

APPENDIX A

SUMMARY OF ENCUMBRANCES

All strata lots in Craig Bay have a number of encumbrances registered on their title. Most of these encumbrances are summarized here (the list is not completely all-inclusive) for the information of CLC members, and the most pertinent are given some elaboration. Not all these encumbrances are registered against every lot in all five stratas.

Notices – several notices that the lots are subject to Development Permits issued by the City.

Craig Bay Building Scheme (EK118269) – this Statutory Building Scheme is registered against all lots in Arbutus Grove, Meadow Beach, Seaside Village and the Onyx.

Shorehaven Access Easement (EJ126546) – a reciprocal easement over the common property of Shorehaven for: [a] vehicular and pedestrian access; [b] access to the sewage works and lines (the City’s pumping station for the development is on Shorehaven land); and [c] use and enjoyment of the pond.

Arbutus Grove Access Easement (EK118271) – a reciprocal easement allowing access to the common property of Arbutus Grove for vehicular and pedestrian access, and access to the utility lines, etc.

Meadow Beach Access Easements (EN38878/EN38880/EN38882) – reciprocal easements allowing access to the common property of Meadow Beach for vehicular and pedestrian access, and access to the utility lines, etc.

Beach Club Access Easement (EN64616) – each owner has an easement allowing access across the common lands of Meadow Beach in order to access the Beach Club and related amenities, all of which sit on Meadow Beach land.

Beach Club Access Easement for Shorehaven (EJ646542A) – gives Shorehaven owners access across the common lands of Meadow Beach in order to access the Beach Club and gives their owners the right to use those facilities.

Seaside Village Access Easements (ES39945/ES39946/ES39947/ES39948/ES39949/ES39950/ES39951) – reciprocal easements allowing access to the common property of Seaside Village for vehicular and pedestrian access, and access to the utility lines, etc.

Waterfront Land Access Easement (EJ63550) – residents have the right to cross the Provincial lands between Shorehaven and the bay, and to use it as if it were a provincial park or Heritage site.

Waterfront Land Restrictive Covenant (EJ63552) – provides assurance that no structure of any kind will be constructed on the Provincial lands between Shorehaven and the bay, other than washrooms, railings, fences, trails, lighting, picnic tables, signage, landscaping and other park improvements.

Waterfront Land Access Easement (ET12286) – provides access to the area on the waterfront lands where the storm drainage system from the ponds crosses this land, for the purpose of maintaining that outflow.

Exceptions and Reservations (M76300) – in favour of E & N Railway, who owned some of the property before the developer assembled it, protecting the railway into the future in any issues regarding the land.

Utility Rights of Way – all lots have rights-of-way registered against them on behalf of British Columbia Hydro and Centra Gas (now Fortis).

City of Parksville Right of Way (EJ23593) – guarantees that the perimeter pathways around Craig Bay will be open to the general public, and provides the City with the right to enter Craig Bay properties with maintenance and emergency vehicles as necessary. It also states that Craig Bay is responsible for maintenance of the pathways.

Craig Creek Restrictive Covenant – prohibits and clearing, construction, or other disturbance to the Craig Creek area.

Miscellaneous Encumbrances – there are a number of other encumbrances against some properties, generally reminding owners that City development rules apply to the lots, or giving outside entities like the City or utilities access to areas they need to get to in order to maintain their services to the community. There also were some registered notations that involved promises the developer made to the City regarding financing and construction that re no longer relevant, and many of these have likely been discharged from the titles.