

LAND TITLE ACT

Form 17
Application

L 89428

Date: Nov. 8, 1982
Declared Value: \$1.00
Telephone No. 537-5502

Nature of Interest: Restrictive Covenant
Applicant as Agent: Allan R. Hardie, B.C.L.S.
Address: P.O. Box 3, Ganges, B.C. V0S 1E0

Allan R. Hardie
B.C.L.S.

This Agreement made this 8th day of
November A.D. 1982

BETWEEN: LONG HARBOUR PROPERTIES LTD. (Incorporation Number 192116)
3rd Floor, 736 Broughton Street, Victoria, B.C., a company
duly incorporated under the laws of the Province of
British Columbia
(hereinafter called the Grantor)

OF THE FIRST PART

AND: HER MAJESTY THE QUEEN, IN RIGHT of the Province of British
Columbia, as represented by the Minister of Transportation
and Highways, and the Islands Trust,
(hereinafter called the Grantee)

OF THE SECOND PART

RECEIVED
LAND TITLE OFFICE
VICTORIA B.C.
NOV 10 1982

WHEREAS the Grantor is the Registered Owner of all those certain
parcels or tracts of land situate, lying and being in the Gulf Islands
Assessment District and North Salt Spring Waterworks District, and more
particularly known and described as:

Lot 1 of Lots 3, 4, 19 and also part of Section 7, Range 1
North, North Salt Spring Island, Cowichan District, Plan
29161 EXCEPT part in Plan 38292
(hereinafter called the Lands)

WHEREAS the Grantor has applied to the Approving Officer for
approval to create thirty lots by way of a Plan of Subdivision of the
Lands, completed by Allan R. Hardie, B.C.L.S., on the 26th day of
October, 1982 (a copy of said plan of subdivision being annexed hereto);
and

WHEREAS, as a condition to granting approval to the said Plan
of Subdivision, the Grantee has requested the Grantor to enter into a
Restrictive Covenant on the terms and conditions hereinafter FORM 1 stated,
pursuant to Section 215 of the Land Title Act.

(Section 36)

MEMORANDUM OF REGISTRATION

Registered on application received
on the day and time written hereon

R. E. HOOPER, Registrar of the
British Columbia Land Title Office

OK

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NOW THEREFORE WITNESSETH that in consideration of the premises herein and the sum of one (\$1.00) dollar of lawful money of Canada now paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, the Grantor hereto covenants and agrees as follows:

FIRSTLY

That they will not build, construct or place nor have built, constructed or placed any habitable buildings within those parts of Lots 19 to 22 inclusive, Lots 9 and 10, and Lots 24, 31 and 32 shown outlined in green on the said plan attached hereto.

SECONDLY

That they will not cut, remove or disturb, nor have cut, removed or disturbed, the natural vegetation within those parts of Lots 9 to 13 inclusive lying within the St. Mary's Lake watershed shown outlined in green on the said plan attached hereto, except where necessary to accommodate access, power and water, and except for the normal clearing required to accommodate the construction of the permitted dwellings, without the express written approval of the Islands Trust.

Wherever the singular or masculine are used through this Agreement, the same shall be construed as meaning the plural or the feminine or body corporate or politic where the context or the parties hereto so require.

This Agreement shall enure to the benefit of, and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

THE CORPORATE SEAL OF LONG HARBOUR)
PROPERTIES LTD. was hereunto)
affixed in the presence of:)
[Signature])
authorized signatory)
[Signature])
authorized signatory)

This is the instrument creating the condition or covenant entered into under Section 215 of the Land Title Act by the Registered Owner referred to herein and shown on the print of the plan annexed hereto and initialled by me.

[Signature]
Approving Officer,
Ministry of Transportation
and Highways.

Status: Registered

Doc #: L89428

RCVD: 1982-12-13 RC

 FORM NO. LTA 1

LAND TITLE ACT

Form 6
(Section 46)

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PROOF OF EXECUTION BY CORPORATION

I CERTIFY that on the 8 day of NOVEMBER, 1982,
at GANGES, in British Columbia,
ROBERT TARA AND THOMAS VARZELIOTIS
(*whose identity has been proved by the evidence on oath of

who is) personally known to me, appeared before me and acknowledged to me that he/she is the authorized signatory of LONG HARBOUR PROPERTIES LTD and that he/she is the person who subscribed his/her name and affixed the seal of the corporation to the instrument, that he/she was authorized to subscribe his/her name and affix the seal to it, †(and that the corporation existed at the date the instrument was executed by the corporation.)

IN TESTIMONY of which I set my hand and seal of office,

at GANGES

this 8 day of NOVEMBER, 19 82.

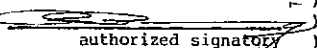
† 

*Where the person making the acknowledgement is personally known to the officer taking it, strike out these words in brackets.
†These words in brackets may be added, if the applicant wishes the registrar to exercise his discretion under section 162(5) not to call for further evidence of the existence of the corporation.

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C O N S E N T

MOUNTAIN PARK FARM LTD., (Incorporation Number 169,719) of P.O. Box 780, Ganges, British Columbia, VOS 1E0, the Registered Owner of a mortgage registered in the Victoria Land Title Office under number J 81291 hereby approves of, joins in and consents to the attached Restrictive Covenant and to it's registration in the Victoria Land Title Office with priority over their said mortgage.

THE CORPORATE SEAL OF)
MOUNTAIN PARK FARM LTD.)
was hereunto affixed in)
the presence of:)
)
)
)
)
)
)
)
authorized signatory)
)

OK

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89428

CONSENT

SUNSET DRIVE ESTATES LTD. Incorporation number 214980 of Suite 2, 8431 Cranville Street, Vancouver, B.C. V6P 4Z9, the registered owner of the mortgage registered in the Victoria Land Title Office under Number L 87903 hereby approves of, joins in and consents to the attached restrictive covenant and to it's registration in the Victoria Land Title Office with priority over their said mortgage.

The Corporate Seal of
Sunset Drive Estates Ltd.
was hereunto affixed in
the presence of:

R. Hillbrand
D. Hillbrand

o.R.