

**LAND TITLE ACT
FORM E**

SCHEDULE

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2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND

STC for each PID listed below? YES

[PID] [LEGAL DESCRIPTION – must fit in a single text line]

Land Title Act
FORM 35
(section 220(1))
DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST: CHARGE: BUILDING SCHEME

HEREWITH FEE OF \$

Address of person entitled to apply to register this building scheme:

JUNIPER WEST DEVELOPMENTS LTD. (Inc. No. BC0272682)
#103 - 2049 Highland Place, Kamloops, BC V2E 0A8

Full name, address and telephone number of person presenting application:

GILLESPIE & COMPANY LLP
200 - 121 St. Paul Street
Kamloops, BC V2C 3K8
Telephone: 250-374-4463
CLIENT NO. 10588

SIGNATURE OF APPLICANT OR SOLICITOR OR AUTHORIZED AGENT

We, JUNIPER WEST DEVELOPMENTS LTD. (Inc. No. BC0272682), declare that:

1. we are the registered owners in fee simple/lessee of the following land (hereinafter called "the Lots"):

No PID Nmbrs
Lots 1 to 20, inclusive, Sec 34 Tp 19 Rge 17 W6M KDYD Plan EPP66589

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.

EXECUTION(S):

Officer Signature(s)



STEVEN P. DuMONT
Suite 200 - 121 St. Paul St.
KAMLOOPS, B.C. V2C 3K8
BARRISTER & SOLICITOR

Execution Date		
Y	M	D
16	11	23

Party(ies) Signature(s)

JUNIPER WEST DEVELOPMENTS LTD. by its authorized signatory:



Doug MacKenzie

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. 1996, c. 124, 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

SCHEDULE OF BUILDING RESTRICTIONS AND CONDITIONS

A. Definitions:

For the purposes hereof, the following words or phrases shall have the following meanings:

- a. "Building" means any improvement, building structure, fence, wall, erection or other improvement of any kind whatsoever whether above or below ground level and any addition or alteration thereto;
- b. "Building Plans" means architectural plans and any specifications of any proposed work or Building showing elevations of the Building to be constructed, Building cross-sections and floor plans including all dimensions, type and quality of building materials (including roofing), exterior finish materials with colour scheme and type of driveways and site plans and landscaping plans;
- c. "Design Co-ordinator" means any agent, entity, person or persons from time to time designated by the Developer as the "Design Co-ordinator" hereunder;
- d. "Developer" means Juniper West Developments Ltd.;
- e. "Lots" means the lots described in Paragraph 1 of the Declaration of Building Scheme to which this Schedule of Restrictions is attached or any portion thereof and "Lot" means any one of such lots;
- f. "Owner" means any of the following persons and their respective successors in title:
 - i. the registered owner from time to time of any one of the Lots or any part thereof;
 - ii. the registered owner from time to time of a right to purchase any of the Lots or any part thereof; and
 - iii. the beneficial owner from time to time of any one of the Lots or any part thereof.

B. Approval of Building Plans:

1. No person or persons shall:

- a. place, erect, construct, commence to construct or use any Building on any of the Lots; or
- b. make any exterior alterations, additions or extensions to an existing Building; or

- c. apply for a building permit for the construction of any Building on any of the Lots; or
 - d. until the Buildings or other improvements on the Lot (including any fence, retaining wall or driveway), have had the Building Plans for such Building or improvement submitted to the Developer and until the building plans and specifications have in fact been approved in writing by the Developer. No Building Plans shall fail to address building size, architectural design, siting, building height, setbacks, exterior colours, siding style and colour, roofing materials, fencing, retaining walls and landscaping; or
 - e. construct any Building unless in accordance with the Building Plans approved by the Developer.
- C. Prohibited or Restricted Uses:
- 1. The following limitations or prohibitions on the use of the Lots or any parts thereof shall be applicable:
 - a. No building material, crates, packing cases, contractor's shed or equipment shall be placed or left on any Lot nor on any property adjoining any Lot other than during such time as the construction work is actually in progress on such Lot, and no excavation shall be made unless necessary in connection with the construction of an approved Building.
 - b. No satellite dishes with a diameter larger than 72 centimetres or antennas shall be constructed or installed and there shall not be more than one satellite dish per Lot.
 - c. No combustible materials which constitute a fire hazard shall be placed or stored on any Lot.
 - d. No vegetation or natural water courses shall be interfered with, moved, or destroyed, unless necessary for the purposes of building or for fire protection.
 - e. No trees in excess of 50 centimetres in circumference shall be removed from a Lot without the prior written approval of the Design Co-ordinator.
 - f. No more than 200 millimetres of concrete foundation of any building shall be exposed above the finished grade, except where step foundations are necessary to accommodate significant grade changes on the Lot.
 - g. No exterior meters for gas, electricity, water or otherwise shall be installed on the front of the Building.
 - h. No ducting shall be installed as to be visible on the exterior of a Building and all plumbing and exhaust vents shall be installed as to be concealed from view from the street.
 - i. No mechanical equipment (including heating or cooling equipment) shall be placed in the front yard. Nor shall such equipment remain un-enclosed with

screen or finish matching the exterior of the Building. Window-mounted air conditioners are not permitted.

- j. No telecommunications equipment, including satellite dishes, antennae or other similar structures can be visible from the street.
 - k. Carports are prohibited and all garages must be fully enclosed.
 - l. No driveway may be constructed unless paved in paving stones, tinted, broom, or finished concrete, exposed aggregate or patterned concrete or asphalt - gravel surfaces are not permitted.
 - m. No trailers shall be stored in the front yard of any lot. Side yard trailer storage is permitted if screened to be concealed from view from the street.
 - n. No clothes lines or lines for hanging clothes on any Lot shall be permitted unless it or they are concealed from view from the front of the Lot.
 - o. In addition to restrictions placed by the City of Kamloops, Lock Block or Non-Decorative style walls are not permitted. Natural rocks walls are not permitted in the front and side yards of any Lots but are acceptable for rear yard landscaping provided they are lower than 1.2 metres in height and are not considered a structural wall.
 - p. Wood shake roofs shall not be permitted due to their inherent fire risk. Patterned metal, tile or textured asphalt shingle roofs are permitted.
 - q. No fences shall be erected in the front yards of any Lot.
 - r. No fences may be constructed in side and/or back yards unless made of wood or vinyl or black chain-link. Galvanized chain link is not permitted.
 - s. No single or double wide trailers or modular homes will be permitted on any Lot.
2. The following exterior surface treatments are prohibited:
- a. plastic siding;
 - b. vinyl siding;
 - c. aluminium siding;
 - d. metal siding;
 - e. asphalt siding;
 - f. exposed concrete (except for foundations); and
 - g. exposed masonry blocks (except for foundations).
3. No Buildings will be constructed unless exterior walls of the Building will be surfaced either in decorative cement board (Hardi board or equivalent), wood siding, shakes or stucco. Further, no buildings may be constructed without either stone or cultured stone as part of the street side (front) finish treatment of the Building unless entirely finished with stucco.

4. Only fascia boards having a minimum width of 8 inches are allowed. Fascia boards are to be of wood, smart trim or hardi board.
5. No soffits having a width of less than 24 inches are allowed and no materials other than wood, aluminum, smart trim or hardi board can be used for soffits.
- D. Landscaping, Irrigation, Exterior Finishing, Sidewalks
 1. Exterior finishing must be completed prior to occupancy of the Building (see above for acceptable finishing materials).
 2. Driveways must be completed within six (6) months of the date of occupancy of the Building (see above for acceptable driveway materials).
 3. Front yard landscaping must be completed within eight (8) months of the date of occupancy of the Building.
 4. Front yard retaining walls (if any) must be completed within eight (8) months of the date of occupancy of the Building (see above for acceptable retaining wall materials).
 5. Front yard sidewalks must be completed within eight (8) months of the date of occupancy of the Building and completed in the same materials acceptable for driveways.
 6. In ground irrigation must be completed within eight (8) months of the date of occupancy of the Building.