

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

7778HB .

ORDER NUMBER: 26504819

THIS IS EXHIBIT " B " referred to in the affidavit of
Jeremy Kyle Thompson
Sworn before me this 1
day of August 2014
[Signature]
A Commissioner in and for the Province of Alberta

GEORGE C. STEWART
Barrister & Solicitor

ADVISORY

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7674 if the image of the document is not legible.

CAVEAT

FORBIDDING REGISTRATION

To the Registrar of the South Alberta Land Registration District

Take Notice that / The City of Calgary

in the Province of Alberta

claims an interest by virtue of certain building and land use restrictions attached hereto, in the following described lands:

standing in the register in the name of The City of Calgary

and
forbids the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest unless such instrument be expressed to be subject to ^{the} claim.
Appoints the office of the City Solicitor, City Hall, Calgary, Alberta, as the place at

which notice and proceedings relating hereto may be served.

DATED this 5TH day of July A.D. 1956

Witness

THE CITY OF CALGARY,

BY:

[Signature]
Mayor
[Signature]
City Clerk

I,
make oath and say as follows:
(1) I am the within named
(2) I believe

have a good and valid claim upon the said land and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN at
in the Province of Alberta
this day of A.D. 19
Before me,

A Commissioner for Oaths in and for the Province of Alberta.

CANADA:
PROVINCE OF ALBERTA

3, Carl Burton Cumber,
of the City of Calgary
in the Province of Alberta, City Clerk,

make oath and say:

TO WIT:

- (1) That I am the agent for the above named Caveator.
- (2) That I believe that the said Caveator has a good and valid claim upon the said lands and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN at the City of Calgary

in the Province of Alberta

this 5th day of July A.D. 1956.

Before me,

Francis J. Fleming

A Commissioner for Oaths in and for the Province of Alberta.

Carl Burton Cumber

7718 H.B.

A.D. 19 56.

RE: Building Restrictions - Plan
Cambrian Heights, Calgary
5977 H.B.

LEAVE WITH
DAMAGED DOCUMENTS

105 X 107 6
103 X 121 014
USE
LEGIBLE COPY ON FILE

Caveat

FORBIDDING REGISTRATION

F. E. Osborne Limited, Law and Office Stationer, Calgary, Alta.
NO-1-55

I certify that the within instrument
is duly Entered and recorded in the Land
Titles Office for the City of Calgary, in the
Registration District of 5477, in the
Province of Alberta, at
Book 1, Page 5,
on the 5th day
of July, 1956.
as number 7718 Book H.B.
Filed
281

Registrar
S.A.L.R.D.

F. M. BRIDEN
CITY SOLICITOR,
CITY HALL,
CALGARY, ALBERTA

LEAVE COPY
ON FILE IN
ORIGINAL IN
DAMAGED DOCUMENT
Red Cuppin

PLANNING RESTRICTIONS - PLAN CAMBRIAN HEIGHTS CALGARY 5971-H.B.

77784 B

The City of Calgary claims an interest in the lands described in Schedules A, B and C hereto by virtue of certain building, use and land use restrictions set out below which apply to the lands referred to in Schedules A, B and C hereto as follows:

1. The building and land use restrictions and conditions herein shall be and be deemed to be covenants running with the land and shall be binding upon the purchasers and their successors in title of the lots referred to in Schedules A, B and C hereto. The said building and land use restrictions and conditions shall not be or be deemed to be merely personal and collateral covenants for the benefit of The City of Calgary, but affect and concern and are for the benefit of dominant lands of the said City including streets, lanes, parks, public reserves or other property owned by the said City adjoining and in the vicinity of the lands referred to in Schedules A, B and C hereto.

2. Only one single family dwelling house and a private garage attached or unattached to such dwelling house may be erected on each lot described in Schedule A hereto, or on an approved building site as defined in paragraph 6 hereof on Schedule A lands.

3. Only one single family or two family dwelling house and a private garage attached or unattached to such dwelling house may be erected on each lot described in Schedule B hereto, or on an approved building site, as defined in paragraph 6 hereof, on Schedule B lands.

4. Only a multiple family dwelling house or apartment building and a private garage attached or unattached to such multiple family dwelling house or apartment building may be erected on each lot described in Schedule C hereto, or on an approved building site, as defined in paragraph 6 hereof, on Schedule C lands.

5. The private garages referred to in paragraphs 2, 3 and 4 hereof, whether attached or unattached, shall conform in style and exterior finish to the dwelling house or apartment building, as the case may be, erected on any lot or approved building site. A private garage may be designed to house more than one motor vehicle, but if a garage is unattached, only one garage building may be built on any one lot, or on an approved building site as defined in paragraph 6 hereof.

6. Paragraphs 2, 3 and 4 hereof shall not be interpreted so as to prohibit any buildings which may be erected on the lots referred to in Schedules A, B and C hereto from being erected on any two adjacent lots described in any of such Schedules, or upon any resubdivided lots, but in no case shall any resubdivision establish a building site having a lesser frontage or area than any lot included in such resubdivision as such lot is described in the original registration of Plan Cambrian Heights Calgary 5971-H.B. A building site consisting of two adjacent lots described in the Schedules hereto or of resubdivided lots is herein referred to as an "approved building site".

7. A dwelling house erected upon any lot described in Schedule A or Schedule B hereto or upon an approved building site in either of such Schedules shall not exceed two storeys.

*See Calgary Order of Council 6740 H
amending clause 12 of the
N.Y.S. final plan Block 17 Plan 5971 H.B
to insert A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.*

SWORN at
in the Province of Alberta
this day of A.D. 19
Before me,

A Commissioner for Oaths in and for the Province of Alberta.

8. The exterior walls of a dwelling house erected upon any lot described in Schedule A or Schedule B hereto or upon an approved building site shall enclose the following number of square feet in area at ground level:

Single Storey or Split Level Construction	--- 1,000 square feet.
One and One-Half or Two Storey Construction	--- 800 square feet.

The dimensions of any attached or unattached garage, porch, veranda, sun room, or other appurtenant structure shall be excluded in computing such area at ground level.

9. A multiple dwelling house or apartment building erected upon any lot in Schedule C hereto or upon an approved building site on Schedule C lands shall contain:

- (a) Not less than three dwelling units or three apartments, i.e. it shall be designed and used for the accommodation of not less than three families or three housekeeping units, and
- (b) Not more than one such dwelling unit or apartment for every 1,500 square feet of area contained in the site (including half of the lane adjoining the site upon which the multiple dwelling or apartment building is erected).

The dimensions of any attached or unattached garage, porch, veranda, sun room, or other appurtenant structure shall be excluded in computing the above area requirements.

10. A building erected on any lot described in any of the Schedules hereto or on an approved building site shall be not less than twenty-five (25) feet from the property line of the lot or approved building site and not less than a distance equal to ten per cent of the width of the lot or approved building site measured from each of the side lines of the lot or approved building site. Measurements shall be made in the same manner as similar measurements are made pursuant to the Building By-law of The City of Calgary.

11. Materials used for the exterior finish of any building erected on any lot in Schedule C hereto or on an approved building site on Schedule C lands must be approved by the Technical Planning Board of The City of Calgary before the erection of the building is commenced.

12. The foundation of a dwelling house or of an apartment building on a lot in any of the Schedules hereto or on an approved building site must be completed on said lot or approved building site prior to the expiration of one year from the date of purchase of the said lot or lots from The City of Calgary. Time shall be of the essence and if any purchaser has not complied with the requirements in this paragraph contained, The City of Calgary as vendor may regard as cancelled any sale of such lot or lots as are referred to in this paragraph and may sell such lot or lots to any other purchaser.

13. No lot or approved building site in any of the Schedules hereto or any building erected thereon shall be used for any trade or business or otherwise than for the permitted residential purposes.

14. If any dispute or difference arises over the interpretation of the paragraphs numbered 6 to 10, such dispute or difference shall be referred to the City Engineer of The City of Calgary and his decision shall be final.

15. Failure to enforce any land use or building restriction or condition herein shall not constitute a waiver of such restriction or condition and any restriction or condition herein may be enforced as soon as a breach of such restriction or condition occurs.

SCHEDULE A.

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
1 to 15 inclusive	2	5971-H.B.
9 to 20 inclusive	4	5971-H.B.
1 to 13 inclusive	6	5971-H.B.
5 to 17 inclusive	7	5971-H.B.
1 to 25 inclusive	8	5971-H.B.
3 to 21 inclusive	10	5971-H.B.
23 to 30 inclusive	10	5971-H.B.
32 to 45 inclusive	10	5971-H.B.
15 to 24 inclusive	11	5971-H.B.
26 to 45 inclusive	13	5971-H.B.
1 to 8 inclusive	15	5971-H.B.
1 to 33 inclusive	17	5971-H.B.
35 to 42 inclusive	17	5971-H.B.
45 to 48 inclusive	17	5971-H.B.
1 to 12 inclusive	18	5971-H.B.

Handwritten initials

SCHEDULE B.

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
1 to 13 inclusive	1	5971-H.B.
31 to 34 inclusive	1	5971-H.B.
17 to 24 inclusive	2	5971-H.B.
1 to 8 inclusive	4	5971-H.B.
3 to 14 inclusive	11	5971-H.B.
1 to 25 inclusive	13	5971-H.B.
1 to 5 inclusive	14	5971-H.B.
12 to 20 inclusive	14	5971-H.B.

SCHEDULE C.

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
14 to 16 inclusive	1	5971-H.B.
19 to 25 inclusive	1	5971-H.B.
1 and 2	10	5971-H.B.
46 and 47	10	5971-H.B.
1 and 2	11	5971-H.B.
25 and 26	11	5971-H.B.

82

SECTION 1

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
1 to 15 inclusive	2	5971-H.B.
9 to 20 inclusive	4	5971-H.B.
1 to 13 inclusive	6	5971-H.B.
5 to 17 inclusive	7	5971-H.B.
1 to 25 inclusive	8	5971-H.B.
3 to 21 inclusive	10	5971-H.B.
23 to 30 inclusive	10	5971-H.B.
32 to 45 inclusive	10	5971-H.B.
15 to 24 inclusive	11	5971-H.B.
26 to 45 inclusive	13	5971-H.B.
1 to 8 inclusive	15	5971-H.B.
1 to 33 inclusive	17	5971-H.B.
35 to 42 inclusive	17	5971-H.B.
45 to 48 inclusive	17	5971-H.B.
1 to 12 inclusive	18	5971-H.B.

SECTION 2

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
1 to 13 inclusive	1	5971-H.B.
31 to 34 inclusive	1	5971-H.B.
17 to 24 inclusive	2	5971-H.B.
1 to 8 inclusive	4	5971-H.B.
3 to 14 inclusive	11	5971-H.B.
1 to 25 inclusive	13	5971-H.B.
1 to 5 inclusive	14	5971-H.B.
12 to 20 inclusive	14	5971-H.B.

SECTION 3

<u>Lots</u>	<u>Block</u>	<u>Plan</u>
14 to 16 inclusive	1	5971-H.B.
19 to 25 inclusive	1	5971-H.B.
1 and 2	10	5971-H.B.
46 and 47	10	5971-H.B.
1 and 2	11	5971-H.B.
25 and 26	11	5971-H.B.

Excepting out of all of the above lands all mines and minerals.

5971 HB

CALGARY CAMBRIAN HEIGHTS PLAN SHOWING

SUBDIVISION OF

PART OF THE S.W. 1/4 SEC. 33
PART OF BLK. Z PLAN 6060 A.J. IN THE N.W. 1/4 SEC. 28
PART OF BLK. Z PLAN 1648 A.G. IN THE N.W. 1/4 SEC. 28
PART OF BLK. A.R.C. PLAN 5020 A.R. AND PART OF LOT 2
IN BLK. B PLAN 1065 S IN THE N.E. 1/4 SEC. 28
ALL IN TWP. 24 RGE. 1 W. 5TH M

I hereby certify that the above
plan has been examined and
found to be in accordance with the
Land Survey Act and the provisions of the
Land Survey Regulations and that the
same is a true and correct copy of the
original plan as filed in the
City of Calgary.

John A. Lamb
A.S.

Ref. Cert. 1034113 etc.
New Cert. 1033104 & 136 incl
original
1957

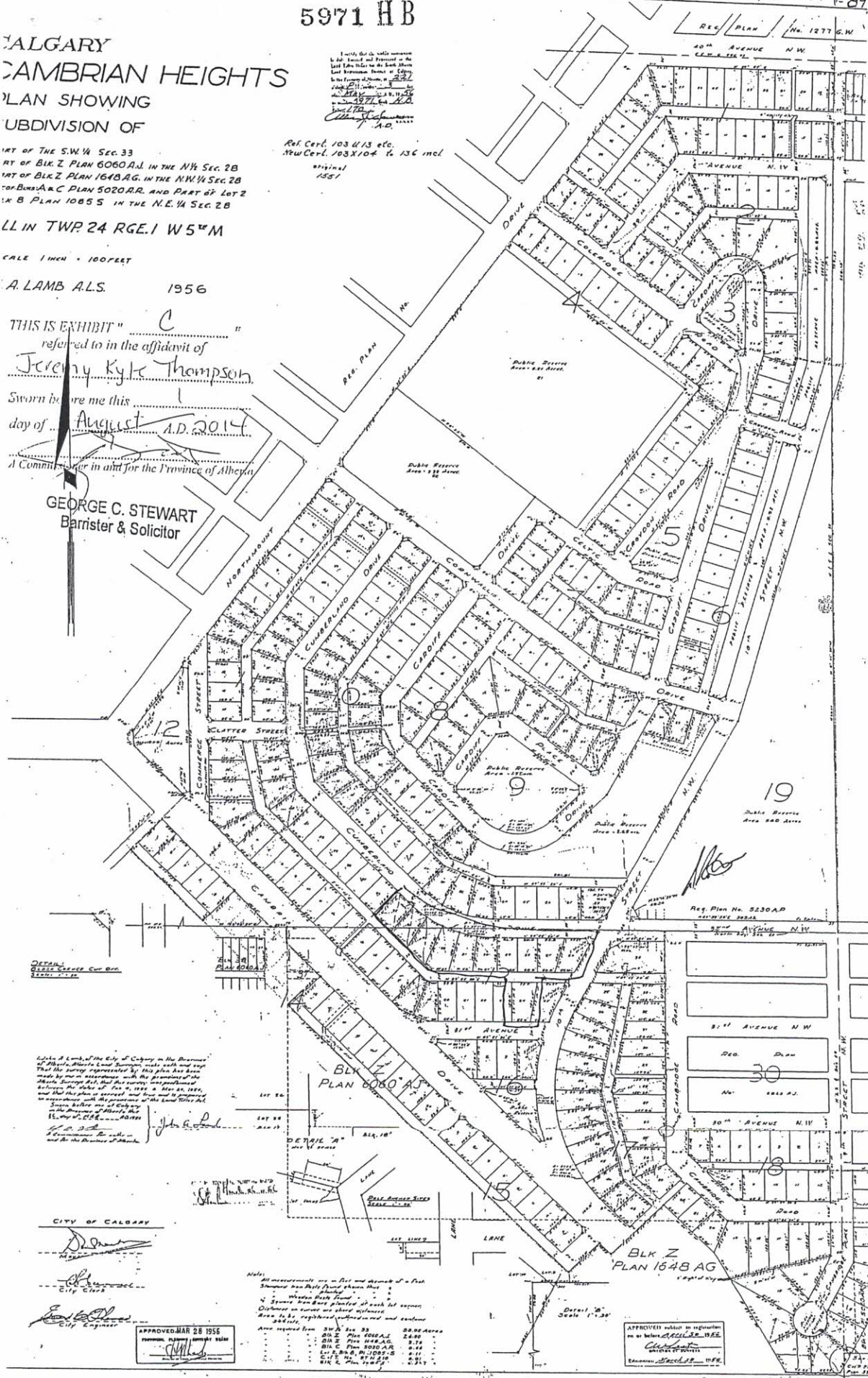
SCALE 1 INCH = 100 FEET

A. LAMB A.L.S. 1956

THIS IS EXHIBIT "C"
referred to in the affidavit of
Jeremy Kyle Thompson
Sworn before me this
day of August A.D. 2014

A Commissioner in and for the Province of Alberta

GEORGE C. STEWART
Barrister & Solicitor



DETAIL
31st AVENUE NW
PLAN 6060 A.J.

John A. Lamb of the City of Calgary in the presence of
the Mayor, Alberta Land Surveyor, with and with
me and the survey represented by this plan has been
made by me in accordance with the provisions of the
Alberta Survey Act, that the survey and plan
bearing the date of Feb. 9, 1956 is true and correct
and that the plan is correct and true and
in accordance with the provisions of the Land Survey Act
I have before me of Calgary
in the presence of the Mayor, the
Mayor of the City of Calgary.

John A. Lamb
A.S.

CITY OF CALGARY

[Signature]
City Clerk

[Signature]
City Engineer

APPROVED MAR 28 1956
FREDERICK J. HUNTER
CITY ENGINEER

Notes

- All measurements are in feet and decimals of a foot.
- Dimensions are given from the center line of the street.
- Lot lines are shown as solid lines.
- Lot areas are given in square feet.
- Dimensions are given from the center line of the street.
- Dimensions are given from the center line of the street.
- Dimensions are given from the center line of the street.

Area required from	SW 1/4 Sec 33	60,000 sq. ft.
	BLK Z Plan 6060 A.J.	2,400 sq. ft.
	BLK Z Plan 1648 A.G.	8,174 sq. ft.
	BLK Z Plan 5020 A.R.	6,144 sq. ft.
	BLK B & M Plan 1065 S	8,114 sq. ft.
	BLK E Plan 1065 S	8,114 sq. ft.

APPROVED subject to registration
as per Alberta Land Survey Act
[Signature]
CITY ENGINEER

COMPAVED W.C.D.