

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

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Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

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1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Ting (Nancy) Liang, agent for

British Columbia Hydro and Power Authority

12th Floor, 333 Dunsmuir Street

Vancouver

BC V6B 5R3

Telephone: (604) 623-4208

File: 501-1602.0(X1899) 23 Dec. 2020

Work Task: 1207443 Tri Bue w/dwg

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

003-796-957

LOT A, DISTRICT LOT 41, WELLINGTON DISTRICT, PLAN 18839

STC? YES

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Statutory Right of Way

Transferee (B.C. Hydro)

Statutory Right of Way

Transferee (TELUS)

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No. **ST020098**

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 68 (NANAIMO-LADYSMITH)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

SEE SCHEDULE

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.

Officer Signature(s)

Execution Date

Y	M	D

Transferor(s) Signature(s)

THE BOARD OF EDUCATION OF
 SCHOOL DISTRICT NO. 68
 (NANAIMO-LADYSMITH) by its
 authorized signatory(ies):

 Print name:

 Print name:

(as to both signatures)

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.

**LAND TITLE ACT
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 INSTRUMENT FORM.

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
333 Dunsmuir Street, Vancouver, BC, V6B 5R3

(as to one Statutory Right of Way)

TELUS COMMUNICATIONS INC., (Inc. No. BC1101218)
#1 - 15079 - 64th Avenue, Surrey, BC, V3S 1X9

(as to one Statutory Right of Way)

7. ADDITIONAL OR MODIFIED TERMS:

7.1 The Standard Charge Terms ST020098 provide in section 1.1 that the following terms are as defined in the General Instrument Part 1:

(a) The Area of the Works. The "Area of the Works" means that portion of the Land located within 3 metres of either side of the centre of the alignment of the Works.

(b) The Works. The "Works" means:

- (i) as it relates to the rights and responsibilities of B.C. Hydro, all things and components, in any combination and using any type of technology or means, necessary or convenient for the purposes of transmitting and distributing electricity and for the purpose of telecommunications, including underground lines, cables, conduits and pipes of every kind, together with access nodes, cabinets, all ancillary appliances and fittings, above ground or underground transformers, including any associated protective installations, and related works; and
- (ii) as it relates to the rights and responsibilities of TELUS, all things and components, in any combination and using any type of technology or means, necessary or convenient for the purpose of telecommunications and data transmission, including underground lines, cables, conduits and pipes of every kind, together with access nodes, cabinets, all ancillary appliances and fittings, above ground or underground transformers, including any associated protective installations, and related works.

7.2 The Standard Charge Terms ST020098 are amended by the addition of the following section:

"6.4 As this Agreement relates to the rights and responsibilities of TELUS, the provisions herein are subject to the provisions (including regulations) of the *Telecommunications Act* S.C. 1993, c.38 and the *Canadian Radio-Television and Telecommunications Act* R.S.C. 1985, c.C-22 and their successive legislation as well as any rulings, regulations, tariffs or other directives of the Canadian Radio-Television and Telecommunications Commission."

**LAND TITLE ACT
FORM E**

SCHEDULE

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7.3 The Standard Charge Terms ST020098 are amended by the addition of the following section:

“3.4 Each of B.C. Hydro and TELUS covenant with the Owner that notwithstanding section 2.1(a) of this Agreement that neither B.C. Hydro nor TELUS will place Works, except for service lines pursuant to section 2.1(f), anywhere upon or within the Land other than within that portion of the Land as shown approximately in heavy black outline on Drawing No. 1207443 (a copy of which is attached hereto) unless permission has been provided by the Owner, which permission will not be unreasonably withheld or delayed.”



Lot 3 VIP37808

PID: 003-796-957
LOT A, DISTRICT LOT 41,
WELLINGTON DISTRICT,
PLAN 18839

1025



Approximate Location of Works

Lot 1
VIP16393

Lot A
VIP55497

Lot 2
VIP16393

MORNINGSIDE DR

WALLEY CREEK

1000

WALLEY CREEK

01