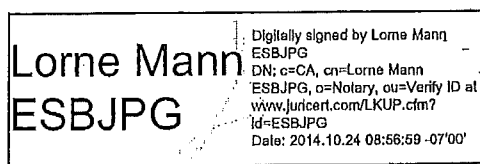


LAND TITLE ACT
FORM DECLARATION

Related Document Number: CA4011596

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Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.



I, Joanne Endicott, Secretary, Creston, BC do hereby declare that:

1. I am the person responsible for the preparation and submission of the Form 17 Statutory Building Scheme submitted under number CA4011596.
2. Some clauses/statements in the Schedule of Restrictions originally submitted are not restrictive or contain wording which can be considered vague or opinion based and open to interpretation.
3. The originally submitted Schedule of Restrictions is hereby cancelled and replaced with the attached (amended) Schedule of Restrictions.

I make this declaration based on personal information.

Joanne Endicott

NOTE:

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

Fee Collected for Document: \$34.88

SCHEDULE OF RESTRICTIONS

"Accessory Buildings" means buildings such as garages or other outbuildings located on a Lot or Lots that complement the Residence and are not habitable.

"Completion" or "Substantial Completion" of a Residence means that state of completion whereby the Developer has provided its approval (in writing) of such completion and the Town Of Creston has issued a Final Inspection that states there are no further condition(s) to be satisfied, or if any condition(s) are expressed, all shall be minor in nature and be fully satisfied within 3 months thereafter.

"Developer" means Donna Lynn Wigen, Karen Lee Combs, and David Allan Wigen, their successors and assigns and any of their authorized agents.

"Farm Animals" means horses, cattle, sheep, goats, llamas, swine, poultry, mink, turkeys, and rabbits.

"Final Inspection" means a written notice issued by the Town Of Creston outlining that construction has been approved (that is subject to the Building Permit), or deficiencies in the said construction, which may or may not require correction prior to final approval of such construction.

"Junkyard" means an area where old or used materials, including but not limited to metals, paper, rags, tires, bottles, vehicles and or vehicle parts are bought, sold, stored, traded, collected, or handled in any manner whatsoever.

"Kennel" means a building, structure, compound, pens, cages or property where more than 2 dogs or cats are, or are intended to be trained, cared for, bred, medically treated, boarded or kept.

"Lot" or "Lots" means any one of the registered fee simple Lots as shown on page 1.

"Manufactured (and/or) Mobile Home" means a home which is registered under the Manufactured Home Act of British Columbia (or its subsequent replacement), or is eligible for registration under the said Act **and/or** a pre-manufactured residence unit (which may be manufactured under Canadian Standards Association format) that is suitable for year-round occupancy and is designated to be moved along a highway to a site which includes these types of residences that are commonly advertised for sale and referred to as "mobile homes."

"Owner" means a person or entity registered as the legal fee simple owner of a Lot and their respective successors in title.

“Recreational Vehicle and/or RV” means a vehicle, trailer (including but not limited to 5th wheel and travel trailer), camper, coach, motor home, structure on conveyance designed to travel or be transported on the highways and constructed or equipped to be used as a temporary living or sleeping quarters by travelers, boats, and ATVs.

“Residence” means a building consisting of one residence unit, which is occupied (or intended to be occupied) as a residence.

1. **RESIDENCES AND ACCESSORY BUILDINGS**

- a) No Manufactured and/or Mobile home, Recreational Vehicle and/or RV, or other recreational vehicle(s) shall be used as a primary residence on any Lot.
- b) Only carports, storage sheds and other accessory buildings, which match the style and finish of the residence on the Lot, will be allowed.

2. **SIZE AND HEIGHT**

- a) For the purpose of calculating dimensions of a residence, the living area square footage of the said Residence shall be calculated exclusive of any covered extension, carport, patio, porch, or other accessory building.
- b) The main floor living area of a single level residence shall be not less than 1000 square feet or 92.903 square meters (with no less than 1400 square feet or 130.06 square meters of roof) and for a multi level residence the total living area shall be not less than 1600 square feet or 148.64 square meters.
- c) No carport, storage shed or other accessory building shall exceed the height of the residence and all additions to the residence must have a continuation of the residence roof pitch. The roofing material on such accessory building(s) shall match the main residence roof design and colour.
- d) So that the Lots in the Development have relatively unimpeded views of the Creston Valley, any Owner(s) of any Lot(s) shall not permit construction of any Residence and/or Accessory Buildings that will exceed a total height of more than 32 feet or 9.7536 meters measured from a Lot ground elevation at the midpoint of the foundation exposure.

3. **CONSTRUCTION GUIDELINES**

- a) Prior to the application to the Town of Creston for a building permit, each Lot Owner shall provide to the Developer, or the Developer's duly authorized representative (William Hutchinson or Retia Wigen), all site plans, architectural plans and specifications in respect of the proposed design and construction of the improvement(s) upon the Lot.
- b) Garbage and construction debris is to be removed from the development of any Lot on a regular basis.
- c) No basement, garage or accessory buildings erected upon the Lots shall be used as a permanent residence or shall be used for a temporary residence during construction for longer than a six (6) month period.

4. **ROOFING MATERIALS**

- a) Roof colours to be brown, taupe, grey, or black.
- b) All permitted accessory buildings shall have their roof colours to conform to the roof colours of the principal residence.
- c) Roofing material shall be laminated shingles (shake-like styling).

5. **EXTERIOR FINISHING**

- a) Exterior finishes of buildings are to be neutral colours, brick, wood, stucco, or wood composite.
- b) All permitted accessory buildings shall have their exterior finished to conform to the finish of the principal residence.
- c) No vinyl siding is permitted.

6. **EXTERIOR COLOURS**

- a) Exteriors shall be subdued, natural colours and the colour must be clearly indicated on the building plans.
- b) All permitted accessory buildings shall have their exterior colour to match the colour(s) of the principal residence.

7. **LANDSCAPING**

- a) All Lots shall have driveways finished with concrete, exposed aggregate concrete, or brick pavers.
- b) No asphalt driveways or sidewalks/walkways are permitted within the Lot.
- c) No trees, shrubs or other vegetation shall be planted which interfere with the visibility of the driveway of the adjacent Lot to the street.

8. **FENCING**

- a) No fence shall be erected, constructed, placed or maintained on the front or the side property lines to the front of the residence.
- b) Side fences are to be a minimum of 15 feet or 4.572 meters back from the front of the house.
- c) All fences shall be constructed of ornamental wire, iron or wood construction having the same appearance on both sides and shall be painted on all sides.
- d) Fences erected, constructed, placed or maintained in the rear yard of the residence shall not exceed 6 feet or 1.85 meters in height, unless the rear yard borders a street intersection, then the height shall not exceed 3 feet 6 inches or 1.1 meters.

9. **TIME OF COMPLETION**

- a) The exterior of any residence, accessory building, or other improvements on a Lot must be finished within 24 months of the date of commencing construction thereof.

10. **ANIMALS AND PETS**

- a) Any exterior facility for the pets shall be located in the rear of any Lot only.
- b) No Farms Animals or Kennels are permitted to be located on any Lot.

11. **VEHICLES**

- a) No Owner shall park, store or keep any vehicle, except wholly within the Lot, and any permanently or temporarily inoperable vehicle shall be stored only in enclosed garages.
- b) No Owner shall park, store or keep on any Lot or upon any uncovered parking space on any Lot so as to be visible from any other Lot in the subdivision, any large commercial-type vehicle, such as, but not limited to, a dump truck, logging truck, cement mixer, oil and gas trucks or tractor trailer.
- c) Vehicles parked on any Lot, other than daily personal use vehicles, are not to be visible by neighbouring properties.

12. **GENERAL APPEARANCE AND MAINTENANCE**

- a) Satellite receiving dishes are not permitted unless they are less than 30 inches or 76.2 centimeters in diameter.
- b) No exterior radio antenna, CB antenna, television antenna or other antenna of any type shall be erected or maintained on any Lot.

- c) No billboards, placards, advertising or signs of any kind shall be erected or placed on any Lot, or in any window or door in any residence or accessory building on any Lot, with the exception of temporary signs indicating that the property is for sale or rent, signs such as "Block Parent" and signs displaying the Owner's name and address. Such signs to be of an ornamental nature and not to exceed 12" x 24" or 30.48 by 60.96 centimeters.
- d) No clotheslines shall be permitted on any Lot.
- e) Garbage storage shall be secure from animal interventions and be screened from view, other than on pick-up day.

END OF DOCUMENT