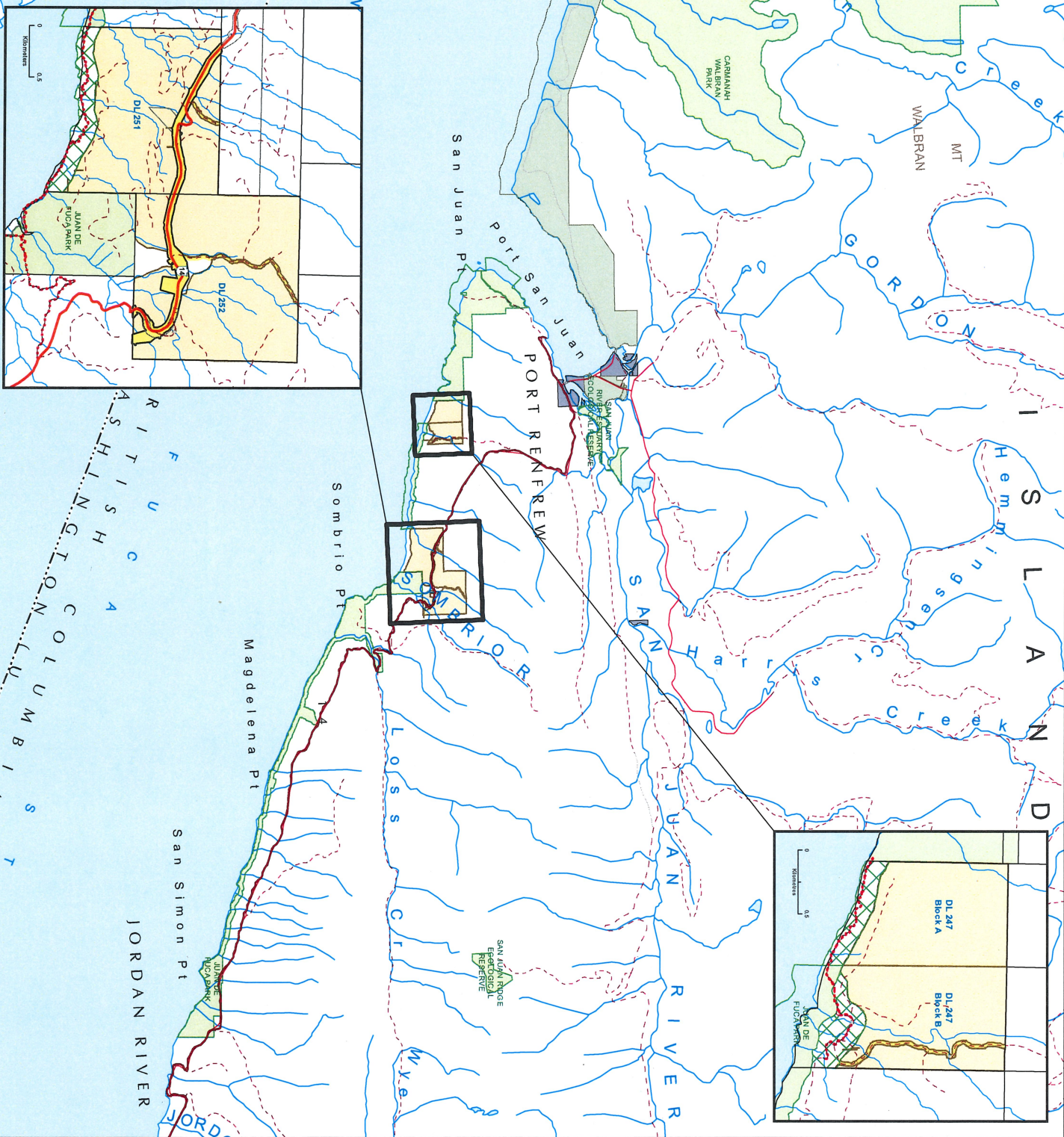
Signed on behalf of Her Majesty the Queen in right of the Province of British Columbia, by the Deputy Minister for Indigenous Relations and Reconciliation this 7th day of July, 2019 .



Minister of Indigenous Relations and Reconciliation

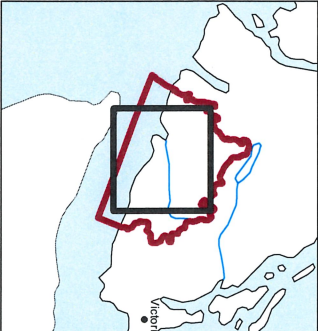
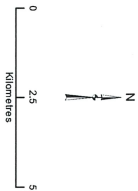


Witness as to the signature of the Minister of Indigenous Relations and Reconciliation



Map of Lands for Illustrative Purposes
Pacheedat First Nation
Incremental Treaty Agreement

- Pacheedat Band
- Statement of Intent Boundary
- ITA Lands
- Trail / Park Corridor
- Juan de Fuca Trail
- Pacheedat Band Indian Reserve
- Other Indian Reserve
- Primary Survey Parcel
- Subdivision Survey Parcel
- Excluded Road Corridor
- Provincial Parks and Protected Areas
- Federal Park
- Transportation
 - Highway
 - Road, paved
 - Unpaved Road



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Projection/Datum: BC Albers NAD 83
TRIM Map Sheet: 092C.077
Dates/amp: October 16, 2012 14:42

Overview
District Lot 251 and District Lot 252
District Lot 247