

Properties

Phone: (604) 623-4208

FAX: (604) 623-3951

e-mail: Nnacy.Liang@bchydro.com

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FILE: 501-1602.0(X1899)

BY E-MAIL: Kelsey.Bakewell@sd68.bc.ca

The Board of Education of School District No. 68
(Nanaimo-Ladysmith)
395 Wakesiah Avenue
Nanaimo, BC V9R 3K6

Dear Sirs and Mesdames:

B.C. Hydro/TELUS Distribution Statutory Right of Way Agreement (the “**Agreement**”) — property located at 1025 Morningside Drive, Nanaimo, BC legally described as Lot A, District Lot 41, Wellington District, Plan 18839 (the “**Property**”) — The Board of Education of School District No. 68 (Nanaimo-Ladysmith) (the “**Owner**”)

(A) Works:

B.C. Hydro and TELUS have existing works on the Property and propose to install additional works on the Property with the proposed location of the works shown on the drawing attached to the Agreement.

(B) B.C. Hydro Contact:

Dan Harapnuk of B.C. Hydro's Distribution Design will be the technical contact and is responsible for coordinating the installation and the energization of the electrical works contemplated in the Agreement. We suggest that you contact Dan directly at (250) 713-3489 to review the technical requirements for the installation of the electrical works on the Property.

(C) Grant of a Statutory Right of Way:

Prior to installation of the works, we request that the Owner grant to each of B.C. Hydro and TELUS a Statutory Right of Way.

(D) Enclosures:

Further to Dan's request that we prepare the required documents and forward them to you for execution, enclosed are:

1. the Agreement for the Property. We request that:
 - (i) the Owner execute two copies of the Agreement - see “**Execution**” section below.
 - (ii) two originally executed copies of the Agreement be returned to our Dunsmuir Office by mail or courier so that B.C. Hydro can attend to registration in the Land Title Office (the “**LTO**”). We will forward a copy of the Agreement to the Owner after it has been fully registered.
2. Standard Charge Terms ST020098 filed in the LTO. As these Standard Charge Terms form part of the Agreement, the Owner should keep a copy for their records.

The Agreement is enclosed on the understanding that no other party is authorized to amend the Agreement nor proceed with electronic registration of the Agreement in the LTO without the prior written authorization of B.C. Hydro.

We recommend that the Owner obtain independent legal advice. By signing the enclosed Agreement, the Owner acknowledges that they have had an opportunity to receive legal advice.

The Agreement must be executed and registered in the LTO well in advance of energization of the electrical works.

(E) Execution:

The LTO issues updated replacement documentation regularly and expired versions may not be accepted for registration. Therefore, to avoid the possibility of having the Agreement re-signed by all parties, and to meet specific LTO registration requirements, please follow the execution instructions below and return the signed Agreement to the writer at your earliest convenience:

- all signatures are in dark ink;
- each authorized signatory of the company signs each copy of the Agreement and prints their full name below their signature (each printed name must include the surname and at least one given name);
- the signature of one authorized signatory of the company is witnessed by either a Solicitor, Notary Public or a Commissioner for Taking Affidavits in British Columbia employed by the company;
- the witnessing officer signs in the execution block opposite the signature of one authorized signatory;
- the witnessing officer prints or stamps his/her name, address, telephone number and occupation below their signature;
- if there is more than one authorized signatory signing, the witnessing officer MUST print below their signature either "(as to both signatures)" if he witnessed both signatures or "(as to the signature of _____)" if he witnessed only one signature and insert that individual's full name. **Please note that if more than one authorized signatory is required to sign on behalf of the company and they are unable to sign in the presence of the same witnessing officer, the LTO only requires one of those signatures to be witnessed by a witnessing officer;** and
- the signing date is filled in.

(F) LTO Registration:

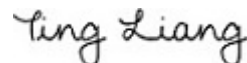
Please return two (2) copies of the Agreement originally executed by the Owner to our Dunsmuir Office by mail or courier (for security reasons, please print your return address on the envelope), so that B.C. Hydro can attend to registration of the Agreement in the LTO.

If you have any questions about the Agreement, please call me at (604) 623-4208.

Yours truly,

BRITISH COLUMBIA HYDRO
AND POWER AUTHORITY

by:



Ting (Nancy) Liang
Property Coordinator

/nl
Enclosures

cc: Dan Harapnuk, Nanaimo District Office; Portal Design No. 4312067