

LAND TITLE ACT

FORM 35
(Section 220(1))

DECLARATION OF BUILDING SCHEME

Nature of Interest; Charge: **BUILDING SCHEME**

Herewith Fee of: \$55.00

Address of person entitled to apply to register this Building Scheme:

KRL Properties Led.
having offices at
Four Bentall Centre
1055 Dunsmuir Street Ste.2284
P.O. Box 49213
Vancouver, B.C. V7X 1K8

Full Name, Address & Telephone Number of person presenting application:

Nixon Wenger LLP
3201-30th Avenue
Vernon, B.C. V1T 2C6
250-542-5353

Signature of Applicant or Solicitor or Authorized Agent

I, Jeff Morgan, am a duly authorized signatory of KRL Properties Ltd. (Inc. No. BC0454042) (the "Company") and declare that:

1. The Company is the registered owner in fee-simple of the following land (hereinafter called "the Lots" and any one of which is a "Lot")

Lots 1 -14 inclusive, Section 30 Township 6 ODYD, Plan KAP_____ S.E.
¼ Section 30 Township 6 ODYD shown on Plan B1348 Except Plans 33029,
33030, 33031, 42538 and KAP _____.

2. I hereby create 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 of the lots provided, however, that we reserve the right to exempt any of the Lots remaining undisposed of by us from all or any of the restrictions and benefits.
5. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
6. The restrictions shall be for the benefit of all of the lots provided, however, that the registered owner expressly reserves the right to exempt any of the lots remaining undisposed of at the time the exemption takes effect, from all or any of the restrictions set out in the Schedule of Restrictions and from the benefits of this building scheme.

Officer Signature(s)	Execution Date Y M D	Transferor(s) Signature(s)
_____	07	KRL Properties Ltd. By its authorized signatory:

Print Name:

OFFICER CERTIFICATION

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C., 1979, 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.

SCHEDULE OF RESTRICTIONS

1. The restrictions enumerated in the Schedule hereto shall be for the benefit of all the Lots, provided that KRL PROPERTIES LTD. (the “Developer”), hereby expressly reserves the right with respect to any of the Lots through an appointed agent or directly, to modify and/or vary any or all of the restrictions enumerated in the schedule without notice to or the consent of the owner of any other Lot so long as the Developer retains ownership of any of the Lots.

2. No building or structure shall be erected or maintained on any Lot other than a detached single family residential dwelling house (a “dwelling”). A two family dwelling shall not be allowed unless:
 - (a) one such dwelling is less than 1200 square feet;
 - (b) the smaller dwelling is integrated into the larger residential dwelling house in such a manner that the presence of the smaller dwelling is not readily ascertainable as a separate dwelling; and
 - (c) the two family dwelling is approved by the District of Coldstream in accordance with the RU2 Zoning By-Law as amended from time to time.

3. Notwithstanding any use of the Lots which maybe permitted by the RU2 Zoning By-law of the District of Coldstream as amended from time to time, no part of the Lots shall be used for accessory employee residential, accessory farm sales, an animal hospital, a boarding house, community care facilities, fruit and produce pickers cabins, intensive or limited agriculture or a packing house.

4. No dwelling shall be constructed except in compliance with the following minimum area requirements:

<u>Type of Dwelling</u>	<u>Living Space Minimum Area</u>	<u>Floor print (excluding garage) Minimum</u>
Two Story	2,800 Square Feet	1,800 Square Feet
Multi Level	2,800 Square Feet	1,600 Square Feet
Rancher	2,000 Square Feet	2,000 Square Feet
Rancher (with daylight basement)	3,000 Square Feet	1,800 Sq. Feet

The floor area of any basement shall not be included in the minimum area requirements except in a ground level entry walk up dwelling.

For further clarity, the foot print is the area enclosed by the foundation of the dwelling

excluding the garage.

5. No dwelling is to be erected or maintained which does not conform to the National Housing Act Building Code and Standards or does not comply with zoning, subdivision and building by-laws of the District of Coldstream in force at the time of construction of such dwelling.
6. No building permit shall be applied for nor shall the construction of a dwelling commence unless and until the Developer has approved in writing all plans and specifications including elevations, siting on the Lot, dwelling style, exterior finish and exterior colours in accordance with the Developer's design guidelines as may be amended from time to time (the "Design Guidelines"). The Developer may withhold or refuse approval at the Developer's sole discretion.
7. The period from commencement of construction to substantial completion of a dwelling and final inspection approval by the District of Coldstream shall not exceed eighteen (18) months
8. No dwelling shall be occupied before a final inspection has been carried out and the District of Coldstream confirms in writing that the construction of the dwelling has been substantially completed in compliance with applicable by-laws and/or has issued an occupancy permit.
9. No temporary living quarters shall be located upon a Lot at any time.
10. No dwelling constructed on any Lot shall have exterior finishes other than one of the following: post and beam, timber frame, wood, brick, stucco, stone or Hardie Plank lap siding. However, should the exterior finish be of wood or Hardie Plank lap siding then not less than 30% of the cladding on the front elevation shall be of brick or stone which is returned two (2) feet on each side of the dwelling. No chimney shall be constructed of exposed concrete block or jumbo brick.
11. No trailer, modular home or mobile home shall be installed, kept, stored, or maintained on any Lot.
12. No recreation vehicles, mobile homes, boats, trailers, trucks, or commercial vehicles shall be stored or parked on the Lot on a permanent or semi-permanent basis unless they are in an attached or detached garage.
13. No fencing is permitted except black chain link, black metal rail with glass inserts, unpainted round rail fence or the pre-installed Developer's fence as defined in the Design Guidelines.
14. No radio antenna, C.B. antenna, television antenna, satellite dish greater than 36 inches in diameter or antenna of any other kind shall be erected or maintained on the Lot or upon the dwelling or any other structure located thereon.
15. No carports are permitted. Each Lot must have a minimum full sized double garage. Detached secondary garages are permitted provided they are finished in the same materials as the residential home.

16. No more than two (2) other outbuildings shall be allowed, including a detached garage, a barn or a shop. A pool house or shed is not considered an outbuilding
17. Driveways which are to be installed on or before the date of completion of the dwelling shall only be constructed in whole or in combination of the following products: asphalt, concrete or interlocking brick. No product except asphalt can be used for shared driveway entries.
18. The colour of a dwelling shall be earth tones with trim a complimenting colour
19. No roof shall be constructed of material other than clay tiles, concrete tiles or 30-year minimum true laminate fiberglass shingles with Ridge Glass ridge caps or like material. The colour of the roof must be darker earth tones. All roof pitches must be approved by the Developer or his Agent.
20. No garden or storage shed shall be constructed, erected or placed upon the Lot unless constructed of the same materials and of the same colours used in the construction and finish of the dwelling.
21. No landscaping of a Lot shall be permitted unless it compliments the natural grassland environment. Native shrubs and bushes should be used and the planting of tall tree varieties, shrubs, hedges or other vegetation is prohibited and in no event is the height of any such vegetation to be grown to a height that is greater than the height of the roof line of the dwelling on the Lot. Low maintenance and low irrigation requirements must be considered. Sidewalks must be concrete (exposed aggregate, imprinted or brushed) or interlocking brick. All homesite landscaping including a sprinkler system must be completed within 120 days from the date of substantial completion and only an area of approximately 25,000 square feet surrounding the dwelling (excluding the dwelling, driveways and other buildings) shall be landscaped. If the seasonal nature of the weather does not permit completion within 120 days, the work is to be completed as soon as possible the following Spring but in no event later than August 15th of that year.
22. Subsequent to approval of the plans and specifications for the dwelling on any Lot as aforesaid, the construction or design of any structure or improvement shall not be varied without the prior written approval of the Developer and the Developer shall be entitled, at any time and from time to time, to inspect any dwelling, structure and landscaping of any Lot.
23. No retaining wall is to be greater than two (2) meters in height without the approval of the District of Coldstream and the Developer or his Agent. Grade changes in excess of two (2) meters may require support by two or more retaining walls separated by a distance or distances approved by the District of Coldstream and the Developer or his Agent. The exposed vertical surface of all retaining walls is to be screened by the use of landscaping such as shrubs or vines.
24. The Developer may, in its absolute discretion, from time to time, in writing appoint or re-appoint an agent, committee, person or persons to exercise the powers specified herein and any approval or rejection made or given by such appointee in accordance with this scheme shall be deemed to have been made or given by the

Developer.

25. No Lot shall be used for the accumulation or storage of any type of scrap and with limiting the generality of the foregoing, motor vehicles or parts of the same.

26. No livestock is permitted on the Lot except horses, provided always that all applicable District of Coldstream by-laws are complied with.

27. Post entry lighting with photo cell sensors are required at the entrance of the driveways for lots 5,6,7,8 and 9 as defined in the Design Guidelines.

28. Each Lot must have a septic treatment system that, prior to discharge into the ground, complies with at least one of the two levels described below:

(a) treatment that produces an effluent consistently containing less than 45mg/L of total suspended solids and having a 5 day biochemical oxygen demand of less than 45mg/L (Type 2); or

(b) treatment that produces an effluent consistently containing less than 10mg/L of total suspended solids and having a 5 day biochemical oxygen demand of less than 10mg/L, and a median fecal coliform density of less than 400 Colony Forming Units per 100ml (Type 3).

29. Nothing herein contained shall be construed or implied as imposing upon the Developer or his Agent any liability in the event of non-compliance or non-fulfillment of any of the restrictions herein contained.

END OF DOCUMENT