

I (v)
R (f)

Handwritten notes: "K114122 - K114130" and a circled stamp "L 38176".

LAND TITLE ACT

NATURE OF INTEREST: CHARGE
NATURE OF CHARGE: STATUTORY BUILDING SCHEME
TRUE VALUE: Nominal
HEREWITH FEES: \$10.00

APPLICANT:

COX, TAYLOR, BRYANT
Barristers & Solicitors,
26 Bastion Square,
Victoria, B.C.
V8W 2P9

Per: *Hubert Ridley*

FORM 1
(Section 36)
MEMORANDUM OF REGISTRATION
REGISTERED BY THE REGISTRAR
OF THE LAND TITLE ACT
R. E. HUBERT, Registrar of the
Victoria Land Title Office

DECLARATION OF CREATION OF BUILDING SCHEME

I, HUBERT WILFRED RIDLEY, of 3108 Metchosin Road, Victoria,
in the Province of British Columbia, Builder, DECLARE THAT:

- I am the President of RIDLEY BROS. DEVELOPMENT CO. LTD. ✓
- The said Company is the registered owner in fee simple of
the following lands (hereinafter called "the lands"):
-302 405308 1003 RC

Those lands situate, lying and being in the Victoria Assessment District and Colwood Fire Protection District, in the Province of British Columbia, and being more particularly known and described as:

Lots 1 to 43 inclusive, Section 77, Esquimalt District,
Plan 37350.

- The said Company hereby creates a building scheme relating to the said Lots.
- A sale of any of the lots is subject to the restrictions enumerated in the Schedule.
- The restrictions shall be for the benefit of all the lots.
- The said Company hereby reserves the right of exempting any of the lots from all or any of the said restrictions and benefits of the said building scheme.

MEMORANDUM OF REGISTRATION
REGISTERED BY THE REGISTRAR
OF THE LAND TITLE ACT
R. E. HUBERT, Registrar of the
Victoria Land Title Office

RC

-2-

IN WITNESS WHEREOF I have hereunto set my hand and seal
this 7 day of July, 1982.

SIGNED, SEALED AND DELIVERED by the
said HUBERT WILFRED RIDLEY in the
presence of:

Denna M. Keeler
Witness

HWR
HUBERT WILFRED RIDLEY
Authorized Signatory

Address Denna M. Keeler
3rd Floor, Sunnes House
25 Bastien Square
Victoria, B.C.
Secretary

Occupation _____

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SCHEDULE OF RESTRICTIONSRELATING TO LOTS 1 to 43 INCLUSIVE, SECTION
77, ESQUIMALT DISTRICT, PLAN 37350

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- (1) No building shall be erected on any lot other than a private one-family dwelling house with appurtenant outbuildings. Duplexes and higher density use buildings are specifically prohibited.
 - (2) Each dwelling house built on each lot of the said plan shall contain a ground floor area of not less than 1200 square feet.

The aforesaid ground floor area shall exclude the area of all basements, garages, patios and carports, covered passageways and other construction of similar nature, being outside the normal interior area of a dwelling house.
 - (3) The exterior of any building or outbuildings shall be fully completed with any of the conventional exterior building materials within twelve (12) months from the date of commencement of construction.
 - (4) No mobile home, trailer or camper shall be used on the said lots as a residence, temporary or otherwise, or for any residential purpose.
 - (5) No house or any other building shall be moved or transported onto the said lots.
 - (6) No building or other structure shall be commenced, constructed or maintained on the said lands, without the purchaser first submitting to the Grantor, a plan to scale, showing the exterior finish of the said structure and the location of the said structure on the Lot, and receiving from the Grantor approval in writing, permitting construction to commence. The Grantor reserves the right to refuse approval of any Plans which in its opinion are unsuitable or undesirable.
 - (7) It is the intention of the Grantor that the property contained in this subdivision plan shall be for residential purposes only and to this end no business, trade or profession shall be carried on upon the lands hereby conveyed, nor shall anything be done or maintained thereon which may be or may become an annoyance or nuisance to the said lands or to any lot or the owners thereof. No industrial vehicle or commercially licenced vehicle over 8,000 G.V.W. shall be permitted to cooperate from any lot unless it is kept in a closed-in garage.
 - (8) Ridley Bros. Development Co. Ltd. shall have the right and power in its absolute discretion from time to time by any deed or deeds in writing to waive or vary or release any of the foregoing restrictions as regards any lot or lots which has not or have not been sold by the Company, or to sell or convey any of the said lots affected by the said restrictions free from all or any of the said restrictions and either subject or not, to any different restrictions. In the event that all the said restrictions are so waived as regards any lot, then no benefit of the said restrictions shall accrue to such lot in relation to any other lot or lots in the Building Scheme hereby created.
 - (9) These restrictions shall come to an end and be null and void on the 1st day of January, 1996.

38176
DONNA MAY FELECK

LAND TITLE ACT
FORM 2
(Sections 43 (a) and 44 (a) 1)

AFFIDAVIT OF WITNESS

Victoria

1. I was present and saw this instrument duly signed and executed by

HUBERT WILFRED RIDLEY

the party(ies) to it, for the purposes named in it.

2. The instrument was executed at

Victoria

3. I know the party(ies) who (is/are) 19 years old or more.

4. I am the subscribing witness to the instrument and am 16 years old or more.

Donna May Feleck

Sworn before me at Victoria

in British Columbia, this 24th day of June 19 82

38176, 5352

A Notary Public in and for the Province of British Columbia
A Commissioner for Taking Affidavits for British Columbia
SFRANK B. CHALSON

*Write name and qualifications under section 48, c.f. A Commissioner for Taking Affidavits for British Columbia.
NOTE: This affidavit must be sworn by a witness who is not a party to the instrument.

DATED June 24 19 82.

RIDLEY BROS. DEVELOPMENT
CO. LTD.
- XX -

LAND TITLE ACT
FORM 6
(Section 46)

PROOF OF EXECUTION BY CORPORATION

I CERTIFY that on the

day of 19 82

at Victoria

in British Columbia,

(*whose identity has been proved by the evidence on oath of (state Full Name, Address, and Occupation)

who (s) personally known to me, appeared before me and acknowledged to me that he/she is the authorized signatory of

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 this day of 19 .

A Notary Public in and for the Province of British Columbia
A Commissioner for Taking Affidavits for British Columbia

*These words in brackets may be added, if the applicant wishes the register to show the date of registration under section 48(3) not to call for further evidence of the existence of the corporation.
*Where the person making the declaration is personally known to the officer making the declaration, these words in brackets.
*Write name and qualifications under section 48, c.f. A Commissioner for Taking Affidavits for British Columbia.

LAND TITLE ACT
FORM 3
(Sections 43(b) and 44 (b) 1)

CERTIFICATE OF ACKNOWLEDGEMENT OF TRANSFEROR

I CERTIFY that on the

day of 19 .

at

in the Province of British Columbia

(*whose identity has been proved by the evidence on oath of (state Full Name, Address, and Occupation)

who (s) personally known to me, appeared before me and acknowledged to me that he/she/they (is/are) the person(s) mentioned in this instrument as a transferor (or attorney of a transferor) that his/her/(their name(s) (is/are) subscribed to it, that he/she/they know(s) the contents of the instrument and executed it voluntarily, and (is/are) of the age of 19 years or more.

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

at this day of 19 .

A Notary Public in and for the Province of British Columbia
A Commissioner for Taking Affidavits for British Columbia

*These words in brackets may be added, if the applicant wishes the register to show the date of registration under section 48(3) not to call for further evidence of the existence of the corporation.
*Where the person making the declaration is personally known to the officer making the declaration, these words in brackets.
*Write name and qualifications under section 48, c.f. A Commissioner for Taking Affidavits for British Columbia.

File No. R-8-80 MJH, 5VJ

Moak, Peters and Sefton, Ltd., Vancouver, B.C.
Law and Commercial Services

COX, TAYLOR, BRYANT
Barristers & Solicitors
26 Bastion Square
VICTORIA, B.C.
V8W 2P9