



KAWARTHA LAND TRUST

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## **Message from Kawartha Land Trust Board of Directors regarding gifts from the Estate of Norman Cowan**

In April 2018, Kawartha Land Trust (KLT) acquired two wonderful gifts of land including 135 acres on the north shore of Ston(e)y Lake with 1,300 feet of significant shoreline now known as the Jeffrey-Cowan Forest Preserve. At the same time, KLT acquired full ownership of East Syndicate Island, previously protected in 2005 through a conservation easement agreement (CEA) registered on the property's title in favour of KLT. Finally, in addition to the gifts of land, KLT received a \$250,000 cash bequest.

The gifts of land permanently protect the eastern end of the 10 km Stony Lake Trails network and the largest undeveloped island on Ston(e)y Lake. These lands were donated to KLT by the late Norman Cowan, who died in 2016. These gifts were administered by his Executor and his legal counsel as stated in his final Will.

In October 2018, Michael Cowan, who does not have any status in the Will nor the Estate of Norman Cowan publicly called into question the conduct of KLT in its dealings with his late uncle, the details of the arrangements made and KLT's activities since taking ownership of the property. He made serious public allegations and we have taken them seriously.

The Board of Directors has reviewed in depth the history of KLT's dealings with Norman Cowan. We are satisfied from the review that KLT staff and volunteers dealt with Norman Cowan ethically and professionally throughout. We therefore respectfully disagree with Michael Cowan's allegations.

On the matter of details surrounding the donations made, KLT now owns full, fee-simple title of land unencumbered by any easements or rights of any kind except a short term lease to specified individuals for swimming access on a small strip of land that is registered on the property's title. KLT also now owns full, fee-simple title to East Syndicate Island. Note: covenants set out in the CEA that Norman Cowan had previously placed (in 2005) on the island in favour of KLT still stand and will be adhered to as they are in accordance with KLT's regular stewardship policies and procedures. The \$250,000 cash donation will go toward the Jefferey-Cowan Forest Preserve Fund, within KLT's Land Stewardship Fund, and will be used for activities as indicated in Norman Cowan's Will.

Activities that have taken place on the properties since KLT took ownership are in accordance with KLT's policies and procedures, and were reviewed with Norman Cowan during his lifetime. Details of these activities are available on our website and other communications channels.

On the matter of granting rights of access to individuals not set out in any written agreement, there are no other rights, easements or interest in these lands now owned by KLT and KLT has declined a number of requests from Michael Cowan and others. This decision is within KLT's full right as owners of the property as no agreements were registered on title nor in Norman Cowan's final Will as a condition of donating these lands. Furthermore, it is not within KLT's charitable mandate to grant the requested access not set out by the donor, Norman Cowan. The Estate Executor (who is represented by legal counsel) has not pursued these matters and has completed the transfer of the land to KLT as outlined above.

In closing, Norman Cowan was private with us as to the reasons for some of the decisions he made however he was very clear with us as to his final intentions, both directly and subsequently through his final Will. We continue to be in no doubt that we have correctly understood and implemented his final wishes and have acted ethically and in accordance with all laws.

**Sincerely,**

### **KLT BOARD OF DIRECTORS**

John Desbiens – Chair

John McWilliams – Vice Chair

Eva Kennedy – Director

Don Gillespie – Treasurer

Cheryl Lewis – Past Chair

Eric Howe – Director

