

LAND TITLE ACT
FORM C

(Section 219.81)

93 AUG 13 AM 10:51

PG 28330

Charge
50.00

Province of
British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 6 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
CAMERON E. HARRISON, Applicant's solicitor, 564-6460, GIBBS & COMPANY, #205 - 715
Victoria Street, Prince George, BC, V2L 2K5 (BOR407b)

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

(PID)

(LEGAL DESCRIPTION)

SEE SCHEDULE E

3. NATURE OF INTEREST:*

OF DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

TRANSFEREE

COVENANT

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):*

A. BORTOLON TRUCKING LTD. INC # 184256

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*
CITY OF PRINCE GEORGE, a municipal corporation, of 1100 Patricia Boulevard, Prince George, BC, V2L 3V9.

7. ADDITIONAL OR MODIFIED TERMS:*

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.

08/13/93 A0294k CHARGE 50.00

Execution Date

Officer Signature(s)

Party(ies) Signature(s)

CAMERON E. HARRISON
Barrister & Solicitor
#205 - 715 Victoria St.
Prince George, B.C. V2L 2K5

Y	M	D
93	07	22

THE CORPORATE SEAL OF:
A. BORTOLON TRUCKING LTD.
by its authorized signatory

Rose C. Bortolon
Rose C. Bortolon

OFFICER CERTIFICATION:

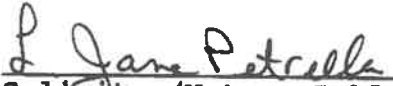
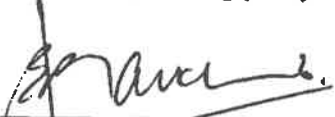

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

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

SUBMITTED TO THE LAND TITLE SERVICES LTD.

Land Title Act

**FORM D
EXECUTIONS CONTINUED**

Officer Signature(s):	Execution Date (X / M / D)	Party(ies) Signature(s):
L. JANE PETRELLA A Commissioner for Taking Affidavits for British Columbia 1100 Patricia Blvd. Prince George, B.C. V2L 3V9	93/07/29	CITY OF PRINCE GEORGE by its authorized signatory(ies):
 Solicitor/Notary Public		 Name/Title: Mayor
		 Name/Title Clerk

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary 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.

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**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:
(PARCEL IDENTIFIER) (LEGAL DESCRIPTION)

- 014-109-310 / Lot 4, Block 35, District Lot 933, Cariboo District,
Plan 727, Except Plan 28793
- 014-109-417 / Lot 5, Block 35, District Lot 933, Cariboo District,
Plan 727, Except Plan 28793
- 014-109-468 / Lot 6, Block 35, District Lot 933, Cariboo District,
Plan 727, Except Plan 28793
- 014-109-506 / Lot 7, Block 35, District Lot 933, Cariboo District,
Plan 727, Except Plan 28793
- 014-109-557 / Lot 8, Block 35, District Lot 933, Cariboo District,
Plan 727.

EXPRESS CHARGE TERMS

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THIS INSTRUMENT made the PART 2 27th day of July, 1993.

BETWEEN:

A. BORTOLON TRUCKING LTD., incorporation number 187256, RMD 58, RR #4, Pooley Road, Prince George, BC, V2N 2J3.

(hereinafter referred to as the "Covenantor")
OF THE FIRST PART,

AND:

THE CITY OF PRINCE GEORGE, a Municipal Corporation of 1100 Patricia Boulevard, Prince George, BC, V2L 3V9.

(hereinafter referred to as the "Covenantee")
OF THE SECOND PART.

WHEREAS:

A. The Covenantor is the registered owner of those certain parcels or tracts of lands and premises situate, lying and being in the City of Prince George, Province of British Columbia, and being more particularly known and described as:

PID: #014-109-310	PID: #014-109-417	PID: #014-109-468
Lot 4	Lot 5	Lot 6
Block 35	Block 35	Block 35
District Lot 933	District Lot 933	District Lot 933
Cariboo District	Cariboo District	Cariboo District
Plan 727	Plan 727	Plan 727
Except Plan 28793	Except Plan 28793	Except Plan 28793

PID: #014-109-506	PID: #014-109-557
Lot 7	Lot 8
Block 35	Block 35
District Lot 933	District Lot 933
Cariboo District	Cariboo District
Plan 727	Plan 727
Except Plan 28793	

(hereinafter referred to as the "Lands").

B. The Covenantor has applied to the Covenantee pursuant to the Municipal Act of British Columbia, to permit development of a restaurant, gift shop and dwelling, one family in compliance with the zoning requirements and designated uses specified in the City of Prince George By-Law number 3482, 1980 and Amendment By-Lay number 5869, 1992 and amendments thereto in effect from time to time (hereinafter referred to as the "Zoning By-Law");

C. The Covenantor has agreed to enter into a covenant in favour of the Covenantee upon the terms and conditions herein set forth, in order to accommodate the rezoning of the Lands;

NOW THEREFORE THIS INSTRUMENT WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid by the Covenantee to the Covenantor and of other valuable consideration (the receipt whereof is hereby by the Covenantor acknowledged), the Covenantor does hereby covenant, promise and agree with the Covenantee as follows:

1.0 DEFINITIONS:

1.1 In this Instrument, the following expressions shall be deemed to have the meanings prescribed for them in the City of Prince George Zoning By-Law No. 3482, 1980 and amendments thereto:

1.1.1 Restaurant

1.1.2 Dwelling, One Family

1.2 Gift Shop;

2.0 PERMITTED USES:

2.1 The permitted uses of the Lands and any building or buildings on or to be erected on the Lands shall be restricted only to those uses listed below:

2.1.1 Restaurant

2.1.2 Dwelling, One Family, permitted only as the residence of a caretaker of a restaurant use on the lands

2.1.3 Gift Shop, permitted only as an ancillary use to a restaurant use on the lands

and the Covenantor shall not conduct or permit to be conducted any other use of the Lands or any building or buildings on or to be erected on the Lands;

3.0 CITY BY-LAWS:

3.1 Subject only to the limitations and restrictions herein set forth, all by-laws of the City of Prince George as amended from time to time shall govern the use and development of the Lands and any building or buildings on or to be erected on the Lands;

4.0 INDEMNITY:

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4.1 The Covenantor will, at all times, indemnify the Covenantee and save harmless from and against all loss, cost, expense and damage, including costs on a solicitor and client basis, that may be suffered or incurred by the Covenantee in enforcing this covenant as a result of any default or any breach hereof;

5.0 LAND TITLE ACT:

5.1 This covenant shall be registered as a first charge against the Lands pursuant to Section 215 of the Land Title Act of British Columbia;

6.0 SUCCESSORS:

6.1 This covenant is enforceable against the Covenantor and its successors in title to the Lands.

IN WITNESS WHEREOF the parties hereto have hereunto caused their corporate seals to be affixed in the presence of their duly authorized officers on the day and year first above written.

THE CORPORATE SEAL of)
A. BORTOLON TRUCKING LTD.)
was hereunto affixed in)
the presence of:)
Rose B. Bortolon)
Name/Title:)

c/s

THE CORPORATE SEAL of)
CITY OF PRINCE GEORGE)
was hereunto affixed in)
the presence of:)
[Signature])
Name/Title: Mayor)

c/s

[Signature])
Clerk)

END OF DOCUMENT