

ALBERTA GOVERNMENT SERVICES LAND TITLES OFFICE

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THE COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL DISTRICT OF EDMONTON

IN THE MATTER OF THE CONDOMINIUM PROPERTY ACT,
REVISED STATUTES OF ALBERTA, 2000, CHAPTER C-22, AND
SECTIONS 52(5) AND 63(4) THEREOF, AS AMENDED

FIAT

To: The Registrar for the South Alberta Land Registration District

BEFORE W. Breithave,
MASTER IN CHAMBERS
LAW COURTS
EDMONTON, ALBERTA

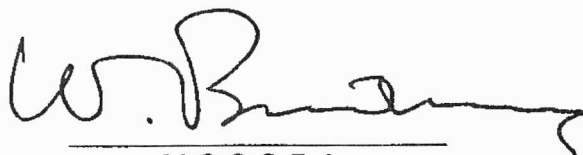
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On Monday, the 3rd day
of June, 2005.
October

Let "Instrument dated the 30 day of January, 2004, being a Restrictive Covenant – Age Restriction" be registered on Condominium Plan 051 0165 at the South Alberta Land Titles Office notwithstanding the lack of a special resolution and signatures indicating the consent of the owners Units 466 to 522 inclusive.

Let this fiat be registered notwithstanding the requirements of Sections 52(5) and 63(4) of the Condominium Property Act, Revised Statutes of Alberta, 2000, chapter C-22.

DATED at the City of Edmonton, in the Province of Alberta, this 3rd day of June, October, 2005.



M.C.C.Q.B.A.

FORM 6
CONDOMINIUM PROPERTY ACT
Sections 43

CERTIFICATE OF CORPORATION

Condominium Corporation No. 031 0034 hereby certifies that the owners of the Units in the condominium plan have, by unanimous resolution, properly passed and directed the Corporation to execute the instrument hereunder recited and that all persons having registered interest in the parcel and all other persons having interest (other than statutory interests) which have been notified to the corporation have consented in writing to the release of those interests in respect of the land comprised in the instrument.

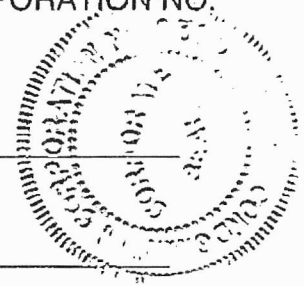
"Instrument dated the 30 day of January, 2004, being a Restrictive Covenant – Age Restriction".

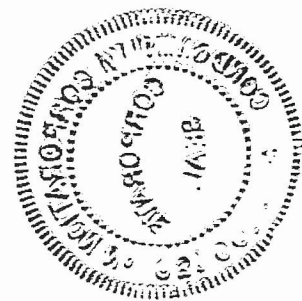
The seal of Condominium Corporation No. 031 0034 was affixed on the 30 day of January, 2004.

CONDOMINIUM CORPORATION NO.
031 0034

Per: _____

Per: _____





CROSSBOW POINT
Canmore, Alberta

RESTRICTIVE COVENANT - AGE RESTRICTION

WHEREAS **MEDICAN DEVELOPMENTS INC.** (the "Developer") is or is entitled to be registered as owner of the Units 466 through 522 comprising a portion of Condominium Plan 0510165 ("Crossbow Point").

AND WHEREAS it is the intention of the Developer to sell all of the Units in Crossbow Point to Purchasers who shall have the benefit of the following covenant;

AND WHEREAS it is desirable that the improvements to the Units be constructed and maintained to a uniform standard and design;

WITNESSETH that the Developer as covenantor, on behalf of itself, its successors in title from time to time and the persons deriving title under it or them, COVENANTS with itself as covenantee on behalf of itself, its successors in title from time to time and the persons deriving title under it or them to the intent that the burden of the covenants may run with and bind the Units in Crossbow Point and every part thereof and to the intent that the benefit thereof may be annexed to and run with the Units and every part thereof, AS FOLLOWS:

1. In this restrictive covenant:

(a) "Occupation", "occupied" or "occupant" means a regular and ordinary presence in the Unit whether or not the person is frequently absent by reason of employment or ill health. A person shall be deemed to be an occupant if his or her occupation of the Unit exceeds thirty (30) consecutive days or an accumulative total of sixty (60) days within a three hundred and sixty-five (365) day period. A person whose primary purpose for residing in the Unit is to provide medical assistance to an Occupant who complies with the Restrictive Covenant shall be deemed not to be an Occupant within the meaning of this definition.

(b) "Units" means the certain condominium units created by the registration of a plan of re-division of Unit 4 Condominium Plan No. 0310304 and more particularly described in Schedule "A" attached hereto, and "Unit" means any one of those Units.

2. A Unit shall not be occupied by a person or persons who have not attained or will not have attained his or her fortieth (40th) birthday within twelve (12) months of occupancy of the said Unit (hereinafter referred to as "40th birthday").

3. Notwithstanding the above paragraph 2, a Unit may be occupied by a person who has not attained his or her 40th birthday in the following circumstances:

(a) if that person lives with his spouse who has attained his or her 40th birthday or if that person has been predeceased by a spouse who had attained his or her 40th birthday if in either case the spouse is or was an occupant of a Unit. "Spouse" also means a person who holds that position usually enjoyed by a spouse whether or no he or she is legally married; or

(b) the Board may authorize a person to occupy a Unit for specified periods of time for compassionate reasons. The permission granted by the Board may be revoked by a

Special Resolution at the duly convened meeting of the Corporation.

4. Neither the Developer nor any successor in title shall be liable for a breach of restrictions set forth herein in respect of any Unit after the date it ceases to have any interest in that Unit.
5. Should any one or more of the provisions of this restrictive covenant be determined to be illegal or unenforceable or otherwise invalid, the same shall be severed but all other provisions shall remain in effect.
6. This Restrictive Covenant may be enforced by any Unit Owner or by the Board of Directors of the Condominium Corporation No. 031 0034
7. Whenever the singular number or neuter or masculine gender is used herein, the same shall be construed as including the plural and such other gender as the context requires.

This Restrictive Covenant is now executed by that Alberta Condominium Corporation legally known as CONDOMINIUM CORPORATION NO. 031 0034 on the 30 day of January, 2004, and it is made under the seal of that corporation affixed by its officers duly empowered in that regard and whose signatures attest the affixation of the seal.

CONDOMINIUM CORPORATION NO. 031 0034

PER: _____

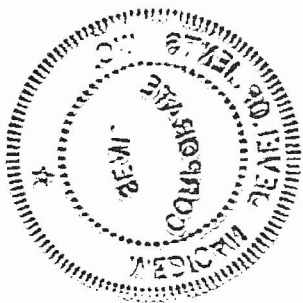
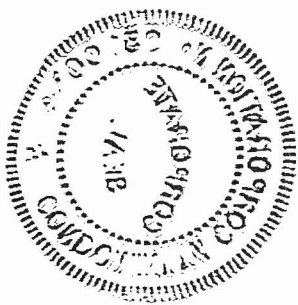
PER: _____

This Restrictive Covenant is now executed by MEDICAN DEVELOPMENTS INC. being the registered fee simple owner of all the units in Crossbow Point on the 14 day of January, 2004, and it is made under the seal of that corporation affixed by its officers duly empowered in that regard and whose signatures attest the affixation of the seal.

MEDICAN DEVELOPMENTS INC.

PER: _____

PER: _____



SCHEDULE "A"

CONDOMINIUM PLAN NO. 0510165
UNITS 466 TO 522 INCLUSIVE
INCLUDING ALL COMMON PROPERTY RELATING THERETO