

Building Scheme.

BC OnLine



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CLIENT NAME: MACDONALD REALTY VICTORIA INC
ADDRESS: 755 HUMBOLDT STREET
 VICTORIA BC V8W 1B1

PICK-UP INSTRUCTIONS:

USER ID: PC26988 APPL-DOC # FA57056 VI Registered RCVD:2006-05-12
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FOLIO SANDRA SMITH

REMARKS:

Help Desk Victoria (250) 953-8200
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Administration Office ... (250) 953-8250
Fax Number (250) 953-8222

Persons who need to rely on a plan for legal purposes must examine the official version at the Land Title Office in which the plan is deposited. However, plans with plan numbers beginning with the letters EPP or EPS are electronic plans which constitute the official version.

12 MAY 2006 12 31

FA057056

**LAND TITLE ACT
FORM 35
(section 216(1))**

Declaration of Building Scheme

Page 1 of 6 pages

NATURE OF INTEREST

CHARGE: Building Scheme

HEREWITH FEE OF:

~~\$55.00~~ 65.20

Address of person entitled to apply to register this Building Scheme

1257 Beddis Road, Ganges, B.C., VOS 1E0

02 06/05/12 12:31:20 02 VI
CHARGE

698561
\$65.20

Full name, address and telephone number of person presenting application

JAWL & BUNDON, Barristers & Solicitors
4th Floor, 1007 Fort Street
Victoria, BC V8V 3K5

Signature of Applicant, or Solicitor or Authorized Agent

Deb Fielden
agent

We, SPENCER'S EXCAVATING LTD. and GOSSET BRONZES INC., of 1257 Beddis Road, Ganges, British Columbia, declare that:

1. We are the registered owners in fee simple of the following land (the "Lots"):
Strata Lots 24 to 31, Section 38, South Salt Spring Island, Cowichan District, Strata Plan VIS5021 (Phase 4)
2. We 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 the Lots.

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Officers Signature(s)



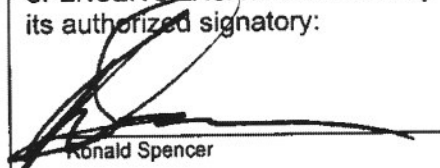
ROBERT G. MILNE
Barrister & Solicitor
4th FLR., 1007 FORT STREET
VICTORIA, B.C. V8V 3K5

Execution Date

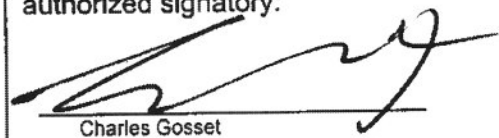
Y	M	D
05	12	16

Transferor(s) Signature(s)

SPENCER'S EXCAVATING LTD. by
its authorized signatory:


Ronald Spencer

GOSSET BRONZES INC. by its
authorized signatory:


Charles Gosset

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.

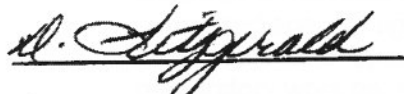
- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
** If space insufficient, continue executions on additional page in Form D.

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CONSENT AND PRIORITY AGREEMENT OF CHARGE HOLDERS:

We, **ISLAND SAVINGS CREDIT UNION**, having an office at #189-3147 Douglas Street, Victoria, B.C., V8Z 6E3 and ~~GOOSEBROOKS INC.~~ (Inc. No. A 27416) of 102-3930 Shelbourne Street, Victoria, B.C. V9B 5Z2, the holders of the following charges, consent to the registration of the above Declaration of Building Scheme and agree that it shall have priority over our respective charges.

Officers Signature(s)

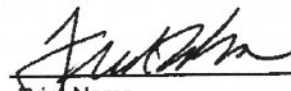

Daneve Fitzgerald
Commissioner for taking Affidavits
for British Columbia
Island Savings Credit Union
300 - 499 Canada Avenue
Duncan, BC V9L 1T7

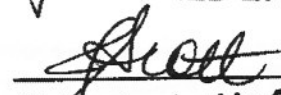
Execution Date

Y	M	D
05	12	28

Transferor(s) Signature(s)

Island Savings Credit Union
by its authorized signatories:


Print Name ~~FRED ZDAN~~ FRED ZDAN


Print Name Jackie Scott

As to Mortgages ET139543 and
EW72284 and Assignments of
Rents ET139544 and EW72285

3. ARCHITECTURAL REQUIREMENTS

3.1 Exterior Colours and Finishes

No dwelling shall be constructed with an exterior colour scheme not approved by the Developer. The following colour scheme shall generally be acceptable:

- (a) Natural low contrast: natural colour wood stain (solid or semi-transparent) with blending trim colour;
- (b) Natural high contrast: natural colour wood stain (solid or semi-transparent) with contrasting trim colour; and
- (c) Heritage colours: subdued pastel colours with contrasting trim colour,

N ~~subject to the discretion of the Developer in each case taking into account the overall architectural design of the house.~~

4. GENERAL REQUIREMENTS

4.1 No dwelling shall be occupied by any person unless and until that dwelling, including the exterior, is substantially finished. ✓

4.2 No owner or occupier of any Lot shall cause, commit, suffer, authorize or permit any act of nuisance to originate or emanate from his or her Lot. ✓

4.3 There shall not be stored, kept nor permitted to be kept or stored on any Lot or on any road or street adjoining any Lot, any junk or wrecked or partially wrecked motor vehicles, or any salvage materials, or goods intended for commercial use or sale, nor shall any waste or refuse be kept or stored on any Lot. ✓

4.4 Satellite receiving dishes shall not be mounted on rooftops or in any yard area fronting or flanking onto a road. ✓

4.5 No trailers, boats, commercial vehicles, recreational equipment or similar property shall be stored on a Lot unless stored inside the house or the garage or appropriately screened off from public view by screening shrubbery or approved fencing. ✓

4.6 No modular home, manufactured home, or mobile home may be erected or used on any Lot as a residence or any other purpose. ✓

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~~4.7 No billboard or signage of any type shall be erected, posted or in any way displayed on any part of a Lot or building other than "For Sale" signs approved by the Developer; provided always that nothing in this paragraph shall prevent an owner from erecting or displaying a sign showing his or her name or the name of his or her house as approved by the Developer.~~ X

4.8 The Developer reserves the right to grant special approvals on house designs for Lots remaining undisposed of which do not comply with the provisions set out in this building scheme in all respects if, in the opinion of the Developer, the design is architecturally acceptable, and upon any such special approvals being given, the provisions of this building scheme shall be deemed to be modified, amended or enlarged to allow for such special approvals on such specific Lots. ✓

4.9 All of the restrictions set forth in this building scheme shall become null and void and of no force and effect on the day following a period of three (3) years from the date that the last remaining Lot is sold by the Developer. ✓

END OF DOCUMENT