



# MOHAWKS OF THE BAY OF QUINTE

## KENHTÈKE KANYEN'KEHÁ:KA

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**February 8, 2025** – There has been a recent accusation from an MBQ member on Facebook that a 20-acre parcel was purchased for the benefit of Chief Maracle using MBQ money.

This is not true. Chief Maracle does not have any title, personal ownership - beneficial or otherwise - to this 20-acre parcel. The parcel is owned by MBQ and was purchased using a portion of the nearly \$4 million interest earned on the Culbertson claim compensation money. The land was purchased in keeping with the community mandate for land reclamation.

This press release is to dismiss the Facebook accusation and inform MBQ members as to how this land purchase marks a step toward resolution of the Culbertson Tract claim.

Over 600 acres of land remain to be confirmed as reserve under the Culbertson Tract specific claim. In early April 2024, MBQ was notified that 2824143 Ontario Inc. (operating as Bash Developments), a developer from Toronto that owned a 20-acre parcel in the Culbertson Tract, had applied to the Ontario Land Tribunal to subdivide the land. MBQ fought this application, and the developer decided to sell the land to MBQ for \$1.45 million.

Canada cannot provide funds to settle land claims until a settlement agreement is ratified. That process would have taken too long to acquire the land before another prospective purchaser stepped in. Council did not want to lose this opportunity to confirm illegally surrendered land to the reserve for future development. On May 28, 2024, Council passed a motion to use interest earned on the Culbertson partial settlement to purchase the parcel and to seek reimbursement by Canada at a later date.

MBQ obtained an independent professional valuation of the parcel prior to and as a condition of closing. This valuation confirmed the parcel's value was well in excess of the purchase price, not \$60,000 as per a tax assessment referenced in the Facebook post. The appraised value and the valuation report will not be shared publicly to guard against the risk of inflating surrounding land values and prejudicing the reclamation of land in ongoing land claims.

The agreement of purchase and sale names MBQ as the buyer. The land was transferred to MBQ on June 25, 2024. The land registry office transfer, appended to this press release, names MBQ as the registered owner.



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However, a recent Facebook post has stated that Chief Maracle is the “beneficial owner of the land” because the transfer states that he is “a person in trust for whom the land conveyed in the above-described conveyance is being conveyed”.

This is incorrect. The beneficial owner is the band.

The section of the transfer document to which the Facebook post is referencing is the land transfer tax statement. This section requires Chief Maracle (or any MBQ representative as authorized by Council) to authorize the transfer. It also requires Chief Maracle to swear that the parcel does not have any residences thereon, which would attract a high land transfer tax. The phrase “a person in trust for whom the land conveyed in the above-described conveyance is being conveyed” in the transfer affidavit means only that Chief Maracle is swearing the affidavit as a trustee of the band, similar to an individual officer authorizing on behalf of a corporation. Again, this does not mean that Chief Maracle has any personal ownership (beneficial or otherwise) or title to the parcel.

The two legal opinions referenced in the Facebook post are erroneous. In completing the purchase, MBQ was, at all times, represented by land claim and real estate lawyers. Any lawyer that wishes to refute the information in this press release can speak to MBQ’s legal counsel, Jordan Sewell.

MBQ met with Canada on February 7, 2025 to discuss reimbursement of the purchase amount. There was a positive discussion on a path forward to address land reclamation.

– 30 –

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