



W45466

LAND TITLE ACT
Form 1 (Section 36)
MEMORANDUM OF REGISTRATION
Registered on application received on
the day and at the time written hereon

J.C. Groves, Registrar,
Kelowna Land Title Office

RESTRICTIVE COVENANT

THIS INDENTURE made the 30th day of April, 1984.

BETWEEN:

GOLDEN MILE HOLDINGS LTD., a body corporate,
having its registered office at #301 - 1475 Ellis
Street, Kelowna, British Columbia (Inc. #218860)

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

HER MAJESTY THE QUEEN, in the Right of the
Province of British Columbia, ~~as represented~~
by the Minister of Health and THE REGIONAL Parliament Bldg.
DISTRICT OF CENTRAL OKANAGAN, Victoria, B.C.
540 Groves Ave. Kelowna, B.C.
(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS:

A. The Grantor is the registered owner in fee simple of all
and singular those certain parcels of land situate in the Regional
District of Central Okanagan, in the Province of British Columbia,
more particularly known and described as:

Lots 1, 2, 3, 4, 5, 6 and 7
Plan 34913

(hereinafter called the "Land");

B. The Grantor wishes to subdivide the Land into residential

lots;

*Part shown on
Plan attached
to D.D. w/
into plan*

B 6

THE REGISTRAR
130 (continued)
P.L. 1974-10-10/10-10-10
The Registrar of the
Province of British Columbia
Vancouver, B.C.

LAND TITLE ACT
FORM 17 (Sections 151, 152 (1), 220)

NOTE - Before submitting this application for interests under (1) and (4),
applicants should check and satisfy themselves as to the tax position, including
taxes of the Crown Provincial, a Municipality, and Improvement, water, and
irrigation districts.

Charge

True
Value

N/A
Covenant - which priority over
(charge of charge), mtg. w/ 16525.

HEREWITH FORS OF

free

ADDRESS of person or persons to whom this is given, if different
then shown in instrument

Legal description, if not shown in instrument, to be stated with this application

Full name, address, telephone number of person presenting application

Harder, Pushor, Hannan & Company

BARRISTERS & SOLICITORS

301 - 1475 ELLIS STREET
KELOWNA, B.C. V1Y 2A3

Shysak
(Signature of applicant or
solicitor or authorized agent)

01018

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C. Substantial portions of the lots after subdivision will have less than Four (4) feet of permeable soil;

D. The Grantee, as a condition of giving subdivision approval, has required the Grantor to specify the location of the sewage disposal fields on certain of the subdivided lots;

E. The Grantee, pursuant to the provisions of the Land Title Act through the Minister of Health has required that this Indenture be entered into as a condition of his consent to the subdivision of the Land.

NOW THEREFORE in consideration of the premises and the covenants hereinafter contained and the granting by the Ministry of Health of its approval for subdivision and for other valuable consideration the Grantor DOETH HEREBY COVENANT AND AGREE to and with the Grantee as follows:

1. Hereafter, the areas designated as Proposed Septic Field locations on the attached map shall be used in perpetuity solely for the installation of septic fields.

2. No building, structure or mobile home shall be built upon or placed on the area designated as Septic Field locations and no pipe, conduit, or other utility service shall be located, buried or placed in the ground within the area designated as the Proposed Septic Field Locations except septic fields approved by the Ministry of Health.

3. The Grantor agrees to save harmless the Grantee from any and all claims which may arise from the requirement to place septic fields within the location specified by this Covenant.

4. The Grantor will, for itself, successors and assigns, at all times perform and observe the restrictions hereinbefore set out PROVIDED that the same shall be binding upon the Grantor as personal covenants only during the period of the Grantor's respective ownership of any interest in the Land.

②

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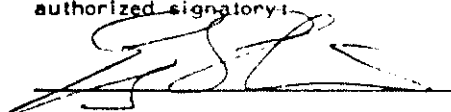
5. The restrictions and covenants herein contained shall be covenants running with the Land and shall be perpetual and shall be registered in the Land Title Office in Kamloops pursuant to Section 215 of the Land Title Act as covenants in favour of the Grantee.

6. Wherever the expression "Grantor" and "Grantee" are used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

7. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the Grantor has hereunto affixed its corporate seal in the presence of its proper officers in that behalf.

The Corporate Seal of GOLDEN
MILE HOLDINGS LTD. was hereto
affixed in the presence of its
authorized signatory:



This is the instrument creating the covenant entered into under Section 215 of the Land Title Act by the registered owners referred to herein and initialled by me.


Approving Officer
Ministry of Transportation and
Highways



Mack Printers and Stationers Ltd., Vancouver, B.C.
Law and Commercial Stationers Form No. LTA 4

LAND TITLE ACT

FORM 4
(Section 46)

PROOF OF EXECUTION BY CORPORATION

I CERTIFY that on the 30th day of April, 1984,
at the City of Kelowna, in British Columbia,

(Where identity has been proved by the evidence on oath of _____ (Name, full name, address, and occupation))


GEORG SCHURIAN

who is personally known to me, appeared before me and acknowledged to me that he/she is the authorized
signatory of GOLDEN MILE HOLDINGS LTD.

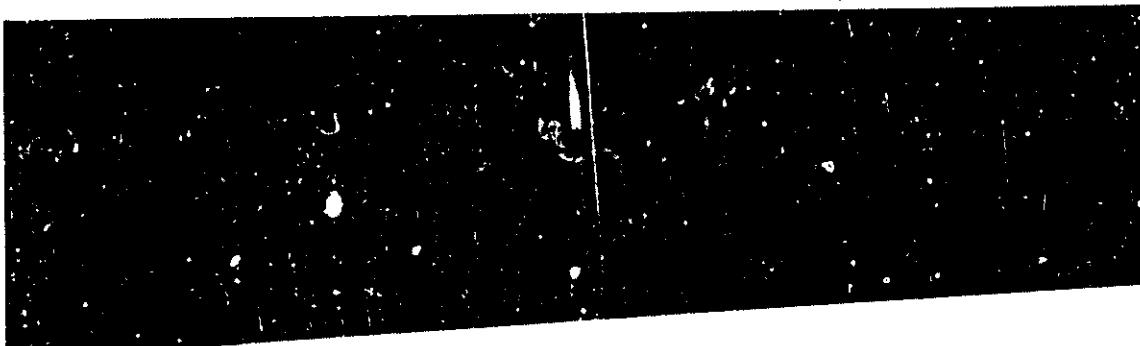
and that he/she is the person who subscribed his/her name and affixed the seal of the corporation to the
instrument, that he/she was authorized to subscribe his/her name and affix the seal to it, (and that the
corporation existed at the date the instrument was executed by the corporation.)

IN TESTIMONY of which I set my hand and seal of office at Kelowna, B.C.

this 30 day of April, 1984


PAUL L. MITCHELL
REGISTERED SOLICITOR
301 - 1475 ELLIS STREET
KELOWNA, B.C. V1Y 2A3

*Where the person making the acknowledgment is personally known to the officer taking it, strike out these words in KELOWNA, B.C.
(These words in brackets may be added, if the applicant wishes the registrar to exercise his discretion under the section 162(1) not to call for further
evidence of the existence of the corporation
(Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.)



CONSENT TO RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS that THE ROYAL BANK OF CANADA
W45466

CONSENT TO RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS that THE ROYAL BANK OF CANADA, holder of a Charge by way of Mortgage registered under No. W16525, for and in consideration of the sum of \$1.00 now paid to the Chargeholder (the receipt whereof is hereby acknowledged), agrees with GOLDEN MILE HOLDINGS LTD., its successors and assigns, that the within Restrictive Covenant shall be an encumbrance upon the within described property in priority to the said charge in the same manner and same effect as if it had been dated and registered prior to the said charge.


IN WITNESS WHEREOF we have caused these presents to be executed.

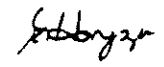
DATED this 12 day of July, 1984.

THE ROYAL BANK OF CANADA

By its attorneys:


Authorized Signatory
COMMERCIAL LENDING


Authorized Signatory
J.E. RICHTER, ASST. MANAGER
COMMERCIAL LENDING


ERICA HORYZA
1055 WEST GEORGIA
VANCOUVER, B.C.
SECRETARY



STATUTORY DECLARATION OF ATTORNEYS AND CERTIFICATE OF ACKNOWLEDGEMENT
OF TRANSFEROR

We, JOSEPH RENE DENIS FONTAINE and JOHN ERIC RICHTER

of VANCOUVER in the Province of BRITISH COLUMBIA, severally,

solemnly declare that:

1. We are the attorneys for The Royal Bank of Canada under a power of attorney filed under the Land Title Act.
2. We are the persons who subscribed the name of The Royal Bank of Canada and our names in the annexed instrument as a transferor.
3. At the time of the execution of the instrument, the power of attorney had not been revoked by or on behalf of The Royal Bank of Canada, The Royal Bank of Canada is legally entitled to hold and dispose of land in British Columbia, and we had not received any notice or information of the bankruptcy or dissolution of The Royal Bank of Canada.
4. We know the contents of the instrument and subscribed the name of The Royal Bank of Canada to it voluntarily as the free act and deed of The Royal Bank of Canada.


AND we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

SEVERALLY DECLARED before me at VANCOUVER,)
in the Province of BRITISH COLUMBIA, this)
12 day of July, 1984;)

AND I CERTIFY that on the said day and at)
the said place, the above named attorneys)
who are personally known to me, appeared)
before me and acknowledged to me that they)

are the persons mentioned in the annexed instrument as attorneys of the transferor, that their names are subscribed to it, that they know the contents of the instrument and executed it voluntarily, and are of the age of 19 years or more.

In testimony of which I set my hand at VANCOUVER, in the Province of BRITISH COLUMBIA this 12 day of July, 1984.


A Commissioner for Taking Affidavits
for British Columbia

PLAN OF SUBDIVISION OF PART OF D.L. 2724 S.
SIMILKAMEEN DIVISION YALE DISTRICT.

SCHEDULE "A"

SCALE: 1" = 1250 METRES

