

Right to a clear title

- 423(1)** A person who purchases a parcel of land at a public auction acquires the land free of all encumbrances, except
- (a) encumbrances arising from claims of the Crown in right of Canada,
 - (b) irrigation or drainage debentures,
 - (c) caveats referred to in section 39.2(11) of the *Condominium Property Act*,
 - (d) registered easements and instruments registered pursuant to section 69 of the *Land Titles Act*,
 - (e) right of entry orders as defined in the *Surface Rights Act* registered under the *Land Titles Act*,
 - (e.1) a caveat that, pursuant to section 3.1(6)(f)(iv) of the *New Home Buyer Protection Act*, remains registered against the certificate of title to the land,
 - (f) a notice of lien filed pursuant to section 38 of the *Rural Utilities Act*,
 - (g) a notice of lien filed pursuant to section 20 of the *Rural Electrification Loan Act*, and
 - (h) liens registered pursuant to section 21 of the *Rural Electrification Long-term Financing Act*.
- (2)** A parcel of land is sold at a public auction when the person who is acting as the auctioneer declares the parcel sold.
- (3)** There is no right under section 415 to pay the tax arrears in respect of a parcel after it is declared sold.

RSA 2000 cM-26 s423;2014 c10 s59;2015 c8 s53