



## 1. Application

Deduct LTO Fees: Yes

Document Fees: \$76.32

**Pigott & Company**  
**Barristers & Solicitors**  
**1-560 Baker Street**  
**Nelson BC V1L 4H9**  
**2503529380**

## 2. Description of Land

PID/Plan Number	Legal Description
027-735-851	STRATA LOT 1 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-869	STRATA LOT 2 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-877	STRATA LOT 3 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-885	STRATA LOT 4 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-893	STRATA LOT 5 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-907	STRATA LOT 6 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-915	STRATA LOT 7 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-923	STRATA LOT 8 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-931	STRATA LOT 9 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-940	STRATA LOT 10 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-958	STRATA LOT 11 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-966	STRATA LOT 12 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-974	STRATA LOT 13 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578
027-735-982	STRATA LOT 14 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578

## 3. Nature of Charge, Notation, or Filing

Type	Affected Number	Additional Information
<b>STATUTORY BUILDING SCHEME</b>		

## 4. Person Entitled to be Registered as Charge Owner

<b>MARY KATHLEEN GREENAN</b> <b>DONALD JOHN BOSWELL</b> #2 - 1613 - 4TH STREET NW CALGARY AB T2M 2Z1	TEACHER STORE MANAGER
<b>AS JOINT TENANTS</b>	
As to an undivided interest	
<b>WILLIAM LONG</b> <b>FRANCES LONG</b> 8667 PROCTER EAST ROAD PROCTER BC V0G1V0	RCMP OFFICER SYSTEMS ANALYST
<b>AS JOINT TENANTS</b>	
As to an undivided interest	

<b>EMMA ROSE TAIT</b> <b>DONALD BOYD GIBBONS</b> 8673 PROCTER EAST ROAD PROCTER BC V1K0B7	PROGRAM DIRECTOR INDUSTRIAL CONSULTANT	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>DAVID JAMES AITKEN</b> <b>KERSTEN RENNER</b> 3318 MT. FISHER DRIVE CRANBROOK BC V1C6N6	MAINTENANCE WORKER SUPERVISOR	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>CHRISTOPHER CHARLES HANSTOCK</b> <b>MAXINE ANNE FARR-JONES</b> 11825-71A AVENUE NW EDMONTON AB T6G2W5	RETIRED RESEARCH ASSOCIATE	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>STEPHEN HAROLD BRANCH</b> <b>CORRINE DENYSE BRANCH</b> 9500 GLENLYON PARKWAY BURNABY BC V5J0C6	VICE PRESIDENT HOMEMAKER	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>CHRISTOPHER RAYMAND LACNY</b> <b>BELINDA MARIE AUSTIN</b> 40 GLENEAGLES CLOSE COCHRANE AB T4C 1N8	MANAGEMENT CONSULTANT MANAGEMENT CONSULTANT	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>KIMBERLY EVELYN PRONOVOST</b> <b>AARON RAY WANNAMAKER</b> 1100 CONCESSION STREET RUSSELL ON K4R1E3	MEDICAL LABORATORY TECHNOLOGIST PERSONAL BANKER	<b>AS JOINT TENANTS</b>	As to an undivided interest
<b>IRMA CATHERINE COUMANTARAKIS</b> <b>JAMES MARSHALL TOLLER</b> 4712 108TH AVENUE EDMONTON AB T6A 1P3	OCCUPATIONAL THERAPIST CERTIFIED ORTHOTIST	<b>AS JOINT TENANTS</b>	As to an undivided interest



**JOHN DAVID SCHLICHTING**

SENIOR CONFERENCE MANAGER

PO BOX 150

317 PARK AVENUE

PROCTOR BC V0G 1V0

As to an undivided interest

**Electronic Signature**

Your electronic signature is a representation that

(a) you are a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250, and that you are authorized to electronically sign this application by an e-filing direction made under section 168.22(2) of the act, and

(b) if this application requires a supporting document, that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this application under section 168.43(3) of the act, and that the supporting document or a true copy of the supporting document, if a true copy is allowed under an e-filing direction, is in your possession.

**Leon John  
Pigott IC1IQS**

Digitally signed by  
Leon John Pigott IC1IQS  
Date: 2022-06-06  
14:06:48 -07:00

***Land Title Act***  
**Form 35**  
*(section 220(1))*

**DECLARATION OF BUILDING SCHEME**

NATURE OF INTEREST: CHARGE: BUILDING SCHEME

FEE OF \$

LEGAL DESCRIPTION AND PARCEL IDENTIFIER NO.(S):

STRATA LOT 1 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 2 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 3 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 4 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 5 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 6 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 7 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
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STRATA LOT 10 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 11 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 12 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 13 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 14 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578

Address of person entitled to register this building scheme:

MARY KATHLEEN GREENAN, and DONALD JOHN BOSWELL.  
#2 - 1613 - 4TH STREET NW  
CALGARY, AB T2M 2Z1

IRMA CATHERINE COUMANTARAKIS, and JAMES MARSHALL TOLLER  
4712 108TH AVENUE  
EDMONTON, AB T6A 1P3

KIMBERLY EVELYN PRONOVOST, an AARON RAY WANNAMAKER  
1100 CONCESSION STREET  
RUSSELL, ON K4R1E3

DAVID JAMES AITKEN, and KERSTIN RENNER  
3318 MT. FISHER DRIVE  
CRANBROOK, BC V1C 6N6

ALLAN MICHEAL JOHNSON, and SUSAN LORRAINE BAIN  
P.O. BOX 601  
ROSSLAND, BC V0G 1Y0

CHRISTOPHER CHARLES HANSTOCK, and MAXINE ANNE FARR-JONES  
11825 - 71A AVENUE N.W.  
EDMONTON, AB T6G 2W5

WILLIAM LONG, and FRANCES LONG  
8667 PROCTER EAST ROAD  
PROCTER, BC V0G 1V0

EMMA ROSE TAIT and DONALD BOYD GIBBONS  
8673 PROCTER EAST ROAD  
PROCTER, BC V1L 0B7

JOHN DAVID SCHLICHTING  
PO BOX 150 317 PARK AVENUE  
PROCTOR, BC V0G 1V0

CHRISTOPER RAYMOND LACNY, and BELINDA MARIE AUSTIN  
40 GLENEAGLES CLOSE  
COCHRANE, AB T4C 1N8

ADAM PATRICK WADE MUNDY and TRACEY NICOLE MUNDY  
414 DRAKE LANDING PT  
OKOTOKS, AB T1S 2M6

KEVIN ROY PEDERSEN and FLAVIA MONICA PEDERSEN  
164 CAMBRA AVENUE SW  
CALGARY, BC T2T 6K2

STEPHEN HAROLD BRANCH and CORINNE DENYSE BRANCH  
9500 GLENLYON PARKWAY  
BURNABY, BC V5J 0C6

Full name, address telephone number of person presenting application:

Pigot & Company, Barrister & Solicitor  
Suite 1 - 560 Baker Street  
Nelson, BC V1L 4H9  
Phone: (250) 352-9380

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SIGNATURE OF APPLICANT, OR  
SOLICITOR OR AUTHORIZED AGENT

I/we Mary Kathleen Greenan and Donald John Boswell; Irma Catherine Coumantarakis and James Marshall Toller; Kimberly Evelyn Pronovost and AaronRay Wannamaker; David James Aitken and Kersten Renner; Allan Michael Johnson and Susan Lorraine Bain; Christopher Charles Hanstock an Maxine Ann Farr-Jones; William Long and Frances Long; Emma Rose Tait and Donald Boyd Gibbons; John David Schlichting; Christopher Raymond Lacny and Belinda Marie Austin; Adam Patrick Wade Mundy and Tracey Nicole Mundy; Kevin Roy Pedersen and Flavia Monica Pedersen; Stephen Harold Branch and Corinne Denyse Branch declare that:

1. I am the registered owner in fee simple/lessee of the following land (hereinafter called “the Lots”)

STRATA LOT 1 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 2 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 3 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 4 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 5 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 6 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 7 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 8 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 9 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 10 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 11 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 12 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 13 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578  
STRATA LOT 14 DISTRICT LOT 873 KOOTENAY DISTRICT STRATA PLAN NES3578

2. I hereby create a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to 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)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Mary Greenan

\_\_\_\_\_

Donald Boswell

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.

Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Irma Coumantarakis

\_\_\_\_\_

James Toller

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Kimberly Pronovost

\_\_\_\_\_

Aaron Wannamaker

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

David Aitken

\_\_\_\_\_

Kersten Renner

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Allan Johnson

\_\_\_\_\_

Susan Bain

**OFFICER CERTIFICATION:**

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Officer Signature(s)  
Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s)

\_\_\_\_\_

Christopher Hanstock

\_\_\_\_\_

Maxine Farr-Jones



**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

William Long

\_\_\_\_\_

Frances Long

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Emma Tait

\_\_\_\_\_

Donald Gibbons

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

John Schlichting

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Christopher Lacny

\_\_\_\_\_

Belinda Austin

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Adam Mundy

\_\_\_\_\_

Tracey Mundy

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Kevin Pedersen

\_\_\_\_\_

Flavia Pedersen

**OFFICER CERTIFICATION:**

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Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Registered Owner(s) Signature(s)

\_\_\_\_\_

Stephen Branch

\_\_\_\_\_

Corrine Branch

**OFFICER CERTIFICATION:**

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CONSENT AND PRIORITY AGREEMENT OF CHARGE HOLDERS:

I/We, authorized signatory of, **National Bank of Canada**, the holders of the following registered charges, **mortgage CA7231277**, consent to the registration of the above Declaration Building Scheme and agree that it shall have priority over our respective charges

EXECUTION(S):

Officer Signature(s)

**Execution Date**

Charge Owner(s) Signature(s)

\_\_\_\_\_

Y	M	D

\_\_\_\_\_

by its authorized signatory(ies):

\_\_\_\_\_

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.

NOTE: 1. the consent and grant of priority of charge holders may separate counterparts of Form 35.

2. The execution of all declaring or consenting parties must be witnessed in accordance with part 5 of the *Land Title Act*.

3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

I/We, authorized signatory of, **Nelson and District Credit Union, Incorporation No. FI55**, the holders of the following registered charges, **mortgage CA5902998** consent to the registration of the above Declaration Building Scheme and agree that it shall have priority over our respective charges

EXECUTION(S):

Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Charge Owner(s) Signature(s)

\_\_\_\_\_

by its authorized signatory(ies):

\_\_\_\_\_

**OFFICER CERTIFICATION:**

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**NOTE:** 1. the consent and grant of priority of charge holders may separate counterparts of Form 35.

2. The execution of all declaring or consenting parties must be witnessed in accordance with part 5 of the *Land Title Act*.

3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

I/We, authorized signatory(ies) of, **The Toronto-Dominion Bank**, the holders of the following registered charges, **mortgage CA8950928** consent to the registration of the above Declaration Building Scheme and agree that it shall have priority over our respective charges

EXECUTION(S):

Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Charge Owner(s) Signature(s)

\_\_\_\_\_

by its authorized signatory(ies):

\_\_\_\_\_

**OFFICER CERTIFICATION:**

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**NOTE:** 1. the consent and grant of priority of charge holders may separate counterparts of Form 35.

2. The execution of all declaring or consenting parties must be witnessed in accordance with part 5 of the *Land Title Act*.

3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

I/We, **Gerard Frances Johnson**, the holders of the following registered charges, **mortgage** \_\_\_\_\_ consent to the registration of the above Declaration Building Scheme and agree that it shall have priority over our respective charges

**EXECUTION(S):**

Officer Signature(s)

\_\_\_\_\_

**Execution Date**

Y	M	D

Charge Owner(s) Signature(s)

\_\_\_\_\_ by its authorized signatory(ies):

\_\_\_\_\_

**OFFICER CERTIFICATION:**

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**NOTE:** 1. the consent and grant of priority of charge holders may separate counterparts of Form 35.

2. The execution of all declaring or consenting parties must be witnessed in accordance with part 5 of the *Land Title Act*.

3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

## SCHEDULE OF RESTRICTIONS

1. No person will commence any works or improvements of any sort, including, without limitation, any:
  - (a) Excavation or removal of any fill or ground cover greater than 5 cubic yards;
  - (b) Application for development approval or a building permit;
  - (c) Construction of any buildings or other structures greater than 100 sq ft or improvements of whatsoever nature including, but not limited to, external renovation, alterations or modifications;without the written approval of BC Strata Corporation NES3578 (NES3578).
2. No dwelling or other structure shall be left in an incomplete state on the exterior for more than 12 months, except with the written approval of NES 3578.
3. No construction of Improvements will be commenced or carried out on any Lot:
  - (a) Except in accordance with the Plans and Specifications approved by NES 3578; and
  - (b) Except in compliance with all applicable laws, ordinances, rules, regulations or orders of governmental or municipal authorities.
4. No mobile homes, tents, recreation vehicles or other temporary dwellings shall be permitted on any Lot, for more than a cumulative in use period of 8 weeks per year.
5. No mobile homes, construction trailers, recreation vehicles or other temporary dwellings shall be permitted on any Lot for use during construction or development, without written approval from NES 3578.
6. No person shall construct or use any septic system on a Lot except for the existing septic disposal system operated by the onsite utility company.
7. No person shall construct or use any water system on a Lot except for the existing Community Water System operated by the onsite utility company.
8. No commercial business, whether for profit or not-for-profit, or publicly or privately owned, shall be operated on any Lot except as permitted in the NES 3578 Strata Bylaws.
9. No animals are to be maintained or kept on any Lot, other than those permitted in the NES 3578 Strata Bylaws.
10. Hunting or discharging a firearm is prohibited on any Lot or the Common Property.
11. No person shall remove any trees or vegetation from any Lot, except as permitted in the NES 3578 Strata Bylaws.
12. No Lot shall be subdivided or altered in its boundaries without the consent of NES 3578.
13. No signage is permitted, except as permitted in the NES 3578 Strata Bylaws.

14. Except for licensed passenger automobiles, passenger vans and trucks (Classes 1 – 3), no vehicles or other chattels, trailers, campers, motorhomes, trucks (Classes 4 – 8), boats, wrecked or partially wrecked vehicles, salvage materials or equipment, and waste or refuse materials, are permitted to be stored or situated on a Lot except as permitted in the NES 3578 Strata Bylaws.

End of Document