

LAND TITLE ACT
FORM C

(Section 233)

Province of British Columbia

22 DEC 2006 11 08

LA175823

C.6-20
SRW**GENERAL INSTRUMENT - PART 1**

(This area for Land Title Office use)

PAGE 1 of 7 pages

SUBMITTED BY
KERSHAW KUROYAMA**1. APPLICATION:** (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

PETRAROLA LANGFORD RUSH LLP
Barristers & Solicitors ♦ Trademark Agents
800 - 1708 Dolphin Avenue, Kelowna, B.C. V1Y 9S4
Phone: (250) 861-5332
File Ref. No:23897


Nicole Steciuk, Authorized Agent
2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

01 06/12/22 11:12:27 01 KL 970644
CHARGE \$65.20

SEE SCHEDULE

3. NATURE OF INTEREST: *	DOCUMENT REFERENCE	PERSON ENTITLED TO INTEREST
DESCRIPTION	(page and paragraph)	
Statutory Right of Way	Entire Instrument	The Transferee

4. TERMS: Part 2 of this Instrument consists of (select one only)(a) Filed Standard Charge Terms ☐(b) Express Charge Terms ☒(c) Release ☐

D.F. No.

Annexed as Part 2

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

THE OWNERS, STRATA PLAN KAS3134, A Strata Corporation (as to the Common Property of Strata Plan KAS3134)
✓ FEATHERTOP DEVELOPMENTS LTD., Inc. No. BC0693465 (as to Strata Lots 1 to 81, inclusive, Strata Plan KAS3134)

6. TRANSFEE(S): (Including occupation(s), postal address(es) and postal code(s))*

FORTISBC INC. a public utility, incorporated by Special Act of the Legislature of the Province of British Columbia, having its head office at 5th Floor, 1628 Dickson Avenue, Kelowna, British Columbia V1Y 9X1

7. ADDITIONAL OR MODIFIED TERMS:*


N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Party(ies) Signature(s)


DOMINIC A. PETRAROLA
Barrister & Solicitor
800 - 1708 Dolphin Ave.
Kelowna, B.C. V1Y 9S4

(As to all signatures)

Y	M	D
2006	12	21

THE OWNERS, STRATA PLAN KAS3130
by its authorized signatory(ies)

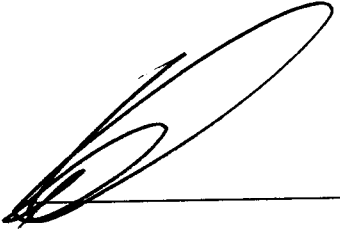
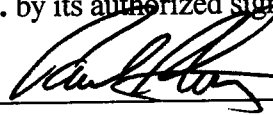

Paul Plocktis
OFFICER CERTIFICATION:

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.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Land Title Act
FORM D
EXECUTIONS CONTINUED Page 2

Officer Signature(s)	Y	M	D	Party(s) Signature(s)
 DOMINIC A. PETRAROIA <i>Barrister & Solicitor</i> 800 - 1708 Dolphin Ave. Kelowna, B.C. V1Y 9S4	2006	12	21	FEATHERTOP DEVELOPMENTS LTD. by its authorized signatory:  Paul Plocktis

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

**LAND TITLE ACT
FORM E
SCHEDULE**

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ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR
ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)	(LEGAL DESCRIPTION)
026-905-744	Strata Lot 1, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-752	Strata Lot 2, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-761	Strata Lot 3, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-779	Strata Lot 4, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-787	Strata Lot 5, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-795	Strata Lot 6, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-809	Strata Lot 7, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-817	Strata Lot 8, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-825	Strata Lot 9, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-833	Strata Lot 10, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-841	Strata Lot 11, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-850	Strata Lot 12, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-868	Strata Lot 13, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-876	Strata Lot 14, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-884	Strata Lot 15, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-892	Strata Lot 16, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-906	Strata Lot 17, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-914	Strata Lot 18, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-922	Strata Lot 19, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-931	Strata Lot 20, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-949	Strata Lot 21, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-957	Strata Lot 22, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-965	Strata Lot 23, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-973	Strata Lot 24, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-981	Strata Lot 25, District Lot 4222, SDYD, Strata Plan KAS3134
026-905-990	Strata Lot 26, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-007	Strata Lot 27, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-015	Strata Lot 28, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-023	Strata Lot 29, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-031	Strata Lot 30, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-040	Strata Lot 31, District Lot 4222, SDYD, Strata Plan KAS3134

LAND TITLE ACT
FORM E
SCHEDULE

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ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)	(LEGAL DESCRIPTION)
026-906-058	Strata Lot 32, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-066	Strata Lot 33, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-074	Strata Lot 34, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-082	Strata Lot 35, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-091	Strata Lot 36, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-104	Strata Lot 37, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-112	Strata Lot 38, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-121	Strata Lot 39, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-139	Strata Lot 40, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-147	Strata Lot 41, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-155	Strata Lot 42, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-163	Strata Lot 43, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-171	Strata Lot 44, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-180	Strata Lot 45, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-198	Strata Lot 46, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-201	Strata Lot 47, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-210	Strata Lot 48, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-228	Strata Lot 49, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-236	Strata Lot 50, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-244	Strata Lot 51, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-252	Strata Lot 52, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-261	Strata Lot 53, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-279	Strata Lot 54, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-287	Strata Lot 55, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-295	Strata Lot 56, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-309	Strata Lot 57, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-317	Strata Lot 58, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-325	Strata Lot 59, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-333	Strata Lot 60, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-341	Strata Lot 61, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-350	Strata Lot 62, District Lot 4222, SDYD, Strata Plan KAS3134

LAND TITLE ACT
FORM E
SCHEDULE

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2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)	(LEGAL DESCRIPTION)
026-906-368	Strata Lot 63, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-376	Strata Lot 64, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-384	Strata Lot 65, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-392	Strata Lot 66, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-406	Strata Lot 67, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-414	Strata Lot 68, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-422	Strata Lot 69, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-431	Strata Lot 70, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-449	Strata Lot 71, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-457	Strata Lot 72, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-465	Strata Lot 73, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-473	Strata Lot 74, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-481	Strata Lot 75, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-490	Strata Lot 76, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-503	Strata Lot 77, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-511	Strata Lot 78, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-520	Strata Lot 79, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-538	Strata Lot 80, District Lot 4222, SDYD, Strata Plan KAS3134
026-906-546	Strata Lot 81, District Lot 4222, SDYD, Strata Plan KAS3134
	The Common Property of Strata Plan KAS3134 District Lot 4222 SDYD

PART 2 - TERMS OF INSTRUMENT

File No.: KEL-2355

STATUTORY RIGHT OF WAYTHIS INDENTURE made this 21 - day of December, 2006.

BETWEEN:

THE OWNERS, STRATA PLAN KAS3134

1337 Green Bay Road
Westbank, BC V4T 2B6
(as to the Common Property of Strata Plan KAS3134

FEATHERTOP DEVELOPMENTS LTD.

1337 Green Bay Road
Westbank, BC V4T 2B6
(as to Strata Lots 1 to 81, inclusive, Strata Plan KAS3134)

(hereinafter collectively called "the Transferor")
OF THE FIRST PART

AND

FORTISBC INC., a public utility incorporated by Special Act of the
Legislature of the Province of British Columbia, having its head office at
5th Floor, 1628 Dickson Avenue, Kelowna, BC V1R 4L4

(hereinafter called the "Company")
OF THE SECOND PART

WHEREAS this Statutory Right of Way is necessary for the operation and maintenance
of the Company's undertaking;

In consideration of the sum of ONE (\$1.00) DOLLAR now paid by the Company to the
Transferor, the receipt of which is hereby acknowledged, the Transferor HEREBY
GRANTS AND CONVEYS to the Company, its employees, agents and licensees, an
easement by way of Statutory Right of Way for full, free and uninterrupted access at
all times hereafter with or without vehicles or equipment to, through and over that
certain parcel of land situated in the Penticton Assessment Area in the Province of
British Columbia, more particularly described as:

Strata Lots 1 to 81, inclusive, District Lot 4222 SDYD Strata Plan KAS3134
The Common Property of Strata Lot KAS3134 District Lot 4222 SDYD.

(hereinafter collectively called the "Property")

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For the purpose of constructing, operating and maintaining thereon a primary and secondary underground electrical distribution and communication lines and all related equipment including conductor, underground conduit and padmount transformers (the "Facilities"), with the right to dig up the soil and rock thereof and from time to time to inspect, repair, remove or replace any part thereof, and to cut and clear any trees and underbrush which in the Company's opinion might interfere with the construction and operation of the Facilities;

RESERVING HOWEVER to the Transferor the right to cultivate or otherwise use the Property and the right to compensation for any damage done by the Company to fences and to crops thereon.

The Transferor covenants that it has the right to enter into this Indenture; that it will not at any time hereafter do any act including the planting of any trees or climbing vines or erecting any building or structure, that would jeopardize or interfere with the operation or maintenance of the Facilities and that the Transferor will cause no damage to nor interfere with the Facilities.

The Company may provide a communication and/or cable company with all the rights under this Statutory Right of Way to install and maintain communication circuits on the Facilities.

The rights, privileges and easement hereby granted are and shall be of same force and effect as a covenant running with the land, and this Indenture shall enure to the benefit of and be binding upon the parties hereto, their heirs, administrators, successors and assigns, and wherever the singular or masculine is used herein, it shall be construed as if the feminine, plural or neuter, as the case may be, had been used wherever context or the parties hereto so require.

IN WITNESS WHEREOF the Transferor has caused these presents to be executed as of the day and year first above written.

END OF DOCUMENT

Strata Property Act**FORM E****CERTIFICATE OF STRATA CORPORATION**

(Sections 78, 79, 80, 100, 214, 257, 259, 261, 262, 263, 266, 269, 274, 283)

Complete and file only the applicable form of certificate.

CERTIFICATE FOR SECTION 78, 79, 80, 214, 257, 259, 261, 262, 263 OR 266

The Owners, Strata Plan KAS3134 certify that a resolution referred to in section 79 of the *Strata Property Act* was passed by a ☒ unanimous vote or ☐ 3/4 vote [check appropriate vote] at an annual or special general meeting held on ~~September~~ ^{DECEMBER} 18th, 2006 and that the attached instrument, schedule, plan or other document conforms to the resolution.

For the purposes of section 165(4)(f) of the *Land Title Act*, execution of the attached instrument has been approved by a resolution at an annual or special general meeting in accordance with the requirements of the *Strata Property Act*, and the instrument conforms to the resolution.



Signature of Council Member

Signature of Second Council Member
(not required if council consists of only one member)