

NOVA SCOTIA COURT OF APPEAL
Citation: *Knock v. Fouillard*, 2007 NSCA 27

Date: 20070228
Docket: CA 267440
Registry: Halifax

Between:

Charles Everett Knock

Appellant

v.

Anne D. Fouillard and John Duckworth

Respondent

Judge: The Honourable Justice Fichaud

Appeal Heard: January 24, 2007

Subject: **Easements - interpretation of deeds**

Summary: Appellant claimed right-of-way by prescription or by grant over respondents' property. The trial judge dismissed the claim.

Issue: Does the appellant have a right-of-way and, if so, may he use a motor vehicle?

Result: Court of Appeal affirmed trial judge's dismissal of claim to prescriptive easement but allowed the appeal respecting easement by grant. The appellant is entitled to modes of passage not involving a motor vehicle.

<p>This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 26 pages.</p>
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