

96 MAY 22 13 45 BK153340

LAND TITLE ACT  
FORM 35  
(SECTION 216 (1) )

Page 1 of 4 Pages

DECLARATION OF BUILDING SCHEME  
NATURE OF INTEREST CHARGE: BUILDING SCHEME

HEREWITH FEE OF: \$50.00

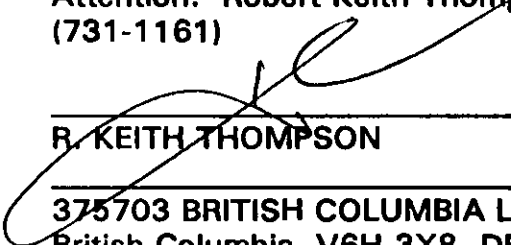
FULL NAME, ADDRESS, TELEPHONE  
NUMBER OF PERSON PRESENTING  
APPLICATION:

ADDRESS OF PERSON ENTITLED  
TO BE REGISTERED: CHARGE 50.00

Thompson & Elliott  
Barristers & Solicitors  
800 - 1285 West Broadway  
Vancouver, British Columbia  
V6H 3X8  
Attention: Robert Keith Thompson  
(731-1161)

375703 BRITISH COLUMBIA LTD.  
800 - 1285 West Broadway  
Vancouver, British Columbia  
V6H 3X8

NANCY RINTOUL, AGENT

  
R. KEITH THOMPSON


375703 BRITISH COLUMBIA LTD. (Inc. No. 375703) of 800 - 1285 West Broadway, Vancouver, British Columbia, V6H 3X8, DECLARES:

1. It is the registered owner in fee-simple of the land described in Schedule "A" hereto (hereinafter singularly called "Lot" and collectively, "Lots").
2. It hereby creates a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all Lots.

Officers Signatures

Execution Date

375703 BRITISH COLUMBIA LTD., by its authorized signatory



Y	M	D
96	2	21

  
KEITH ANDERSON

R. KEITH THOMPSON  
Barrister & Solicitor  
THOMPSON & ELLIOTT  
8th FLOOR  
1285 W. BROADWAY  
VANCOUVER, B.C. V6H 3X8

**OFFICER CERTIFICATE** Your signature constitutes a representation that you are a qualified notary public or other person authorized by the Evidence Act, R.S.B.C. 1970 c 116 to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument. \*If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E. \*\* If space insufficient, continue execution on additional page(s) in Form D.

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**SCHEDULE OF RESTRICTIONS**

The following restrictions have been established in order to preserve the integrity of the development for the benefit of the owners of the lots. Conformity with this schedule does not supersede the requirements of the municipal approval process.

1. The exterior of any house or other building shall be completed within twelve (12) months from the date of commencement of construction.
2. No dwelling or structure erected on any of the lots comprising this subdivision shall be occupied or permitted to be occupied until the exterior of such dwelling or structure has been fully completed.
3. No mobile homes, trailers, or tents shall be erected on any of the lots comprising this subdivision for use as a place of residence.
4. No swine, sheep, fowl, cattle, poultry, rabbits or other livestock shall be kept on any of the lots comprising this subdivision.
5. No placard or advertising sign other than the usual doorpiece of any professional person with a home based business shall be erected upon any of the lots comprising this subdivision save and except as may be approved in writing by the Developer.
6. The following uses are also expressly prohibited:
  - (a) campground and recreational vehicle site;
  - (b) animal shelters, kennel;
  - (c) manufacturing;
  - (d) construction camp or yard;

- (e) public works yard;
  - (f) sawmill and shakemill;
  - (g) equipment repair and maintenance;
  - (h) fishing and hunting camp;
  - (i) riding stable and academy;
  - (j) transition house.
7. No "footprint" (i.e., area within the outside foundation walls of the dwelling, excluding garage or carport areas) shall be smaller than 1,300 square feet on a single level home and 900 square feet for a multi-level home.
8. It is hereby expressly provided and agreed that:
- (a) The Developer hereby reserves the right to except any lot within this subdivision from any or all of the foregoing restrictions;
  - (b) No approval or consent given by the Developer to the plan, design, placement or construction of any house, building or other structure on any of the lots comprising this subdivision shall be deemed or construed as an assumption by the Developer of any liability arising out of the said approval or consent or so is to relieve the purchaser of a Lot of any such liability.
9. If any provision is determined to be void or unenforceable in whole or in part, the balance of the provisions shall be read and enforced without reference to same.
10. Where applicable, the terms contained within this Schedule of Restrictions shall have the meanings assigned to those terms as set forth in Zoning By-law 310.

**SCHEDULE "A"**

<b>023-300-795</b>	<b>Lot 3, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-809</b>	<b>Lot 4, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-817</b>	<b>Lot 5, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-825</b>	<b>Lot 6, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-833</b>	<b>Lot 7, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-841</b>	<b>Lot 8, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-868</b>	<b>Lot 10, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>023-300-876</b>	<b>Lot 11, DL 1485, Group 1, NWD, Plan LMP26373</b>
<b>015-937-011</b>	<b>DL 1485, Group 1 NWD Except Portions in (A) Plan 13528 (B) Statutory Right of Way Plans 19922 and 20166 and (C) that part in Plan LMP26373</b>

**END OF DOCUMENT**

SCHEDULE I  
DRAFT GEOTECHNICAL COVENANTS



1. Application

<p><b>Ostrosky Law Corporation</b>  <b>201-1001 Gibsons Way</b>  <b>Gibsons BC V0N 1V8</b>  <b>604-886-5361</b></p>
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2. Description of Land

PID/Plan Number	Legal Description
<b>EPP112363</b>	<b>LOT 22 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>EPP112363</b>	<b>LOT 23 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>EPP112363</b>	<b>LOT 24 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>EPP112363</b>	<b>LOT 25 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>EPP112363</b>	<b>LOT 26 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>

3. Nature of Interest

Type	Number	Additional Information
<b>COVENANT</b>		<b>Over LOT 22 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>COVENANT</b>		<b>Over LOT 23 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>COVENANT</b>		<b>Over LOT 24 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>COVENANT</b>		<b>Over LOT 25 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>
<b>COVENANT</b>		<b>Over LOT 26 DISTRICT LOT 1485 GROUP 1 NEW WESTMINISTER DISTRICT PLAN EPP112363</b>

4. Terms

Part 2 of this instrument consists of:

**(b) Express Charge Terms Annexed as Part 2**

5. Transferor(s)

**WOOD BAY COMMUNITY DEVELOPMENT LTD.**

6. Transferee(s)

<p><b>HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE</b>  <b>OF BRITISH COLUMBIA</b>  REPRESENTED BY THE MINISTER OF TRANSPORTATION  PARLIAMENT BUILDINGS  VICTORIA BC V8V 1X5</p>
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