

FILE  
4954



Province of  
British Columbia

Ministry of  
Transportation  
and Highways  
HIGHWAYS

Saanich District Office,  
Ste.103-4475 Viewmont Ave.,  
Victoria, B.C. V8Z 5K8

Phone: 479-9344

YOUR FILE: J 2119

OUR FILE: 62-21-78/4954 ←

June 10, 1981

A.R. Hardie, B.C.L.S.,  
P.O. Box 3,  
Ganges Harbour, B.C.  
VOS 1E0

Dear Sir:

RE: Proposed Subdivision of Remainder of Southwest ¼,  
Section 85, South Saltspring Island, Cowichan Dist.

Please be advised that, as requested by Islands Trust, a  
"no further subdivision" covenant will be required over Lot D, to  
control lot averaging.

Our Preliminary Layout Approval letter of October 27, 1980,  
is amended accordingly.

Yours truly,

G.W. Harper,  
District Highways Manager

DES/kd  
cc: Islands Trust (#SUB--75-80)

s.22



at ~~End of~~ ~~Durham Rd~~

I.T. ~~claim no~~ covenant  
require for remainder.

Is it so?

s.22



sub-d?

Adverse

s.22



52P

JB

May 19/81

May 20/81

RAO

I.T. has requested we add a "no further subd"  
covenant over remainder to PLA.

This is within our policy & guidelines for lot averaging.

Recommend PLA be amended.

JB.

May 21/81

O.K.

D.R.



YOUR FILE J2119

OUR FILE 62-21-78/4954

Saanich District Office,  
#103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

March 4, 1981

A.R. Hardie & Assoc., B.C.L.S.  
P.O. Box 3,  
Ganges, B.C.  
VOS 1E0

Dear Sirs:

Re: Proposed Subdivision of Remainder S.W. ¼, Section 85,  
South Saltspring Island, Cowichan District.

Please be advised that the Ministry of Transportation and Highways has hereby granted an extension of one hundred and eighty (180) days, from the date of this letter, to our Preliminary Layout Approval #4954, dated October 27, 1980.

Yours Truly,

G.W. Harper  
District Highways Manager

DES/tb  
c.c. Islands Trust (Sub-75-80)  
Health Service - Sidney  
Fish & Wildlife Br. (0758/01)



Province of  
British Columbia

Ministry of  
Transportation  
and Highways  
HIGHWAYS

Telephone: 479-9344

YOUR FILE J2119  
OUR FILE 62-21-78/4954

Saanich District Office,  
#103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

December 17, 1980.

A.R. Hardie & Assoc., B.C.L.S.  
P.O. Box 3,  
Ganges Harbour, B.C.  
VOS 1E0

Dear Sirs:

Re: Proposed Subdivision of Remainder S.W. $\frac{1}{4}$ , Section 85,  
South Saltspring Island, Cowichan District.

We received your design profile for the new road serving this subdivision, and must advise that it is not acceptable to our Ministry, as it does not meet our standards. No vertical curves have been included, to smooth out transitions between grade sections.

The K-value on all vertical curves should be a minimum of 4, as per B.C. Regulation 262/70, Appendix A. Note that you have shown a K-value of 2 at Dukes Road. Please submit a revised design profile incorporating these amendments.

The culvert on the creek crossing should be 900 mm in diameter, installed as per the Fish & Wildlife Branch letter attached.

Yours truly,

G.W. Harper,  
District Highways Manager.

DES/jdm  
Encl.

A. R. HARDIE AND ASSOCIATES

British Columbia Land Surveyors  
Salt Spring Island

Post Office Box 3  
Ganges, B.C.  
V0S 1E0

Telephone:  
Office 537-5502  
Res. 537-5749

Our File: 2119  
Your File: 4954

December 11, 1980

Ministry of Transportation  
and Highways,  
Saanich District Office,  
Ste. 103 - 4475 Viewmont Avenue,  
Victoria, B.C.  
V8Z 5K8

Dear Sirs:

Re: Proposed Subdivision of the Remainder of the South west  $\frac{1}{4}$   
of Section 85, South Salt Spring Island, Cowichan District.

We enclose herewith two paper prints of our "profile plan",  
and amended "subdivision plan" relating to the above noted proposal as  
requested in your letter of October 27th.

We trust the enclosures meet with your approval.

Would you kindly advise us of the culvert size required for  
the creek crossing.

Yours very truly,



Allan R. Hardie, B.C.L.S.

ARH/mfc  
Encl.

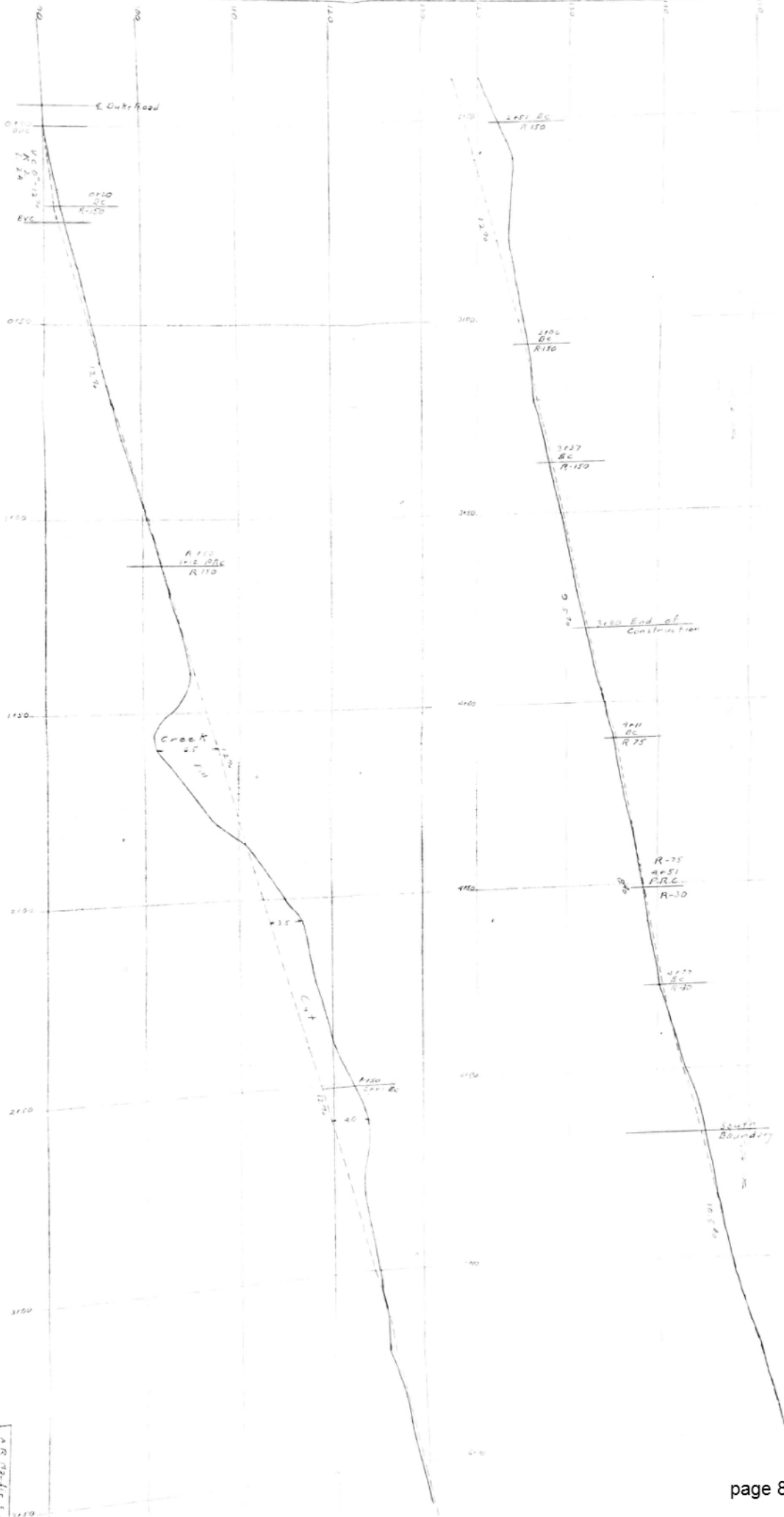
Scale 1 : 2000

Note: All distances are in Metres



ROAD PROFILE FOR PROPOSED SUBDIVISION OF  
 THE REMOR OF THE SW 1/4 OF SECTION 85  
 SOUTH SALT SPRING ISLAND COWICHAN DISTRICT

Horizontal Scale 1" = 500'  
 Vertical Scale 1" = 200'  
 Note: All elevations are in Meters







YOUR FILE 62-21-78/4954

OUR FILE 0758/01

1 December, 1980

s.22

Dear Sir:

Re: Culvert Installation in  
Subdivision of Remainder of  
SW  $\frac{1}{2}$ , Sct. 85,  
South Saltspring Island,  
Cowichan District

Further to our discussions on November 28, 1980 in my office, we have the following comments re culvert installation on your property:

We do not object to the placing of an 80 foot culvert in this creek as it is well above fish-bearing watercourses. We would prefer that the installation be done during the drier summer months to reduce the siltation downstream.

However, provided you make every effort to control downstream siltation, we are prepared to approve installation this winter during a period when the water flow in the creek is reduced.

Your cooperation is appreciated.

Yours very truly,

*S. M. Janz*  
S. M. Janz

Habitat Protection Technician

SMJ/mrb

cc: D. Schoones

DS.



Province of  
British Columbia

Ministry of  
Transportation  
and Highways

Ste.103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

Phone: 479-9344

YOUR FILE 2119

OUR FILE 62-21-78/4954

A.R. Hardie, B.C.L.S.,  
P.O. Box 3,  
Ganges Harbour, B.C.  
VOS 1E0

October 27th, 1980

Proposed subdivision of The Remainder of Southwest 1/4 Section 35,  
South Saltspring Island, Cowichan District.

Your proposal for a 4 lot subdivision has received preliminary layout approval by the

Ministry of Transportation and Highways, subject to the following special conditions:

**NOTE:** This cancels and replaces our Preliminary Layout Approval (NON-Approval) letter of September 11th, 1980.

1. Four lots approved via Section 3.3 of Subdivision Bylaw. X
2. No logging covenant required over property, as per Islands Trust, as condition of relaxation.
3. Cleanup and covenant required by Fish & Wildlife Br., as per their letters attached. Covenant to be submitted in six copies.
4. Wright Road to be dedicated as shown on plan submitted.
5. New road to be dedicated as shown and constructed to the following standards- (reference - B.C. Regulation 262.70, Para. 4.08 and Islands Trust road standards) far enough to provide adequate access to all lots; Construction to start at Dukes Road;
  - a) Clearing - clear and grub 12 m wide only, plus cut and fill slopes.
  - b) Base Gravel - minimum depth 200 mm compacted pit run gravel on approved sub-base.
  - c) Surface Gravel - minimum depth 75 mm of 20 mm compacted crushed gravel on approved base.
  - d) Drainage - minimum ditch depth 460 mm with culverts supplied where necessary. Main culvert size to be determined by Ministry of Trans. & Highways, and installed as per requirements of Fish & Wildlife Branch. — 36" Nov 20/80 DES
  - e) Design Speed - 30 km/h
  - f) Right-of-way - to be widened where necessary to contain cut and fill slopes.
  - g) Accesses: all difficult accesses to be roughed in at time of construction.
  - h) Design Profile - to be submitted and approved prior to starting construction.
  - i) Hammerhead - to be constructed as per sample attached.
  - j) Intersections - to be constructed with 12 m radius flares. (all intersections)
  - k) Width - minimum width to be 6.7 m shoulder to shoulder at finished grade.

log DES  
(2)

The approval granted is only for the general layout of the subdivision and is valid for 180 days from this date. However, if at any time there is a change in legislation, regulations, or by-laws this preliminary layout approval is automatically cancelled.

DES/kd Encl.

cc: Islands Trust (#SUB-75-80)  
Health Service - Sidney  
Building Inspector - Sidney  
Building Inspector (M.Neal)  
Saltspring Island Fire District  
Fish & Wildlife Br. (#0758/01)  
B.C. Hydro & Power Auth.-Ganges  
B.C. Telephone Co.  
School District #64

Very truly yours,

G.W. Harper,  
District Highways Manager,

Ministry of Transportation and Highways

H.343A  
Rev. 79/12



Keep

YOUR FILE 2119

OUR FILE 4954

Hardie

Proposed subdivision of Rem of SW 1/4, Sec 85, SSSI, C.D.

Your proposal for a 4 lot subdivision has received preliminary layout approval by the

Ministry of Transportation and Highways, subject to the following special conditions:

NTS This cancels + replaces our PLT letter of Sep 11/80.

1. Four lots approved via Sec 3.3 of Subdivision By-law.

2. No logging covenant required over property, as per IT, as condition of relaxation.

3. Cleanup and covenant required by F+W as per their letters attached. Covenant to be submitted in six (6) copies.

4. Wright Road to be dedicated as shown on plan submitted.

5. New road to be dedicated as shown and constructed to the following standards (Ref BC Reg 262/70 para 4.08, and IT Road Standards) fast enough to provide access to adequate access to all lots: Construction to start at Dunbar Rd

a) Clearing: clear and grub 12 m wide only plus cut + fill slopes.

WID TR b) Base gravel: min depth 200 mm compacted pebbles gravel on approved sub-base.

c) Surface gravel: min depth 75 mm of 20 mm compacted crushed gravel on approved base.

d) Drainage: min ditch depth 460 mm with culverts supplied where necessary. Main culvert size to be determined by MOTH and installed as per requirements of F+W Branch.

e) Design speed: 30 km/h

f) Right-of-way: to be widened where necessary to contain cut + fill slopes.

g) Accesses: all difficult accesses to be roughed in at time of construction

h) Design profile: to be submitted and approved prior to starting construction.

i) Hammerhead: to be constructed as per sample attached.

The approval granted is only for the general layout of the subdivision and is valid for 180 days from this date. However, if at any time there is a change in legislation, regulations, or by-laws this preliminary layout approval is automatically cancelled.

j) Intersections: 12 m radius flares required at all intersections.

k) Width 28.5

Very truly yours,

see above. CC IT(SUB-75/80)

HS - Sid

Bl Sid

Bl Lang

SIFPD

F+W (0758/01)

BC Hydro Gov

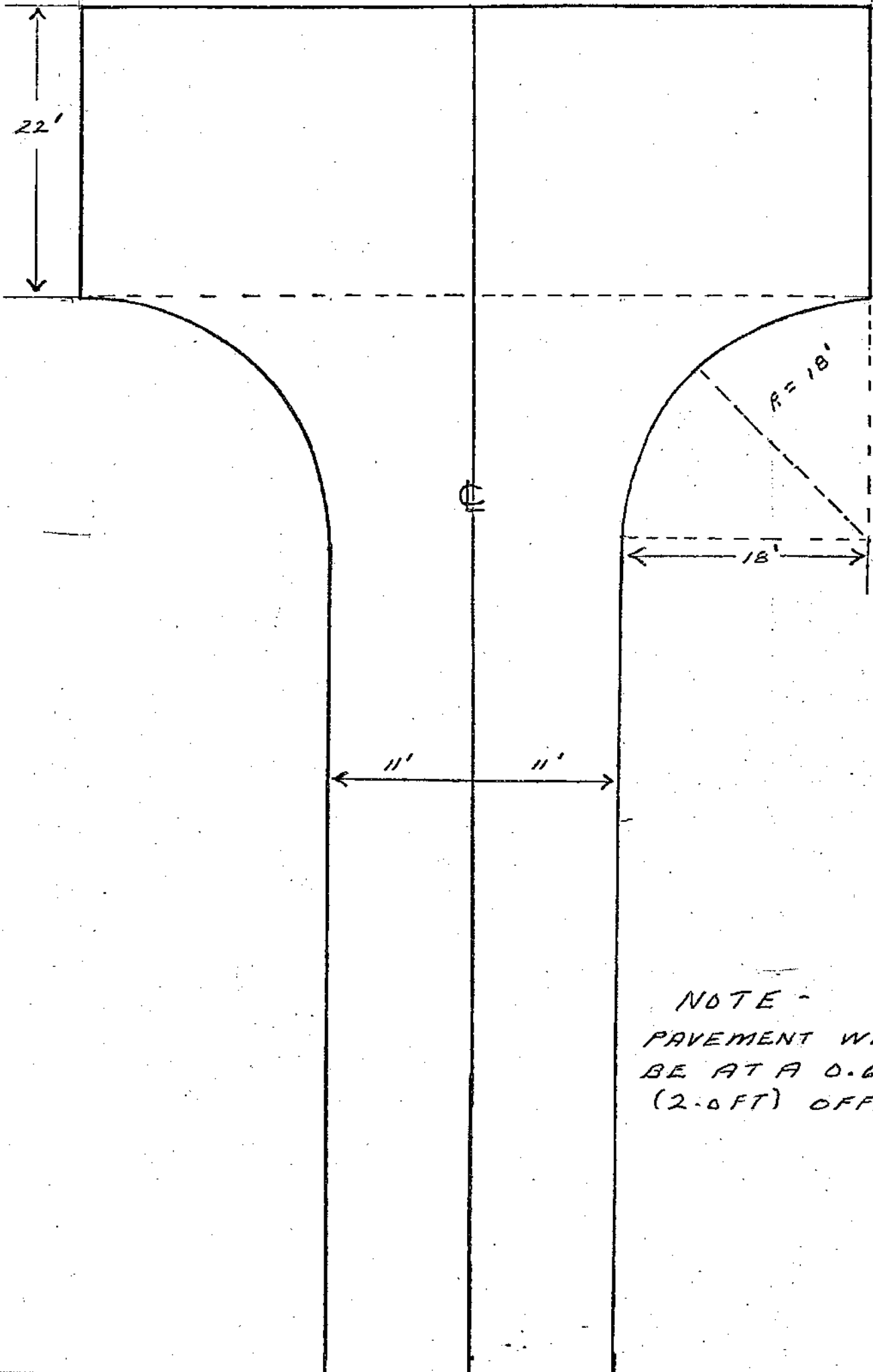
BC Tel Vic

50 64.

District Highways Manager,

Ministry of Transportation and Highways

D.R.



RAO

1980-10-15

Re: Proposed subdivision of Remainder of SW 1/4, Sec 85, SSSI, C.D.

IT has relaxed their density requirement on this proposal subject to "no logging" covenant.

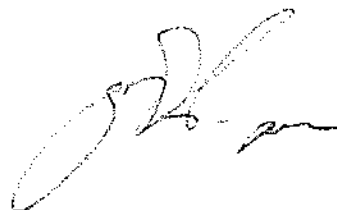
F&W wants some extra work done, per their letter.

The applicant has requested a 2nd look at this.

As this is not in the Watershed zone, I don't see how we can enforce a no logging covenant.

Recommend we issue a revised PLA letter.

DES.



OCT 15/80

IT HAS TO CONFORM TO BY-LAW. THEY CANNOT RELAX UNLESS PROVISION IN BY-LAW FOR RELAXATION.

NO APPROVAL

NO COVENANT

F&W REQUIREMENTS.

Q.R.

IT ADVISES THAT APPLICANT ACKNOWLEDGES COVENANT APPROVED UNDER SECTION 3.3 OF SUBD BY-LAW



Province of  
British Columbia

Islands Trust

Parliament Buildings  
Victoria  
British Columbia  
V8W 3E1  
Phone: 387-5219

CHAIRMAN: JOHN RICH  
VICE-CHAIRMEN: JOHN GAINES  
GORDON WALLACE

YOUR FILE 62-21-78/4954  
OUR FILE SUB-75-80

October 2, 1980

Mr. J. Brooks  
Subdivision Technician  
Ministry of Transportation  
and Highways  
103-4475 Viewmont Avenue  
Victoria, B.C. V8Z 5K8

Dear Sir:

Re: Subdivision 75-80

At its September 30, 1980 meeting the Salt Spring Island Trust Committee reconsidered subdivision application 75-80 and resolved that the application for a four lot subdivision be approved pursuant to Section 3.3 of the Salt Spring Island Trust Committee Subdivision By-law subject to the registration of a restrictive covenant restricting the cutting of trees on the property.

Yours truly,

B.D. Strongitharm,  
Planner

BDS/jc

cc A.R. Hardie

RECEIVED

OCT 07 1980

TRANSPORTATION,  
AND HIGHWAYS  
OFFICIALS DIVISION, SAANICH



YOUR FILE

4954

OUR FILE 0758/01

September 30, 1980

Mr. D. Schoones  
Ministry of Highways  
Ste. 103 - 4475 Viewmont Ave.,  
Victoria, B. C. V8Z 5K8

Dear Sir:

RE: Inspection of Ford Creek, Saltspring Island

Further to our September 9, 1980, inspection of land clearing and logging problems along Ford Creek, we have the following recommendations:

REPLY  
RAISED

- (1) Bridge location - our first stop was at a farmers access bridge. Due to construction and Right-of-Way clearing, a large amount of trees, branches, etc., had been felled and left within the Ford Creek channel. Could you let me know the owner of this piece of property, if you have his name and address, so that we can take appropriate action to have it cleaned out.
- (2) Ford Creek or tributary flowing through subdivision, described as Remainder of S.W. ¼, Section 85, South Saltspring Island, Cowichan District (your file 4954) - although a culvert was placed under the new road, there was obviously complete disregard of this watercourse during the clearing operation. As a condition of subdivision approval, we recommend that the owner of the property be required to clear out the channel of all debris and regrade the channel so there is a definite channel. This work should be done prior to October 15, of this year. Also, adequate ditching on the road should be required before the winter rains to avoid unnecessary washing of the road and, therefore, siltation to the creek.

We would be prepared to inspect his work once it is completed. Should you have any problems, please contact the undersigned.

Yours truly,

*for D Rintala*  
S. M. Janz  
Habitat Protection Technician

SMJ/dr

cc. W. J. N. Lenfesty, Conservation Officer, Victoria

A. R. HARDIE AND ASSOCIATES

British Columbia Land Surveyors  
Salt Spring Island

Post Office Box 3  
Ganges, B.C.  
VOS 1E0

Telephone:  
office 537-5502  
res. 537-5749

Our File: 2119  
Your File: SUB/75/80

September 24, 1980

Chairman,  
Islands Trust,  
Parliament Buildings,  
Victoria, B.C.

Dear Sir:

Re: Proposed Subdivision of Remainder of Southwest  $\frac{1}{4}$  Section  
85, South Salt Spring Island, Cowichan District.

We have received the letter of non-approval to the above noted proposal issued by the Ministry of Transportation and Highways on September 11, 1980.

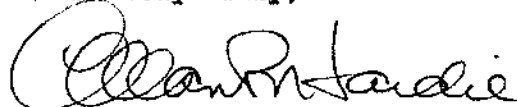
We understand that the owners of the property have requested that their proposal be placed on the agenda of your September 30th meeting for further discussion and consideration by the Trustees.

The proposal for four lots from the 31.01 hectare parcel satisfied all conditions of Section 3.3 of Bylaw 207 except the condition of "exceptional circumstances". In view of the low density proposed (and permitted by the Bylaw) we would hope that this final condition would have little bearing on the decision.

s.22 has suggested that the owners could acquire sufficient land from a neighbouring property to increase the total area to 32 hectares and therefore create four lots. We agree with this premise, but fail to see why the owners should go to this expense and trouble, when the same density would result if the present proposal was approved under Section 3.3. The decision not to use Section 3.3 serves only to delay a reasonable development which not only can be completed to it's proposed density, but satisfies the parameters of the community plan.

We are therefore hopeful that the proposal will be reviewed on September 30th and that the Islands Trust will recommend approval to the Ministry of Transportation and Highways.

Yours very truly,



Allan R. Hardie, B.C.L.S.

ARH/mfc

cc: Anamego Investments Ltd.  
Ministry of Transportation and Highways ✓



THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

MINISTRY OF TRANSPORTATION AND HIGHWAYS,  
DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS

Ste. 103-4475 Vancouver Ave.,  
Victoria, B.C. V8Z 5K3

TO ENSURE IMMEDIATE ATTENTION

PLEASE QUOTE FILE NO. 62-21-78/1954

Your File: 2119

A.R. Hardie, B.C.L.S.,  
P.O. Box 3,  
Ganges Harbour, B.C.  
V0S 1B0

September 11th, 1980

Proposed subdivision of Remainder Southwest  $\frac{1}{4}$  Section 35, South  
Salt Spring Island, Cowichan District.

Your proposal for a 4 lot subdivision has not been given approval by the Department  
of Highways and Public Works for the following reasons:

1. This proposal does not conform to the subdivision bylaw, with respect to lot averaging in the Uplands and Forest Zone.

In addition to the above-noted objection, the following requirements would also have to be complied with:

- a) Wright Road to be dedicated as shown on plan submitted.
- b) Covenant to be registered per Fish & Wildlife Branch letter dated July 28th, 1980 (copy attached) and document to be submitted in six (6) copies to this office.
- c) New road to be dedicated and built to the Ministry of Transportation and Highways' standards (B.C. Regulation 262/70, Paragraph 4.03, and Islands Trust Road Standards) far enough to provide adequate access to proposed Lot B, from Dukes Road.

log 185  
④

Please note that overcoming the above objections will not automatically bring approval. Changes in Acts, by-laws and other regulations and policy take place continuously so that if you wish to proceed with the proposal it is strongly recommended that you submit another tentative plan at the appropriate time and receive preliminary layout approval before investing further in land, studies, works, etc.

If you desire to discuss this further please do not hesitate to phone me to arrange time and place for meeting.

DES/ld Encl.

cc: Islands Trust (SUD-75-80)

Health Service -- Sidney

Building Inspector -- Sidney

Building Inspector (M. Neal)

Salt Spring Island Fire Dist.

Fish &amp; Wildlife Br. (\*0750/01)

B.C. Hydro &amp; Power Auth. - Ganges

B.C. Telephone Company

School District #64

Very truly yours,

G.M. Harper,  
District Highways Manager,

Department of Highways and Public Works



Province of  
British Columbia

Ministry of the  
Environment

324 Terminal Ave.,  
Nanaimo, B. C.  
V9R 5C8

4954

FISH AND WILDLIFE BRANCH

YOUR FILE 4954  
OUR FILE 0758/01

July 28, 1980

Mr. G. W. Harper  
District Highways Manager  
Ministry of Transportation, Communication  
and Highways  
Ste. 103 - 4475 Viewmont Ave.,  
Victoria, B. C.  
V8Z 5K8

Dear Sir:

RE: Proposed Subdivision of Remainder of Southwest ¼, Section 85,  
South Saltspring Island, Cowichan District

Due to high cutthroat fisheries values of Ford Creek, of which this creek is believed to be a tributary, we are concerned with maintaining water quality. Hence, we request that a Restrictive Covenant be registered against the title of the property to prevent any clearing, filling or disturbance of the creek bed between high water marks.

Yours very truly,

*D. Rintala*

for

S. M. Mahannah  
Habitat Protection Technician  
Vancouver Island Region

PMC/dr

RECEIVED

JUL 30 1980

MINISTRY OF TRANSPORTATION,  
AND HIGHWAYS  
HIGHWAYS DIVISION, SAANICH

REPORT ON PRELIMINARY SUBDIVISION

HIGHWAY DISTRICT SAANICH 62 REGIONAL DISTRICT SUB-75-8080 MUNICIPALITY — DISTRICT FILE No. 62-21-78  
REGIONAL FILE No. — HEADQUARTERS FILE No. — DATE DISTRICT RECEIVED 50:06:09  
REFERENCE/DATE — ROAD NAME ROUTE No. WRIGHT ROAD  
LEGAL DESCRIPTION REMAINDER OF S.W. 1/4 SEC. 85, SSSI, C.W. DIST.

LOCATED 5.5 km SE OF GANGES HIGHWAY SECTION No. —  
TOPOGRAPHIC DESCRIPTION ↓ MOUNTAINOUS TREED LAND WITH S/R. OUTCROPS  
REPORTED BEFORE AS ZONING/LUC/DEVELOPMENT PERMIT/ACCESS/SUBDIVISION? NON-APPROVAL & CANCELLATION  
REFERENCE/DATE DEC. 19/78 - #4051 / FEB. 17/78 - #3505  
PRESENT LAND USE? UNDEVELOPED - LOGGING  
PROPOSED LAND USE? ↓ SFDU  
WHAT LAND USES ARE ALLOWED PRESENT ZONING? U.F. (UPLANDS + FOREST)  
CONFORM WITH REGIONAL PLAN? — CONFORM WITH COMMUNITY PLAN? YES IN ALR? NO SPEED ZONE 30 km/h  
STREET SYSTEM ADEQUATE FOR ADDITIONAL TRAFFIC? ↓ YES OFF-STREET PARKING OK? ↓ YES  
SECONDARY STREET SYSTEM EXIST? NO REQUIRE FRONTAGE WIDENING? ↓ YES (2)  
B&B? N/A ACCESS ALL LOTS? YES CONFLICT LOCATION LINE? NO COMMON LOT? NO PIPE-LINE CROSSING? NO  
RR CROSSING? NO FRONTAGE RULE? O.K. ACCESS BY WATER? NO ACCESS BY EASEMENT? NO  
REQUIRE COMM. WATER? NO PARCEL SIZE OK BY ZONING? NO (1) SEWAGE DISPOSAL? S.F. REQUIRE COMM. SEWER? NO  
ROAD/LAND DRAINAGE OK? ↓ YES REQUIRE COVENANT? ↓ NO EROSION? NO LANDSLIP? NO FLOODING? ↓ NO  
ROCKFALL? NO SNOWSLIDE? — WILDLIFE? (3) NO/YES ROAD CLOSURE? NO IF YES, CONTINUE  
IS ROAD REQUIRED FOR NETWORK? — HOW WAS ROAD CREATED? —  
WHY DOES APPLICANT WANT CLOSURE? — DID CROWN PAY FOR ROAD? —  
WHY VEST AND NOT LEASE? — IF ALTERNATE EXISTS, DID CROWN PAY FOR IT? —  
WHAT BENEFIT TO APPLICANT? — NAME/ADDRESS APPLICANT (not agent) ANAMEGO INVEST. CORP.  
COMMENTS I.T. [✓] F.W. [✓] H.S. 31-Sidney Rd, Hyder (A.R. HARDIE #2119) 31 - Next SD. #64 SIFPD.

- 1) Islands Trust has refused this subdivision, since it does not conform to lot averaging as submitted. (8 ha averaging)
- 2) Wright Road to be dedicated as shown on plan submitted
- 3) Covenant required over Ford Creek as per F+W letter.
- 4) New road to be dedicated and built to Ministry & IT Standards:  
a) clear 12m b) width 6.7m c) base 200 mm pit run d) surface 75 mm crush e) drainage as required f) design speed 30 km/h g) widen where necessary.
- 5) New road to be constructed from Duke Rd and far enough to provide adequate access to proposed (B).
- 6) Subdivider to apply for permit to allow shed to remain on RW of Wright Road subject to cancellation whenever RW is required.

Recommend non approval due to 1)  
subject to 2) 3) & 4) & 5) & 6):

*[Signature]*  
O.K. SEPT. 4/80  
O.K.

*[Faint handwritten notes at the bottom of the page]*

made lhc

day of

IN PURSUANCE OF THE "SHORT FORM OF DEEDS ACT"

**BETWEEN:**

BRITISH COLUMBIA FOREST PRODUCTS LIMITED.  
 a British Columbia Company, 22nd Floor, 1050 West Pender Street,  
 Vancouver, British Columbia, V6E 2X3  
 (hereinafter called the "Grantor")

**AND:**

W.Q. HOLDINGS LTD., Incorporation number 161,750.  
1100 Herd Road.  
Duncan, B.C.  
(hereinafter called the "Grantee")

OF THE SECOND PART.

**AND:**

MONTREAL TRUST COMPANY, a trust company incorporated under the laws of the Province of Quebec, and having an office in the City of Vancouver, in the Province of British Columbia, (hereinafter called the "Trustee")

OF THE THIRD

OF THE THIRD PART.

AND:

THE ROYAL BANK OF CANADA, a chartered bank of Canada having a place of business at 685 West Hastings Street, in the City of Vancouver, in the Province of British Columbia, (hereinafter called the "The Bank")

OF THE FOURTH PART.

**WHEREAS:**

- WHEREAS:**
- A. The Grantor is the registered owner in fee simple of the lands described in Schedule "A" hereto subject to the charges described in said Schedule "A", which Schedule "A" forms a part hereof;
- B. The Grantor has agreed to grant the said lands to the Grantee;
- C. The Trustee has agreed to release the said lands from the first floating charges described in clause (a) of said Schedule "A", and
- D. The Bank has agreed to release the said lands from the second floating charge described in clause (b) of said Schedule "A".
- One Dollar (\$1.00) of lawful money of Canada and other
- hereby by the Grantor

WITNESSETH that in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration now paid by the Grantee to the Grantor (the receipt whereof is hereby by the Grantor acknowledged), the Grantor doth grant unto the Grantee, his heirs, executors, administrators, successors and assigns forever, ALL AND SINGULAR that certain parcel or tract of land and premises in the Province of British Columbia described in Schedule "A" hereto (herein called the "said lands"),

TOGETHER with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said lands belong; or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and the estate, right, title, interest, property, claim and demand of the Grantor, in, to or upon the said lands.

TO HAVE AND TO HOLD unto the said Grantee, his heirs, executors, administrators, successors and assigns, to and for his sole and only use forever; SUBJECT NEVERTHELESS to the reservations, limitations, provisions and conditions expressed in the original grant thereof from the Crown, AND SUBJECT TO all taxes, rates and local improvement assessments, whether already or hereafter assessed AND TO the charges described in Schedule "A" hereto except the first floating charges and second floating charge that are released and discharged hereto.

THE said Grantor covenants with the said Grantee that Grantee, notwithstanding any act of the said Grantor, and that lands, free from all encumbrances, save as aforesaid.

has the right to convey the said lands to the said  
 said Grantee shall have quiet possession of the said

AND the said Grantor covenants with the said Grantee  
lands as may be requisite.

it will execute such further assurances of the said

AND the said Grantor covenants with the said Grantee that it has done no acts to encumber the said lands, save as aforesaid.

Form 140 Land Registry Act, Sec. 12  
MEMORANDUM OF REGISTRATION  
Registered the 22 day of L. 19  
on application received at the time  
written or attempted on the application.  
H. T. KENNEDY, Registrar of the  
Victoria Land Registration District

06107:COMINT: 050901Z-1/70

1 A

RESERVING TO THE GRANTOR the full right and liberty for the Grantor and its successors and assigns and its employees, agents, workmen, invitees and licensees or any of them, an easement in common with the Grantor, its successors and assigns, and others entitled thereto, a free and uninterrupted right of way, ingress and egress for persons, animals and vehicles, through, along and over those parcels or tracts of land described in Schedule "A" attached to this Indenture, which above easement shall be appurtenant to and for the benefit of the following described properties:

- a) the South 1/2 of the North 1/2 and the North 1/2 of the South East 1/4 of Section 79, South Salt Spring Island, Cowichan District.
- b) the Easterly 30 chains of the North 160 acres of the North 1/2 of the Fractional Section 80, South Salt Spring Island, Cowichan District;

and which easement shall be released by the Grantor herein, upon subdivision of any of the said lands described in Schedule "A" to this Indenture, in exchange for a particular easement running from a public road, through the said lands described in Schedule "A" hereto, to each of the above mentioned dominant properties, of a width and at a location adequate for dedication as a public road, which particular easements shall be dedicated as a public road at the request of the Grantor herein, and at the expense of the Grantor herein.

The Grantor agrees to dedicate a public road, at the request and expense of the Grantor through the said servient properties described in Schedule "A" hereto, in the event the grantor wishes to subdivide any of the said dominant properties.

JH  
R

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Gulf Islands Assessment District, Gulf Islands Hospital Improvement District No. 9, and Salt Spring Island Fire Protection District, the Province of British Columbia, more particularly described as follows:

The South West 1/4 of Section 85, South Salt Spring Island, Cowichan District, EXCEPT the North West 1/4 thereof, and EXCEPT Parcels "C" (DD 33820-1) and "D" (DD 58022-1) thereof.

AND

All and Singular that certain parcel or tract of land and premises situate lying and being in the Gulf Islands Assessment District in the Province of British Columbia, described as:

Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 9678.

SUBJECT TO:

- (a) First floating charges registered in favour of Montreal Trust Company, in trust under Nos. 191498-G, 293157-G, 340925-G and 406766-G, and extensions thereof by way of after-acquired filings, pursuant to a Trust Indenture dated as of January 15, 1956, a First Supplemental Indenture dated as of May 15, 1964, a Second Supplemental Indenture dated as of May 15, 1967 and a Fourth Supplemental Indenture dated as of October 15, 1970, (said Trust Indenture and First, Second and Fourth Supplemental Indentures being herein collectively called the "Trust Indenture"); and the Sixth and Seventh supplemental indentures registered under numbers C-13500, and F-24640 respectively.
- (b) A second floating charge registered in favour of The Royal Bank of Canada under No. 406767-G, and extensions thereof by way of after-acquired filings, pursuant to a Single Debenture (herein called the "Bank Debenture") dated as of October 15, 1970.

4

AND the said Grantor releases to the said Grantee all its claims upon the said lands.

In consideration of the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the Grantor to the Trustee (the receipt whereof is hereby by the Trustee acknowledged) the Trustee hereby releases and discharges the said lands and all the right, title and interest therein hereby conveyed to the Grantee of and from the first floating charges referred to in Recital C above and of and from the Trust Indenture (as defined in Schedule "A" hereto).

In consideration of the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the Grantor to The Bank (the receipt whereof is hereby by The Bank acknowledged) The Bank hereby releases and discharges the said lands and all the right, title and interest therein hereby conveyed to the Grantee of and from the second floating charge referred to in Recital D above and of and from the Bank Debenture (as defined in Schedule "A" hereto).

IT IS UNDERSTOOD AND AGREED that neither the within releases and discharges nor anything herein contained shall be construed so as to prejudice the security comprised in the said Trust Indenture or in the said Bank Debenture with respect to all properties therein contained, other than the property herein specifically released, and all properties therein described, other than the property herein particularly released, shall continue to be charged as security according to the tenor of the said Trust Indenture and the said Bank Debenture.

The word "Grantee" and the personal pronoun "his" relating thereto and used therewith shall be read and construed as "Grantee", and "his", "her", "its", or "their" respectively, as the number and gender of the party or parties referred to in each case require, and the number of the verb agreeing therewith shall be construed as agreeing with the said word or pronoun so substituted.

THIS INDENTURE SHALL enure to the benefit of and be binding upon the parties hereto and upon their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF these presents have been executed the day and year first above written.

THE COMMON SEAL of BRITISH COLUMBIA FOREST PRODUCTS LIMITED was hereunto affixed in the presence of:



*G. J. Lister*  
Vice President

TREASURER

THE CORPORATE SEAL of MONTREAL TRUST COMPANY was hereunto affixed in the presence of:

*[Signature]*  
ASSISTANT SECRETARY  
AUTHORIZED SIGNING OFFICER

SIGNED, SEALED AND DELIVERED in the presence of:

Name  
BEVERLEY ELLEN EL CHUK  
Address  
3840 E. 1st Avenue  
VANCOUVER, B.C.  
SECRETARY

THE ROYAL BANK OF CANADA by its lawful attorneys

*[Signature]*

Occupation (witness as to both signatures)

4954

F56482 TO F56490

See D.D. 56481





Province of  
British Columbia

Islands Trust

Parliament Buildings  
Victoria  
British Columbia  
V8W 3E1  
Phone: 387-5219

4954

CHAIRMAN: JOHN RICH

VICE-CHAIRMEN: JOHN GAINES  
GORDON WALLACE

YOUR FILE 62-21-78/4954

OUR FILE SUB-75-80

RECEIVED

AUG 15 1980

MINISTRY OF TRANSPORTATION,  
AND HIGHWAYS  
HIGHWAYS DIVISION, SAANICH

August 12, 1980

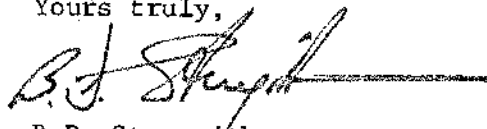
Mr. Norman Gregg  
Highways Branch  
Ministry of Transportation  
and Highways  
103-4475 Viewmont Avenue  
Victoria, B.C. V8Z 5K8

Dear Sir:

Re: Remainder of SW ¼, Section 85, South  
Salt Spring Island, Cowichan District

Please be advised that the Salt Spring Island Trust Committee has reviewed the proposed four lot subdivision. The Committee feels that the subdivision displays no exceptional circumstances to authorize the 5 per cent waiver pursuant to Section 3.3 of Salt Spring Island Trust Committee By-law No. 207 and recommends that the application be declined.

Yours truly,

  
B.D. Strongitharm,  
Planner

BDS/jc

cc A.R. Hardie  
(File 2119)

# REPORT ON PRELIMINARY SUBDIVISION

HIGHWAY DISTRICT SOP NICH REGIONAL DISTRICT 1.T.5-19-78 MUNICIPALITY                      DISTRICT FILE No. 62-21-78  
 REGIONAL FILE No.                      HEADQUARTERS FILE No.                      DATE DISTRICT RECEIVED OCT 26/78  
 REFERENCE/DATE                      ROAD NAME ROUTE No. WRIGHT ROAD  
 LEGAL DESCRIPTION PT OF REMAINDER SW 1/4 SEC 85, 9 Twp 21 N R 1 E Plan 9678  
SEC 79 SSSI COWICHAN DISTRICT  
 LOCATED 5.5 km NSEW OF GRANDES HIGHWAY SECTION No.                       
 TOPOGRAPHIC DESCRIPTION MOUNTAINOUS TREED LAND WITH S/R POTENTIALS  
 REPORTED BEFORE AS ZONING/LUC/ACCESS/SUBDIVISION? OUTCOME? PLA WITH CONDITIONS  
 REFERENCE/DATE 3505/FEB 12/78 LOG 2389/290775 LOG 1511 JULY 27  
 PRESENT LAND USE? UNDEVELOPED - LOGGING  
 PROPOSED LAND USE? LOGGING  
 WHAT LAND USES ARE ALLOWED PRESENT ZONING? SFD, COTTAGE OR DUPLEX - FORESTY + FORTNY PRODUCTS  
 CONFORM WITH REGIONAL PLAN?                      CONFORM WITH COMMUNITY PLAN?                      IN ALR? NO SPEED ZONE?                       
 STREET SYSTEM ADEQUATE FOR ADDITIONAL TRAFFIC? NO OFF-STREET PARKING OK? YES  
 SECONDARY STREET SYSTEM EXIST? NO REQUIRE FRONTAGE WIDENING? YES  
 86b? NO ACCESS ALL LOTS? YES CONFLICT LOCATION LINE? NO COMMON LOT? NO PIPE-LINE CROSSING? NO  
 RR CROSSING? NO FRONTAGE RULE? OK ACCESS BY WATER? NO ACCESS BY EASEMENT? NO  
 REQUIRE COMM. WATER? NO PARCEL SIZE OK BY ZONING? YES SEWAGE DISPOSAL? SEPLF REQUIRE COMM. SEWER? NO  
 ROAD/LAND DRAINAGE OK? NO REQUIRE COVENANT? NO EROSION? NO LANDSLIP? NO FLOODING? NO  
 ROCKFALL? NO SNOWSLIDE? NO WILDLIFE? NO ROAD CLOSURE?                      IF YES, CONTINUE  
 IS ROAD REQUIRED FOR NETWORK?                      HOW WAS ROAD CREATED?                       
 WHY DOES APPLICANT WANT CLOSURE?                      DID CROWN PAY FOR ROAD?                       
 WHY VEST AND NOT LEASE?                      IF ALTERNATE EXISTS, DID CROWN PAY FOR IT?                       
 WHAT BENEFIT TO APPLICANT?                      NAME/ADDRESS APPLICANT (not agent) Coast Survey Services

## COMMENTS

- ① Wright Road is not an <sup>all</sup> weather road.
- ② Wright Road to be dedicated 33ft wide along the westerly boundary of proposed Lot 1.

Recommend non approval as noted above.

OK

1978

12

15

LOG B

I.T.  
 H.S.  
 B1  
 Be 21  
 " Hydro  
 SD 64  
 SIFD

# A. R. HARDIE AND ASSOCIATES

British Columbia Land Surveyors  
Salt Spring Island

4954  
Post Office Box 3  
Ganges, B.C.  
V0S 1E0

Telephone:  
Office 537-5502  
Res. 537-5749

Our File: 2119  
Your File:

June 4, 1980

Ministry of Transportation  
and Highways,  
Saanich District Office,  
Ste. 103 - 4475 Viewmont Avenue,  
Victoria, B.C.  
V8Z 5K8

Dear Sirs:

Re: Proposed Subdivision of Remainder of Southwest  $\frac{1}{4}$   
Section 85, South Salt Spring Island, Cowichan District.

We enclose herewith as application for preliminary layout  
approval to the above noted proposal, the following:

1. Twelve paper prints of the proposal
2. Letter of authorization from the assessed  
owners
3. State of Title Certificate.

Should additional information be required, please contact  
the undersigned.

Yours very truly,

RECEIVED

JUN 09 1980

DEPT. OF HIGHWAYS  
AND PUBLIC WORKS  
HIGHWAYS DIVISION, SAANICH



Allan R. Hardie, B.C.L.S.

ARH/mfc  
Encl.

May 26, 1980

Ministry of Transportation  
and Highways,  
Saanich District Office,  
Ste. 103 - 4475 Viewmont Avenue,  
Victoria, B.C.

Dear Sirs:

Re: Proposed Subdivision of Remainder of Southwest 1/  
Section 85, South Salt Spring Island, Cowichan District.

Please be advised that A.R. Hardie and Associates are hereby  
authorized to act as agent in the application for preliminary layout  
approval to the above noted proposal.

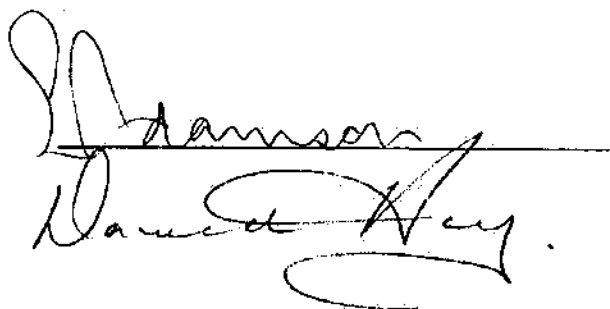
Yours very truly,

ANAMEGO INVESTMENTS CORPORATION

RECEIVED

JUN 09 1980

DEPT. OF HIGHWAYS  
AND PUBLIC WORKS  
HIGHWAYS DIVISION, SAANICH



James Hanson  
James Hanson



Title No. J. 2. 9. 8. 3. 6

From Title No. F56481.

LAND TITLE ACT

FORM 21  
(Section 173(1))

CERTIFICATE OF INDEFEASIBLE TITLE

Land Title Office,.....Victoria..., British Columbia

The undermentioned owner in fee-simple is indefeasibly entitled to an estate in fee-simple, subject to such charges, liens, and interests as are notified by endorsement on this certificate and subject to the conditions, exceptions, and reservations set out on the back hereof, to the land in British Columbia described below.

Registered owner in fee-simple: (Application for registration received on .....4th March, 1980.....).

s.22

Description of land: (Gulf Islands Assessment District and Salt Spring Island Fire Protection District)

The South West  $\frac{1}{4}$  of Section 85, South Salt Spring Island, Cowichan District, EXCEPT the North West  $\frac{1}{4}$  thereof and EXCEPT Parcels "C" (DD 33820-I) and "D" (DD 58022-I) thereof, and EXCEPT that part thereof included within the boundaries of Plan 32413.

CHARGES, LIENS, AND INTERESTS\* (see continuation sheet)

Nature of Charge; Number; Date and Time of Application	Registered Owner of Charge	Remarks
E F56482 24.6.77 12:25		All i.a.; Appurtenant to S $\frac{1}{2}$ of the N $\frac{1}{2}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 79 and the E 30 chains of the N 160 acres of the N $\frac{1}{2}$ of the Fractional Sec. 80, all in South Salt Spring Island, Cowichan District (DD F5648
M F56491 24.6.77 12:30	British Columbia Forest Products Limited, (Inc. No. 105,483)	Cancelled by J32305 14.3.80 R.G. Hooper
M J29837 4.3.80 10:47	Duncan and District Credit Union	
RP J41840 17.4.80 11:31	Anamego Investments Corporation (Inc. No. 203842)	

Signed and sealed by me, this 5th day of March 1980.

ka X

DUPLICATE CERTIFICATE OF TITLE

Title Cancelled and Interests Disposed of as Follows		Date	Signature of Registrar
AND PUBLIC NOTICES			
HUGHES & SONS			

\*Each endorsement affects all the land described, unless otherwise indicated in "Remarks" column. See back hereof for abbreviations, etc.



LAND TITLE ACT  
(Section 307)

STATE OF TITLE CERTIFICATE

Land Title Office,

British Columbia

This is to certify that, at 10 a.m./3 p.m. on ....., 19 .....,  
the state of the title to the land described on the copy certificate of title set out on the reverse side, is as on the  
copy stated.

.....  
Registrar

JUDGMENTS:

No. ...., see copy annexed hereto.

Pending applications received:

No. ...., see copy annexed hereto.

NOTATIONS

1. With reference to the judgment application(s) (if any), attention is called to the similarity of names of the judgment debtor(s) and the registered owner(s).
2. This certificate is to be read subject to the provisions of section 23 (1) of the LAND TITLE ACT and may be affected by the LAND ACT AMENDMENT ACT, 1961 (see SBC 1970, chapter 17).

ABBREVIATIONS

AR	= assignment of rents	PA	= priority or postponement agreement
CML	= claim of mechanic's lien	RC	= restrictive covenant
CVT	= caveat	RFR	= right of first refusal
E	= easement	RP	= right to purchase
J	= judgment	RW	= right-of-way
L	= lease	SC	= statutory charge
LE	= life estate	SBS	= statutory building scheme
LP	= lis pendens	SRW	= statutory right-of-way
M	= mortgage	TA	= timber agreement
OP	= option to purchase	U	= undersurface rights

To:

Your file No. ....

Subject to exceptions and reservations contained in Crown Grant filed DD  
252127-I.

RECEIVED

JUN 19 1980

U.S. DEPARTMENT OF  
THE PUBLIC WORKS  
HIGHWAYS DIVISION, 84000



LAND TITLE ACT  
(Section 307)

STATE OF TITLE CERTIFICATE

Land Title Office,

Victoria

, British Columbia

This is to certify that, at 10 a.m./3 p.m. on May 27, 19 80,  
the state of the title to the land described on the copy certificate of title set out on the reverse side, is as on the  
copy stated.



JUDGMENTS:

No. ...., see copy annexed hereto.

Pending applications received:

No. ...., see copy annexed hereto.

NOTATIONS

1. With reference to the judgment application(s) (if any), attention is called to the similarity of names of the judgment debtor(s) and the registered owner(s).
2. This certificate is to be read subject to the provisions of section 23 (1) of the LAND TITLE ACT and may be affected by the LAND ACT AMENDMENT ACT, 1961 (see SBC 1970, chapter 17).

ABBREVIATIONS

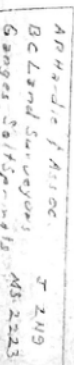
AR	= assignment of rents	PA	= priority or postponement agreement
CML	= claim of mechanic's lien	RC	= restrictive covenant
CVT	= caveat	RFR	= right of first refusal
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L	= lease	SC	= statutory charge
LE	= life estate	SBS	= statutory building scheme
LP	= lis pendens	SRW	= statutory right-of-way
M	= mortgage	TA	= timber agreement
OP	= option to purchase	U	= undersurface rights

To: A.R. Hardie & Associates  
P.O. Box 3,  
Ganges, B.C.,  
V0S 1E0

Your file No. ....



Bole. All of these are in the same





Province of  
British Columbia

Ministry of  
Transportation,  
Communications  
and Highways  
HIGHWAYS

Ste. 103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

Phone: 479-9344

YOUR FILE .....

OUR FILE 62-21-78/4954

June 26th, 1980

Capital Regional District  
Community Health Service  
2440 Sidney Avenue  
Sidney, B.C.  
V8L 1Y7

Dear Sir(s):

I enclose a copy of a sketch of a proposed subdivision of  
Remainder of Southwest  $\frac{1}{4}$ , Section 05, South Saltspring Island,  
Cowichan District,  
which is located approximately 5.5 kilometres South of  
Ganges.

It is likely that at a later stage, some aspect of this  
proposal will fall in your jurisdiction, but at this time, this is  
sent for your information only.

Applicant's name and address is: A.R. Hardie, B.C.L.S.  
P.O. Box 3,  
Ganges, B.C.  
VOS 1R0

File #2119

Yours truly,

G.W. Harper,  
District Highways Manager.

KD/jg  
Encl.

cc: A.R. Hardie, B.C.L.S.  
Building Inspector (Sidney)  
Building Inspector (M.Neal)  
B.C. Telephone Company  
B.C. Hydro & Power Authority (Ganges)  
School District #64



Province of  
British Columbia

Ministry of  
Transportation,  
Communications  
and Highways  
HIGHWAYS

Ste. 103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

Phone: 479-9344

YOUR FILE .....

OUR FILE 62-21-70/4234

June 26th, 1980

Fish & Wildlife Branch  
324 Terminal Avenue  
Nanaimo, B.C.  
V9R 5G7

Dear Sir(s):

I enclose a copy of a sketch of a proposed subdivision of  
Remainder of Southwest 1/4, Section 85, South Saltspring Island,  
Cowichan District,  
which is located approximately 5.5 kilometres South of  
Ganges.

I would be grateful if you would examine this from the  
viewpoint of your regulations and policies and give me your comments  
accordingly, so I may advise the Approving Officer. In order to ex-  
pedite the processing of the application, I would be grateful if you  
would reply within ten days.

Please send a copy of your reply to the applicant; and  
contact him directly (with a copy to this office) for any additional  
information you may require: A.R. Hardie, B.C.L.S.

P.O. Box 3,  
Ganges, B.C.  
VOS 1B0

File #2119

Yours truly,

G.W. Harper,  
District Highways Manager.

KG/jg  
Encl.

cc: A.R. Hardie, B.C.L.S.  
nb: There is a creek that runs  
through Lot A and C.



Province of  
British Columbia

Ministry of  
Transportation,  
Communications  
and Highways  
HIGHWAYS

Ste. 103-4475 Viewmont Ave.,  
Victoria, B.C.  
V8Z 5K8

Phone: 479-9344

YOUR FILE .....

OUR FILE 62-21-78/4954

June 26th, 1980

Islands Trust,  
848 Courtenay Street  
Victoria, B.C.  
VOW 1C4

Dear Sir(s):

I enclose a copy of a sketch of a proposed subdivision of  
Remainder of Southwest 1/4, Section 85, South Salt Spring Island,  
Cowichan District,  
which is located approximately 5.5 kilometres South of  
Ganges.

I would be grateful if you would examine this from the  
viewpoint of your regulations and policies and give me your comments  
accordingly, so I may advise the Approving Officer. In order to ex-  
pedite the processing of the application, I would be grateful if you  
would reply within ten days.

Please send a copy of your reply to the applicant; and  
contact him directly (with a copy to this office) for any additional  
information you may require: A.R. Hardie, B.C.L.S.

P.O. Box 3,  
Ganges, B.C.

VOS 1E0

File # 2119

Yours truly,

G.W. Harper,  
District Highways Manager.

KB/jg

Encl.

cc: A.R. Hardie, B.C.L.S.

FILE  
5806



Province of  
British Columbia

Ministry of  
Transportation  
and Highways  
HIGHWAYS

Saanich District Office,  
Ste.103-4475 Viewmont Ave.,  
Victoria, B.C. V8Z 5K8

Phone: 479-9344

YOUR FILE: .....

OUR FILE 62-21-78/5806

August 26, 1981

A.R. Hardie, B.C.L.S.,  
P.O. Box 3,  
Ganges Harbour, B.C.  
VOS 1E0

Dear Sir:

RE: Proposed Subdivision of Remainder of Southwest 1/4,  
Section 85, South Saltspring Island, Cowichan Dist.

Please be advised that the above-noted subdivision has been approved by the Ministry of Transportation and Highways, and that one approved mylar tracing, one paper print, one T.X.55 certificate, and one original Restrictive Covenant, were picked up by hand on August 27, 1981.

Yours truly,

J.C. Brooks,  
Subdivision Technician.

DES/kat

nb: Preliminary Layout Approval #4954 cross refers.

cc: Islands Trust (#SUB-75-80) - copy of covenant  
Health Service (Sidney) - copy of covenant  
Building Inspector (Sidney) - copy of covenant  
Fish & Wildlife Branch (#0758/01) - copy of covenant  
Building Inspector - Langford  
B.C. Hydro & Power - Ganges  
B.C. Telephone Co.  
Saltspring Island Fire Dist.  
School District #64

# REPORT ON FINAL SUBDIVISION

DATE Aug 17/81  
DISTRICT FILE No. 62-21-78  
DATE DISTRICT REC'D July 31/81

HIGHWAY DISTRICT Saanich REGIONAL DISTRICT IT SUB-75-80 MUNICIPALITY —

REGIONAL FILE No. — REFERENCE/DATE —

HEADQUARTERS FILE No. — ROAD NAME/ROUTE No. Seymour Heights

LEGAL DESCRIPTION Rem SW 1/4, Sec 85, SSSI, Cow Dist.

LOCATED 5.5 km N (S) E W OF Ganges HIGHWAY SECTION No. —

TOPOGRAPHIC DESCRIPTION Mountains, treed, SR outcrops

REPORTED ON BEFORE AS: ZONING — /LUC — /DEVELOPMENT PERMIT — /ACCESS — /SUBDIVISION ✓ WHAT WAS THE

OUTCOME? PLA REFERENCE/DATE Sep 4/80

PLA REFERENCE 4954

— NO PLA. THEREFORE COMPLETED FORM H235P IS ATTACHED.

WORKS INSTALLED yes OR BONDED? N/A APPROVALS/PERMITS IN HAND? yes

NAME/ADDRESS OF APPLICANT Anamago Investments Ltd

AGENT Hardie J 2119

ATTACHED: (PLEASE CHECK/INDICATE QUANTITY AND COMPLETE WHERE APPLICABLE)

<u>1</u> TX 55	<u>5</u> COVENANT
<u>0</u> I.D. TAX CERTIFICATE	<u>0</u> EASEMENT
<u>0</u> LINEN TRACING	<u>1</u> APPROVAL FEE AMOUNT? <u>\$100.00</u>
<u>1</u> TRANSPARENCY	RECEIPT No? <u>75682 H</u>
<u>2</u> CHEN PRINT	<u>1</u> CERTIFICATE OF ENCUMBRANCE
<u>0</u> 86B DECLARATION	<u>0</u> CERTIFICATE OF TITLE

## COMMENTS

nylar and prints returned to Hardie  
for revision Aug 7/81.

Recommend final approval; please  
sign nylar and 5 covenants:

leg RB3 ⑦

DISTRICT HIGHWAYS MANAGER

TO DISTRICT HIGHWAYS MANAGER DATE Aug 25/81  
REGIONAL FILE No. —

PLAN(S) RETURNED: APPROVED ✓ RE-APPROVED — NOT APPROVED — ENDORSED 86B —

ALSO ATTACHED —

COMMENTS I DON'T THINK L.T.O. WILL ACCEPT COUNT. WITHOUT  
BETTER DEFINITION OF COUNT AREA.

REGIONAL APPROVING OFFICER

A. R. HARDIE AND ASSOCIATES

British Columbia Land Surveyors  
Salt Spring Island

Post Office Box 3  
Ganges, B.C.  
V0S 1E0

Telephone:  
Office 537-5502  
Res. 537-5749

Our File: 2119  
Your File: 4954

July 29, 1981

Ministry of Transportation  
and Highways,  
Saanich District Office,  
Ste. 103 - 4475 Viewmont Avenue,  
Victoria, B.C.

Dear Sirs:

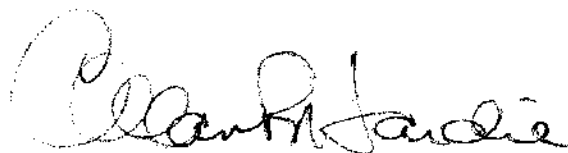
Re: Plan of Subdivision of the Remainder of Southwest  $\frac{1}{4}$   
Section 85, South Salt Spring Island, Cowichan District.

We enclose herewith for final approval, our mylar tracing of  
the above noted plan.

Enclosed in support of the application are two paper prints,  
Restrictive Covenant document and our cheque in the amount of \$ 100.00.

We note that our client has forwarded the TX-55 directly to  
your office.

Yours very truly,



Allan R. Hardie, B.C.L.S.

ARH/mfc  
Encl.

Fee \$100.00 OK

Receipt N° 075682H

PES.





Title No. J...2...9...8...3...6

From Title No. F56481

LAND TITLE ACT

FORM 21  
(Section 173(1))

CERTIFICATE OF INDEFEASIBLE TITLE

Land Title Office,.....Victoria..., British Columbia

The undermentioned owner in fee-simple is indefeasibly entitled to an estate in fee-simple, subject to such charges, liens, and interests as are notified by endorsement on this certificate and subject to the conditions, exceptions, and reservations set out on the back hereof, to the land in British Columbia described below.

Registered owner in fee-simple: (Application for registration received on .....4th March, 1980.....).

s.22

Description of land: (Gulf Islands Assessment District and Salt Spring Island Fire Protection District)

The South West  $\frac{1}{4}$  of Section 85, South Salt Spring Island, Cowichan District, EXCEPT the North West  $\frac{1}{4}$  thereof and EXCEPT Parcels "C" (DD 33820-I) and "D" (DD 58022-I) thereof, and EXCEPT that part thereof included within the boundaries of Plan 32413.

CHARGES, LIENS, AND INTERESTS\* (see continuation sheet)

Nature of Charge; Number; Date and Time of Application	Registered Owner of Charge	Remarks
E F56482 24.6.77 12:25		All i.a.; Appurtenant to S $\frac{1}{2}$ of the N $\frac{1}{2}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 79 and the E 30 chains of the N 160 acres of the N $\frac{1}{2}$ of the Fractional Sec. 80, all in South Salt Spring Island, Cowichan District (DD F56481)
M F56491 24.6.77 12:30	British Columbia Forest Products Limited, (Inc. No. 105,483)	All i.a. 14.3.80 R.E. Hooper
M J29837 4.3.80 10:47	Duncan and District Credit Union	
RP J41840 17.4.80 11:31	Anamago Investments Corporation (Inc. No. 203842)	

Signed and sealed by me, this 5th day of March 1980.

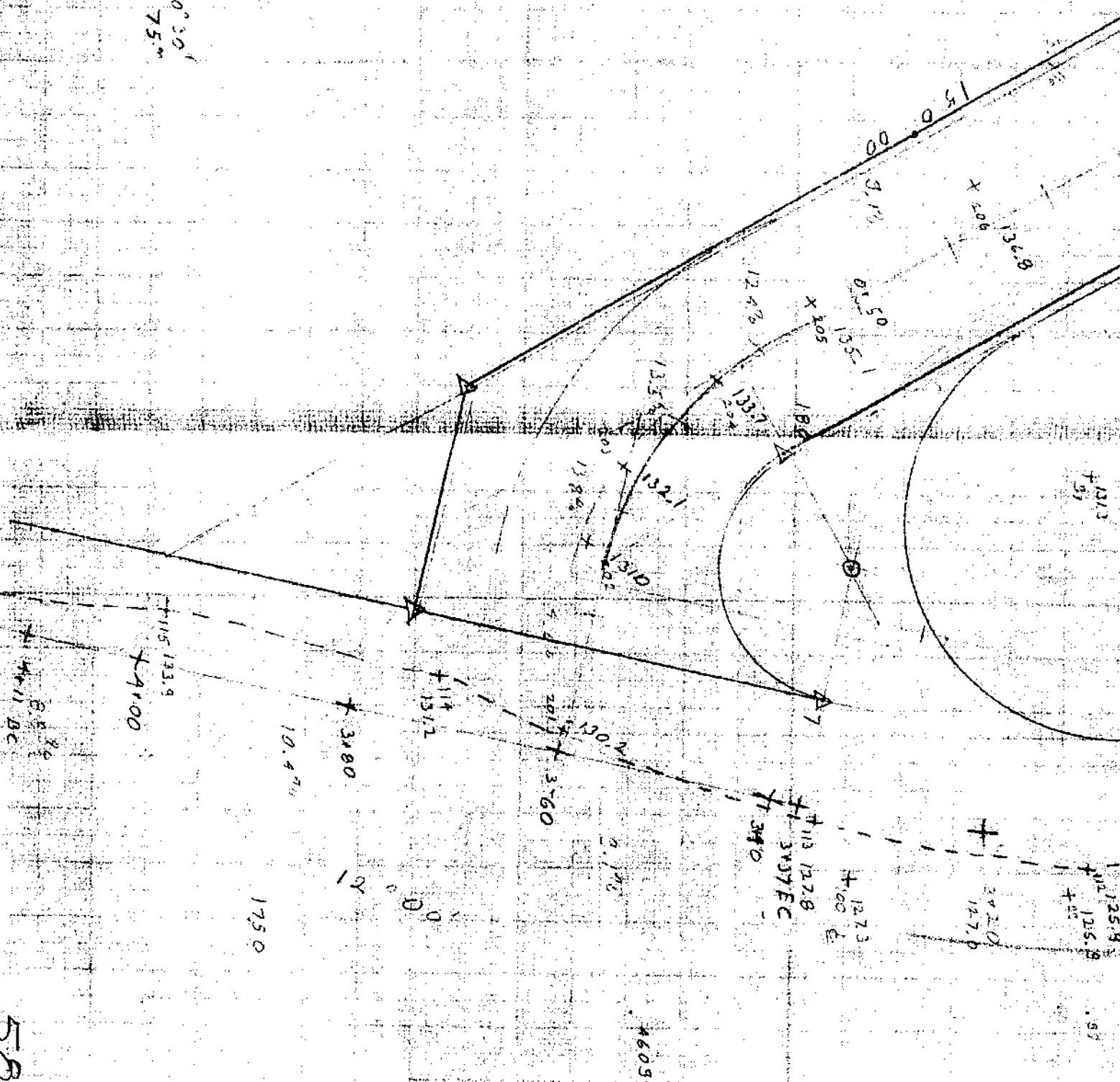
Re X

DUPLICATE CERTIFICATE OF TITLE

1st Issue	2nd Issue	3rd Issue	4th Issue	5th Issue	6th Issue	7th Issue	8th Issue	9th Issue	10th Issue
11	12	13	14	15	16	17	18	19	20
Title Cancelled and Interest Disposed of as Follows					Date		Signature of Registrar		
1. 1st Issue									
2. 2nd Issue									
3. 3rd Issue									

\*Each endorsement affects all the land described, unless otherwise indicated in "Remarks" column. See back hereof for abbreviations, etc.

$\Delta 30^{\circ} 30'$   
 $\Delta R 75^m$



604

Form 17  
Application

Date: Nature of Interest: Restrictive Covenant  
Declared Value: \$ 1.00 Applicant as Agent: Allan R. Hardie, B.C.L.S.  
Telephone No. 537-5502 Address: P.O. Box 3, Gangès, B.C. V0S 1E0

This Agreement made this            day of  
A.D. 1981

BETWEEN: s.22

(hereinafter called the Grantor)

OF THE FIRST PART

AND: HER MAJESTY THE QUEEN, IN RIGHT of the Province of British  
Columbia, as represented by the Minister of Transportation  
and Highways  
(hereinafter called the Grantee)

OF THE SECOND PART

WHEREAS the Grantor is the Registered Owner of all those certain  
parcels or tracts of land situate, lying and being in the Gulf Islands  
Assessment District and Salt Spring Island Fire Protection District, and  
more particularly known and described as:

The South West  $\frac{1}{4}$  of Section 85, South Salt Spring Island,  
Cowichan District, EXCEPT the North West  $\frac{1}{4}$  thereof and EXCEPT  
Parcels "C" (DD 33820<sup>I</sup>) and "D" (DD 58022<sup>I</sup>) thereof, and  
EXCEPT that Part thereof included within the boundaries of  
Plan 32413  
(hereinafter called the Lands)

AND WHEREAS the Grantee, as a condition to granting approval to  
a Plan of Subdivision of the Lands, which said Plan of Subdivision was  
completed by Allan Robert Hardie, B.C.L.S., on the 15th day of July 1981  
(a copy of said Plan of Subdivision being annexed hereto) has requested  
the Grantor to enter into a Restrictive Covenant on the terms and conditions  
hereinafter contained, pursuant to Section 215 of the Land Title Act.

NOW THEREFORE WITNESSETH that in consideration of the premises  
herein and the sum of one (\$1.00) dollar of lawful money of Canada now paid  
by the Grantee to the Grantor, the receipt of which is hereby acknowledged,

the Grantor hereto covenants and agrees as follows:

FIRSTLY:

That Lot D of the said Plan of Subdivision shall not be further subdivided except for the purposes of boundary adjustment or road dedication.

SECONDLY :

That no further cutting of trees shall occur without the express written permission of the Islands Trust.

THIRDLY:

That they will not build or fill over, disturb, remove or interfere with, nor suffer to be built or filled over, disturbed, removed or interfered with, any of the vegetation, plant life or soil within those portions of Lots A, C or D, of the said Plan of Subdivision lying between two lines drawn parallel to and perpendicularly distant 2.000 metres on opposite sides of the centreline of the creek shown on the plan attached hereto without the prior written consent of the Regional Supervisor of the Fish and Wildlife Branch of the Ministry of Environment for the Province of British Columbia.

Wherever the singular or masculine are used throughout this Agreement, the same shall be construed as meaning the plural or the feminine, or body corporate or politic where the context or the parties hereto so require.

This Agreement shall enure to the benefit of, and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

SIGNED, SEALED and DELIVERED in  
the presence of:

---

---

Age Group	Don't know	No	Yes	Probably yes	Probably no
18-24	10	10	10	10	10
25-34	10	10	10	10	10
35-44	10	10	10	10	10
45-54	10	10	10	10	10
55-64	10	10	10	10	10
65-74	10	10	10	10	10
75-84	10	10	10	10	10
85+	10	10	10	10	10

s.22

As to Right to Purchase J 41.840

THE CORPORATE SEAL of ANAMEGO  
INVESTMENTS CORPORATION  
(Inc. No. 203842) was hereunto  
affixed in the presence of:

authorized signatory

authorized signatory

This is the instrument creating the condition or covenant entered into under Section 215 of the Land Title Act by the Registered Owners referred to herein and shown on the prints of the plan annexed hereto and initialled by me.

David A. Ryan

Approving Officer,  
Ministry of Transportation  
and Highways.

S $\frac{1}{2}$  of N $\frac{1}{2}$   
SECTION 84

N.W. 1/4 SECTION 85

Scale ~ 1:2000



Bearings are astronomic, derived from Plan 32413  
13mm sg Galv Iron Post found shown thus • 01P  
13mm sg Galv Iron Post set shown thus • 02P  
BT Bearings are Magnetic  
All distances are shown in Sterres

[illegible]

REM PCL.C  
(00 33820<sup>2</sup>)

DUKES

31706  
1

22

21

SECTION

75

Plan 367E

PLAN

Deposited in the Land Title Office at Victoria, B. C.  
1913 \_\_\_\_ day of \_\_\_\_ 19\_\_

Registrar

s.22

Registered  
Owners

Witnesses to  
both signatures

*Not for release*

Holder of a  
Right to Purchase

*This plan lies within the Capital Regional District*

The registered owner designated hereon hereby declares that he has entered into a condition or covenant with Her Majesty the Queen in right of the Province of British Columbia as represented by the Ministry of Transportation and Highways under Section 215(1) of the Land Title Act

Approved under the Land Title Act  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Approving Officer - Ministry of  
Transportation and Highways

I, Allan R. Harvie, a British Columbia land surveyor,  
of Vancouver, in British Columbia, certify that I was  
present at and personally superintended the survey  
represented by this plan, and that the survey and  
plan are correct. The survey was completed on  
the 10th day of August, 1925.

S 1/2 of N 1/2  
SECTION 84

NW 1/4 SECTION 85

# PLAN OF SUBDIVISION OF THE REMAINDER OF THE SOUTHWEST 1/4 OF SECTION 85, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT.

Scale ~ 1:2000

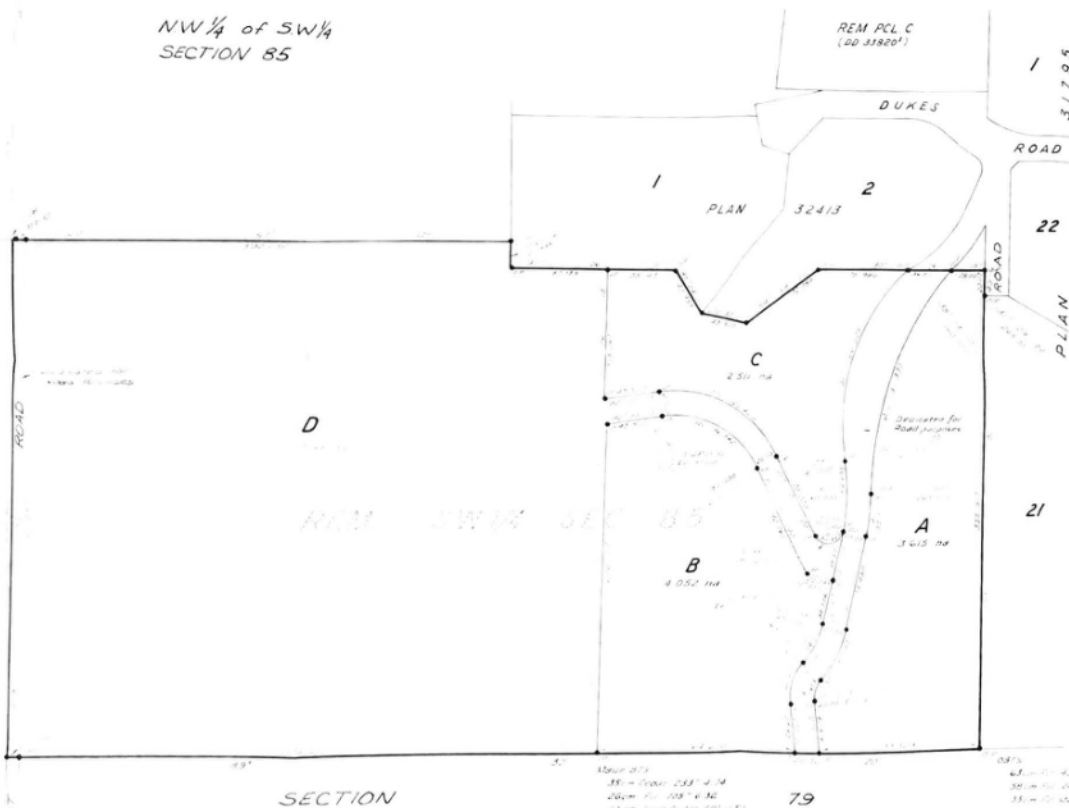


## LEGEND

Boundaries are indicated by dots from plan 31795  
Boundaries are shown by dots from plan 31795  
Boundaries are shown by dots from plan 31795  
Boundaries are shown by dots from plan 31795  
Boundaries are shown by dots from plan 31795

N 1/2 of S 1/2

NW 1/4 of SW 1/4  
SECTION 85



PLAN

Deposited in the Land Title Office at Victoria, B.C.,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Reg. str.

s.22

REG. 11/1/1988  
COWICHAN

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Occupation \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
By \_\_\_\_\_  
Witness \_\_\_\_\_  
Notary Public for British Columbia

This plan was filed in the Cowichan Regional District

The survey was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District

20/1/1988  
20/1/1988

David A. Ryan  
Notary Public for British Columbia

This plan was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District  
and the survey was made by the Cowichan Regional District