



## Applying for a Crown Land Tenure

All applications must include completed application form, general location map, local detail map, appropriate fees and attachments as indicated below.

INFORMATION REGARDING APPLYING FOR CROWN LAND AVAILABLE AT

[www.al.gov.bc.ca/clad/land\\_prog\\_services/programs.html](http://www.al.gov.bc.ca/clad/land_prog_services/programs.html)

MAY 12/2011

### PART 1. NAME(S) AND MAILING ADDRESS

#### Applicant Name:

FULL LEGAL NAME of Individual(s), Company or Society,  
Ministry or Government Agency (our File: 2010-8021)  
STRATA PLAN KAS3104, THE OWNERS

#### Contact Name for Company or Ministry Applicants:

SIDNEY HANSON

#### Applicant Mailing Address:

104 WOLF RIDGE PLACE  
EDMONTON, A.B.

T5T 5M9 postal code

Applicant Contact Numbers: Phone: 1-780-970-3605  
Daytime Phone: \_\_\_\_\_ Fax: 1-780-484-0725

Applicant Email Address: \_\_\_\_\_

Are you an Agent submitting this application  
on behalf of your client?

☒ Yes ☐ No

Letter of Agency attached ☒ Yes ☐ No

#### Agent Name & Mailing Address:

SUMMIT ENVIRONMENTAL CONSULTANTS INC.  
200-2800-29th St.  
VERNON, BC postal code V1T 9P9

#### Agent Contact Numbers:

Phone: 250-545-3672 Fax: 250-545-3654

#### Agent Email Address:

dh@summit-environmental.com

For applications made by more than one individual: ☐ Joint Tenants or ☐ Tenants in Common

For your information: Joint Tenants: on the death of one tenant the interest passes to surviving tenant.

Tenants in Common: on the death of one tenant the interest passes to the beneficiaries of the estate.

BC Inc. #, BC Registration # or Society #:

HST Registration #:

Age: 19 or over ☒ Yes ☐ No

Canadian Citizen or Permanent Resident ☐ Yes ☐ No

Do you hold another Crown land tenure? ☒ Yes ☐ No. If yes, provide File Number: 342336 (QUARRY BAY MARINA)

#### Period of Projected Use:

☐ Two years or less ☒ Two to five years ☐ Five to ten years ☐ Ten to thirty years ☐ More than thirty years

Application Type: ☐ new application ☒ replacement application – file number 3411209 PROJECT 65346  
☐ investigative permit application ☐ amendment application – file number \_\_\_\_\_

Proposed Use/Tenure Type: (e.g. powerline right of way, gravel quarry licence): MARINA

### FOR OFFICE USE ONLY

(date/time received)

File Number:

Project Number:

Disposition ID:

Client Number:

**PART 2. PURPOSE, LOCATION, AREA**
**PLEASE SELECT APPROPRIATE PROPOSED LAND USE**

Proposed Land Use Program Area	New Application Fees (including HST)	Program Specific Requirements Website
<input type="checkbox"/> Aggregates & Quarry	\$1,120.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Agriculture – Intensive	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Agriculture - Extensive	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Airport – private	*\$50 per hour process time	Contact FrontCounter BC
<input type="checkbox"/> Alpine Skiing	Type 1 (minor) \$1,120.00 Type 2 (major) contact FrontCounter BC	<a href="http://www.tca.gov.bc.ca/resort_development/">www.tca.gov.bc.ca/resort_development/</a>
<input type="checkbox"/> Aquaculture – Fin fish	\$5,516.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Aquaculture – Shellfish	\$1,344.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Commercial - General	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Commercial - Film	\$560.00 fee <b>plus</b> \$280.00 rental	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Adventure Tourism	Non-Motorized \$280.00 Motorized \$3,696.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">http://www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Communication Site	\$1,120.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Community/ Institutional	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Federal Reserves	\$3,696.00	Federal Government Only – Contact FrontCounter BC
<input type="checkbox"/> Ferry Terminals	*\$50 per hour process time	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> General Industrial	\$ 560.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Golf Course	\$3,696.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Grazing	\$ 280.00	<a href="http://www.for.gov.bc.ca/hra/Legislation/grazing.htm">http://www.for.gov.bc.ca/hra/Legislation/grazing.htm</a>
<input type="checkbox"/> Head Lease	\$50 per hour process time	Contact FrontCounter BC
<input type="checkbox"/> Log Handling	\$1,120.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Marina	\$ 560.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Mining	\$ 560.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Ocean Energy	Investigative Permit \$560.00 Licence for Equipment \$560.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Oil and Gas	\$ 560.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Private Moorage	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Provincial Reserves	For Provincial Government Ministries Only	
<input type="checkbox"/> Utilities (Linear Use)	Less than 25 Km \$1,120.00 More than 25 Km *\$50 per hour Access to single lot \$280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Residential	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Roadways – Public	\$ 280.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Roadways – Industrial	\$1,120.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Water Power	\$3,696.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>
<input type="checkbox"/> Wind Power	Investigative Permit \$560.00 Monitoring Towers (max 5) \$560.00 Wind Farm \$3,696.00	<a href="http://www.al.gov.bc.ca/clad/land_prog_services/programs.html">www.al.gov.bc.ca/clad/land_prog_services/programs.html</a>

**Note:** Investigative Permits (available for all program areas): **\$560.00** (including HST)

**Replacement Application Fees:** 50% of above fee or \$224.00 (including HST), as a minimum.

**Amendment Fees:** Contact FrontCounter BC

\* To be paid at a later date

☒ STRATA MARINA  
1000-00-applc

\$ 280.00

## PART 2 (continued)

**General Location** of Crown land (i.e. distance from nearest community, Indian Reserve or significant geographic location such as a lake or mountain; location on a named road; etc.):

Please provide a shape file if available.

Area in Hectares:  $\sim 1530 \text{ m}^2$  <sup>TOTAL AREA</sup> OR length (km/m):

LAKEBED FOOTPRINT =  $40.2 \text{ m}^2$

width (km/m):

## PART 3. LEGAL DESCRIPTION OR BOUNDARY DESCRIPTION

**If surveyed, give legal description:** as provided by the local Land Title Office (e.g., Lot 1 of Section 31, Township 12 W6M Kamloops Division of Yale District Plan 18411). A legal description is found in the Certificate of Title (CofT). A copy of the CofT must be attached to the application. A copy of your Registered Survey Plan, if available, will confirm the dimensions of the place of use.

LET APL KAP 77998 SEC 32 AND 33 TWP 14 QD VD

**If unsurveyed:** enter description of unsurveyed Crown land and description of boundaries.

### Instructions to Describe Unsurveyed Crown Land

- The point of commencement, for unsurveyed parcels, should be described in terms of an existing survey post (e.g., 18 metres west of the S.E. corner of the parcel) or a readily identifiable geographic feature (e.g., a prominent point of land or intersection of two roads) to enable accurate location of the parcel.
- Boundary lines of the area must be, as much as possible, astronomically true north, south, east and west so that a rectangular lot is formed.
- Where the topographic features of the area do not allow for rectangular boundary lines running true north, south, east and west, then boundaries will be permitted in other directions as long as they do not interfere with the orderly survey of other surrounding land.
- The side lines of small parcels fronting on lakes, rivers, tidal waters and on certain surveyed highways shall, where possible, be parallel to each other and perpendicular to the general trend of the features on which the small parcel fronts.
- The sidelines for unsurveyed foreshore shall, as a general rule, be laid out at right angles to the general trend of the shore. This may be varied to suit special conditions, but encroachment on the foreshore fronting adjoining lands shall be avoided. The outside or waterward boundary shall be a straight line or series of straight lines joining the outer ends of the side boundaries. On narrow bodies of water the outside boundary shall not normally extend beyond the near edge of the navigable channel.

1 hectare = 2.471 acres

1 metre = 3.281 feet

100 metres x 100 metres = 10,000 square metres or 1 hectare

#### PART 4. APPLICATION CERTIFICATION

**All applications must be complete. Incomplete applications will be returned to applicant.**

Please refer to the specific program requirements (e.g., Aggregates, Commercial, Residential) for information that must be submitted with this application.

All of the following **must** be attached to or enclosed with this application form:

- ☒ **Fees** (in the amount indicated in Part 2) to **Minister of Finance** (cheque or credit card authorization form attached or pay in person with debit card or cash)
- ☒ **General Location Map(s)** at a scale of 1:50,000 to 1:250,000 indicating general location of the area under application and the location of access roads, watercourses and other major landmarks.
- ☒ **Detailed Site Map(s)** outlining in detail the area under application, showing the exact perimeter boundaries of the application area including the dimensions (in metre) and area (ha), including watercourses, district lots etc.
- ☒ **Program Specific Requirements** (i.e. communication site, agriculture, industrial, aquaculture). Program specific requirements can be confirmed at [http://www.al.gov.bc.ca/clad/land\\_prog\\_services/programs.html](http://www.al.gov.bc.ca/clad/land_prog_services/programs.html)

**PLEASE NOTE:** Additional items may be required (e.g. Advertising, Security Deposit, Proof Of Insurance, Letter Of Consent) Please consult Program Policies or contact FrontCounter BC for further information. Some items may have additional associated costs or require additional processing time.

Applicant or Agent signature(s):

Date:

May 12/2011

**PLEASE RETAIN A COPY OF THIS APPLICATION FOR YOUR RECORDS  
- APPLICATIONS ARE NOT TRANSFERABLE -**

**NOTE:** The information you provide will be subject to the Freedom of Information and Protection of Privacy Act. If you have any questions regarding the treatment of your personal information, please contact the Manager, Privacy, Information Access and Records Management.

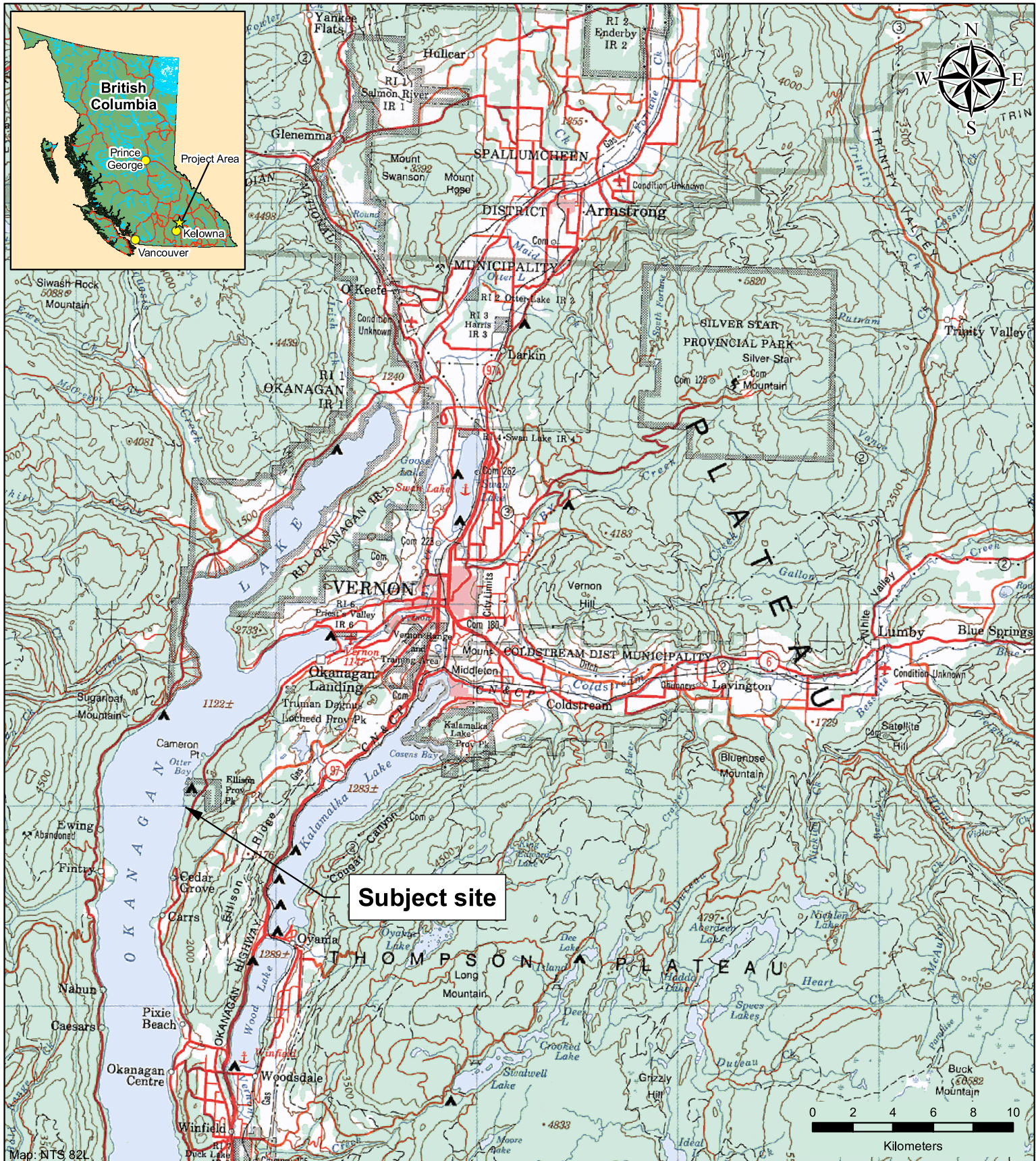
The submission of this form does not in any manner convey any rights to use or occupy Crown land.

#### FRONTCOUNTER BC OFFICE LOCATIONS

[www.frontcounterbc.gov.bc.ca](http://www.frontcounterbc.gov.bc.ca) OR Call Toll-Free 1-877-855-3222

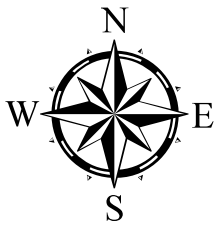
<b>Cranbrook</b> 1902 Theatre Road Cranbrook BC V1C 7G1	<b>Fort St. John</b> Ste 100, 10003 110 <sup>th</sup> Avenue Fort St John BC V1J 6M7	<b>Kamloops</b> 441 Columbia Street Kamloops BC V2C 2T3
<b>Nanaimo</b> Ste 142, 2080 Labieux Road Nanaimo BC V9T 6J9	<b>Prince George</b> 1044 5 <sup>th</sup> Ave Prince George, BC V2L 5G4	<b>Smithers</b> 1 <sup>st</sup> Floor, 3726 Alfred Avenue Smithers BC V0J 2N0
<b>Surrey</b> Ste 200, 10428 – 153 <sup>rd</sup> Street Surrey BC V3R 1E1	<b>Williams Lake</b> Ste 201, 172 North 2 <sup>nd</sup> Avenue Williams Lake BC V2G 1Z6	











Legend

Shoreline

High water mark

Proposed marina

Existing docks

Property line

Present natural boundary

Lot A  
PLAN KAP77998

Lot 10  
PLAN 2018

Lot 1  
PLAN 2018

Road

Russell

Okanagan Lake

Area of marina (shaded) = 10613 m<sup>2</sup>  
Area of docks and breakwaters = 1530 m<sup>2</sup>

SUMMIT

ENVIRONMENTAL CONSULTANTS INC.

A Member of the Associated Engineering Group of Companies

PREPARED FOR:  
Outback Resort Marina

PROJECT:  
OUTBACK RESORT MARINA 2010

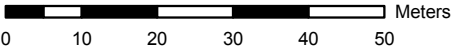
PROJECT NO.: 2010-8021.000

FILE: outback.mxd

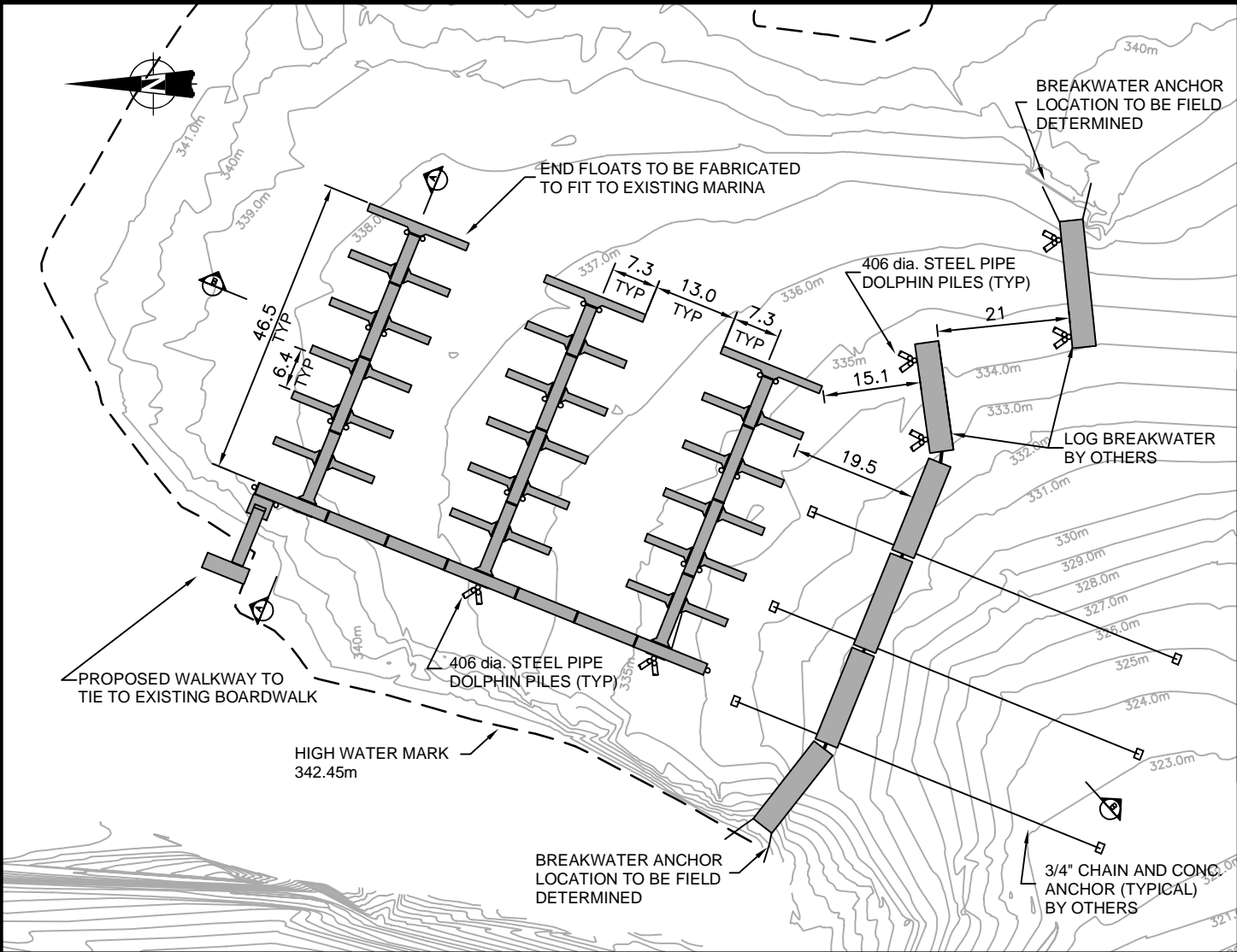
DATE: May 2011

DRAWN BY: BdJ

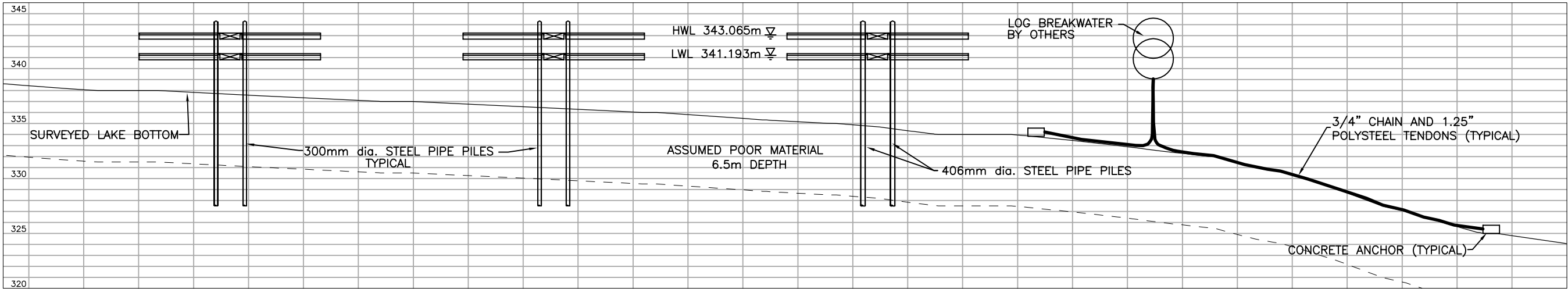
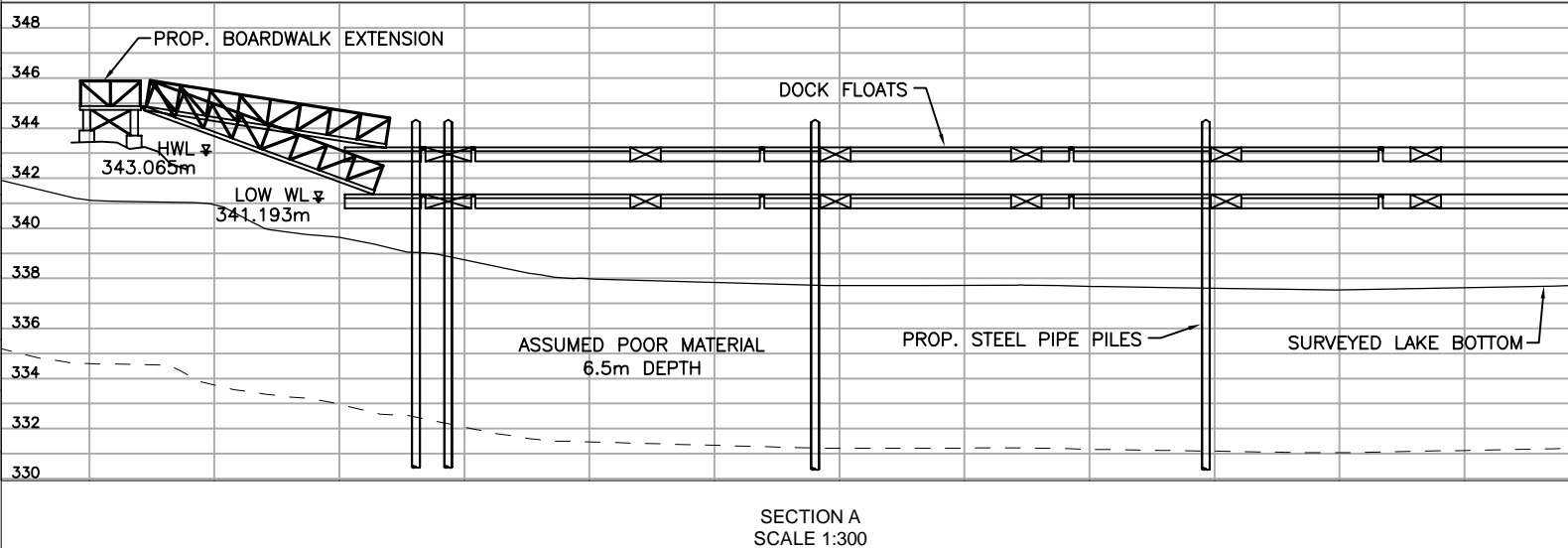
FIGURE 2:  
MARINA LOCATION  
PLAN



This Drawing Is For The Use Of The Client And Project Indicated  
No Representations Of Any Kind Are Made To Other Parties

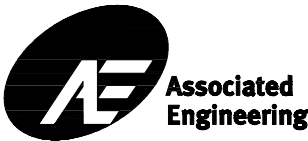


- NOTES:
1. Bathymetric survey completed by Summit Environmental Consultants
  2. High and Low water levels are from Environment Canada Station 08NM083, Okanagan Lake at Kelwona.
  3. Marina configuration, location and layout provided by the Outback Resort
  4. Breakwater and anchor design to be completed by others
  5. The Marina Concept provided by the Outback Resort was created without the benefit of a geotechnical investigation or a wind and wave study. Associated Engineering does not take any liability or responsibility for any potential damage to the marina resulting from wind or wave action. As well, Associated Engineering can not confirm the constructability of the Marina due to the lack of geotechnical information.
  6. Drawing not to be used for construction.



NO.	DATE	ENG.	BY	SUBJECT
REVISIONS				

PRELIMINARY  
NOT FOR CONSTRUCTION



PROJECT No.	2010-8021		
SCALE	AS SHOWN		
DRAWN	Matthew Bowen		2011/04/05
DESIGNED	Ray Korpela		2011/04/05
CHECKED			
APPROVED			
DATE		INITIAL	

OUTBACK RESORT MARINA

MARINA LAYOUT CONCEPT OPTION 3

OUTBACK MARINA RELOCATION  
PROJECT - 2010

DRAWING NUMBER	REV. NO.	SHEET
8021sk003		1 / 1

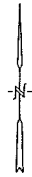


**STRATA PLAN OF PART OF LOT A, PLAN KAP77998,  
SEC. 32 & 33, TP. 14, O.D.Y.D., except STRATA PLAN  
KAS3104 (Phases 1, 2, 3, 4, 5, 6, 7, 8, 9, & 10)**

City of Vernon  
Phase 11

B.C.G.S. No. 82L013  
SCALE 1:1250 (All distances are in metres and decimals thereof)

0m 25m 50m 75m 100m



STRATA PLAN KAS3104

DEPOSITED AND REGISTERED IN THE  
LAND TITLE OFFICE AT VANCOUVER, B.C.  
THIS DAY OF NOVEMBER 2007

REGISTRAR  
C. Johnson  
77  
L613F440

OWNER  
OKANAGAN LAND DEVELOPMENT  
CORP.  
INC. NO. 47588

WITNESS AS TO BOTH SIGNATURES

Authorizing Surveyor  
Robert G. Goss  
Authorized Signatory

WITNESS AS TO BOTH SIGNATURES  
WILLIAM THOMPSON  
670-3158 URBAN ST.  
ADDRESS: 17 HAVENWOOD RD. V6C 2G9  
LAWYER  
OCCUPATION

**LEGEND**

MEASUREMENTS ARE ASTROTHEODOLITIC AND ARE DERIVED FROM PLAN KAS3104  
• DENOTES STANDARD TYPE 5 IRON POST FOUND  
⊙ DENOTES NON-STANDARD POST FOUND  
(C) DENOTES COUNCIL PROPERTY

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NORTH OKANAGAN  
AND THE VERNON ASSESSMENT AREA  
THE CIVIC ADDRESS IS: 8845 EASTSIDE ROAD, VERNON, B.C.

APPROVED AS TO PHASE 11 OF A 23 PHASE STRATA PLAN UNDER  
SECTION 224 OF THE STRATA PROPERTY ACT.

DATE: NOV. 8<sup>th</sup> 2007

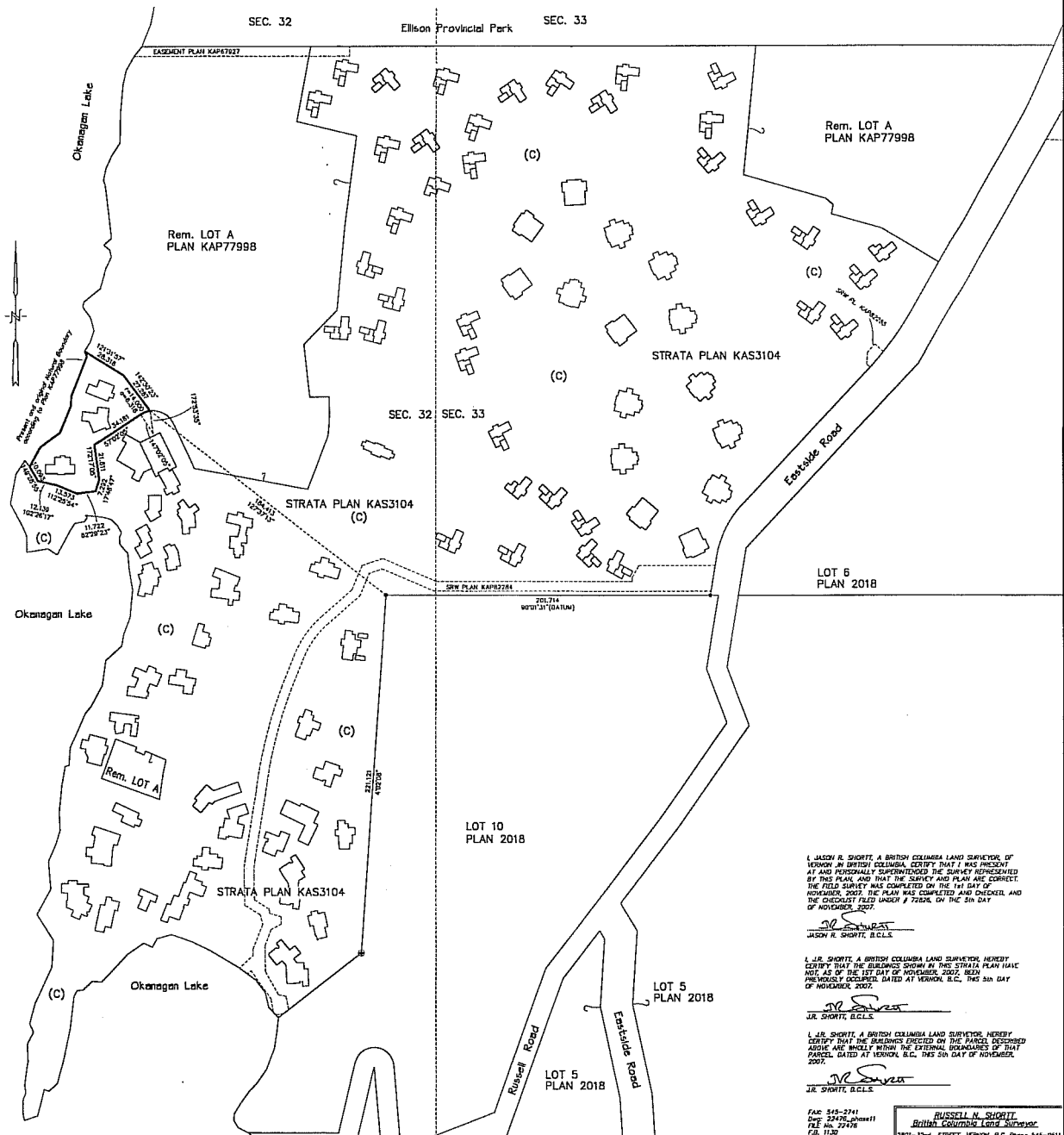
APPROVING OFFICER FOR THE  
CITY OF VERNON  
[Signature]

CHARGE HOLDER  
ROYAL BANK OF CANADA

WITNESS AS TO BOTH SIGNATURES

Authorizing Surveyor  
[Signature]  
Authorized Signatory  
[Signature]  
OCCUPATION  
[Signature]

WITNESS AS TO BOTH SIGNATURES  
NAME: Russell N. Shortt  
ADDRESS: 1555 West Georgia  
Vancouver, B.C. V6T 4Y4  
Barrister & Solicitor  
OCCUPATION



I, JASON R. SHORTT, A BRITISH COLUMBIA LAND SURVEYOR, OF  
VERNON, 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 FIELD SURVEY WAS COMPLETED ON THE 14<sup>th</sup> DAY OF  
NOVEMBER, 2007. THE PLAN WAS COMPLETED AND CHECKED,  
AND THE CHECKLIST FILED UNDER A 72626, ON THE 30<sup>th</sup> DAY  
OF NOVEMBER, 2007.

[Signature]  
JASON R. SHORTT, B.C.L.S.

I, J.R. SHORTT, A BRITISH COLUMBIA LAND SURVEYOR, HEREBY  
CERTIFY THAT THE SURVEY SHOWN IN THIS STRATA PLAN HAVE  
NOT, AS OF THE 1<sup>ST</sup> DAY OF NOVEMBER, 2007, BEEN  
PREVIOUSLY OCCUPIED, DATED AT VERNON, B.C., THIS 30<sup>th</sup> DAY  
OF NOVEMBER, 2007.

[Signature]  
J.R. SHORTT, B.C.L.S.

I, J.R. SHORTT, A BRITISH COLUMBIA LAND SURVEYOR, HEREBY  
CERTIFY THAT THE SURVEY SHOWN IN THIS STRATA PLAN HAVE  
NOT, AS OF THE 1<sup>ST</sup> DAY OF NOVEMBER, 2007, BEEN  
PREVIOUSLY OCCUPIED, DATED AT VERNON, B.C., THIS 30<sup>th</sup> DAY  
OF NOVEMBER, 2007.

[Signature]  
J.R. SHORTT, B.C.L.S.

FAX: 245-2741  
DOC: 2476, 248811  
FILE NO. 22476  
P.L. 1130  
2007/11/08

RUSSELL N. SHORTT  
British Columbia Land Surveyor  
2807-12nd STREET, VERNON, B.C. Phone 245-0511

Date: 05-May-2011      TITLE SEARCH PRINT      Time: 15:49:42  
 Requestor: (PE91059)      NIXON WENGER BARRISTERS AND SOLICITO      Page 001 of 004  
 Folio: 35251-001      TITLE - KAS3104

KAMLOOPS      LAND TITLE OFFICE  
 COMMON PROPERTY STRATA PLAN: KAS3104

# LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE KX49735

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE LA147634

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE LA147635

PHASED STRATA PLAN DECLARATION (FORM P) FILED LA148490  
 2006-10-25

AMENDED FORM P FILED, SEE LB121236

AMENDED FORM P FILED, SEE LB171783

AMENDED FORM P FILED, SEE LB202038

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT 143 STRATA PLAN  
 PLAN SEE LB121235, FILED 2007/10/10

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT 152, STRATA PLAN  
 KAS 3104 SEE LB138446A, FILED 2007/11/20

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOT 161  
 SEE LB271256 FILED 2009/01/08

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOTS 32 TO 43  
 INCLUSIVE, STRATA LOTS 50,51,106,110,112,113,114,115 AND 116 SEE  
 LB73679, FILED 2007/06/26

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOTS 54 AND 56,  
 STRATA PLAN KAS3104 SEE LB95840, FILED 2007/08/10

REMOVE LIMITED COMMON PROPERTY FOR STRATA LOTS 7,47 & 48 STRATA  
 PLAN KAS3104 SEE LB95841, FILED 2007/08/10

DESIGNATION OF LIMITED COMMON PROPERTY FOR STRATA LOTS 47 & 48 STRATA  
 PLAN KAS3104 SEE LB95842, FILED 2007/08/10

# CHARGES, LIENS AND INTERESTS:

## NATURE OF CHARGE

CHARGE NUMBER	DATE	TIME
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## EASEMENT

KV159264	2003-12-22	13:53
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REMARKS: INTER ALIA

APPURTENANT TO LOT 6 PLAN 2018

AS TO PART FORMER LOTS 7,8 & 9 PLAN 2018

## COVENANT

KW60220	2004-05-17	14:45
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REGISTERED OWNER OF CHARGE:

CITY OF VERNON

Date: 05-May-2011 TITLE SEARCH PRINT Time: 15:49:42  
Requestor: (PE91059) NIXON WENGER BARRISTERS AND SOLICITO Page 002 of 004  
Folio: 35251-001 TITLE - KAS3104

KW60220

REMARKS: INTER ALIA

AS TO PART FORMER LOTS 7,8 & 9 PLAN 2018  
MODIFIED BY KX61643

COVENANT

KW139508 2004-10-04 14:59

REGISTERED OWNER OF CHARGE:

CITY OF VERNON

KW139508

REMARKS: INTER ALIA

AS TO PART FORMER LOTS 7,8 & 9 PLAN 2018

UNDERSURFACE AND OTHER EXC & RES

KX8566 2005-01-24 10:56

REGISTERED OWNER OF CHARGE:

THE CROWN IN RIGHT OF BRITISH COLUMBIA

KX8566

REMARKS: SEE KX8565 SEC. 35 (7) OF THE COMMUNITY CHARTER

RIGHT OF RESUMPTION IN SEC 35(8) OF THE

COMMUNITY CHARTER CANCELLED SEE KX50856

AS TO PART FORMER PCL A ON PLAN KAP77330

STATUTORY RIGHT OF WAY

KX54210 2005-05-04 12:05

REGISTERED OWNER OF CHARGE:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

KX54210

REMARKS: INTER ALIA

STATUTORY RIGHT OF WAY

KX54211 2005-05-04 12:05

REGISTERED OWNER OF CHARGE:

TELUS COMMUNICATIONS INC.

INCORPORATION NO. A0055547

KX54211

REMARKS: INTER ALIA

MODIFICATION

KX61643 2005-05-18 12:05

REMARKS: INTER ALIA

MODIFICATION OF KW60220

COVENANT

KX187637 2005-12-30 11:42

REGISTERED OWNER OF CHARGE:

THE CORPORATION OF THE CITY OF VERNON

KX187637

REMARKS: INTER ALIA

STATUTORY RIGHT OF WAY

LA49351 2006-04-19 11:24

REGISTERED OWNER OF CHARGE:

TELUS COMMUNICATIONS INC.

INCORPORATION NO. A55547

LA49351

Date: 05-May-2011 TITLE SEARCH PRINT Time: 15:49:42  
Requestor: (PE91059) NIXON WENGER BARRISTERS AND SOLICITO Page 003 of 004  
Folio: 35251-001 TITLE - KAS3104

REMARKS: INTER ALIA

STATUTORY RIGHT OF WAY

LA125138 2006-09-07 12:08

REGISTERED OWNER OF CHARGE:

THE CROWN IN RIGHT OF BRITISH COLUMBIA

C/O THE MINISTER OF AGRICULTURE & LANDS

LA125138

REMARKS: INTER ALIA

STATUTORY RIGHT OF WAY

LA148486 2006-10-25 14:22

REGISTERED OWNER OF CHARGE:

REGIONAL DISTRICT OF NORTH OKANAGAN

LA148486

REMARKS: INTER ALIA

PRIORITY AGREEMENT

LA148487 2006-10-25 14:22

REMARKS: INTER ALIA

GRANTING LA148486 PRIORITY OVER LA994

STATUTORY RIGHT OF WAY

LA148489 2006-10-25 14:23

REGISTERED OWNER OF CHARGE:

CITY OF VERNON

LA148489

REMARKS: INTER ALIA

PRIORITY AGREEMENT

LA148489A 2006-10-25 14:23

REMARKS: INTER ALIA

GRANTING LA148489 PRIORITY OVER LA994

STATUTORY RIGHT OF WAY

LA148518 2006-10-25 14:24

REGISTERED OWNER OF CHARGE:

REGIONAL DISTRICT OF NORTH OKANAGAN

LA148518

PRIORITY AGREEMENT

LA148519 2006-10-25 14:24

REMARKS: GRANTING LA148518 PRIORITY OVER LA994

EASEMENT

LA148520 2006-10-25 14:24

REMARKS: APPURTENANT TO LOT 6 PLAN 2018

LEASE

LA148521 2006-10-25 14:24

REGISTERED OWNER OF CHARGE:

OUTBACK RESORT MANAGEMENT INC.

INCORPORATION NO. BC0765134

LA148521

REMARKS: PART IN PLAN KAP82286

WITH RIGHT OF RENEWAL



Date: 05-May-2011      TITLE SEARCH PRINT      Time: 15:49:42  
Requestor: (PE91059)      NIXON WENGER BARRISTERS AND SOLICITO      Page 004 of 004  
Folio: 35251-001      TITLE - KAS3104

RESTRICTIVE COVENANT LA148522 OVER STRATA LOTS  
1 TO 23 STRATA PLAN KAS3104  
HERETO IS ANNEXED EASEMENT LA148523 OVER THE  
COMMON PROPERTY STRATA PLAN KAS3104 (PHASE 1)  
HERETO IS ANNEXED RESTRICTIVE COVENANT LB97566  
OVER STRATA LOTS 58, 66 TO 68, 77 TO 94, 109 TO  
116, 118, 121 TO 133, 135 TO 139, 141 TO 144  
STRATA PLAN KAS3104  
HERETO IS ANNEXED RESTRICTIVE COVENANT LB121246  
OVER STRATA LOTS 145 TO 151 STRATA PLAN KAS3104  
HERETO IS ANNEXED RESTRICTIVE COVENANT LB138445  
OVER STRATA LOTS 152 TO 154 STRATA PLAN KAS3104  
HERETO IS ANNEXED RESTRICTIVE COVENANT LB238827  
OVER STRATA LOTS 155 TO 161 (INCLUSIVE) STRATA  
PLAN KAS3104

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

CORRECTIONS:

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*

**MINUTES**  
**SPECIAL GENERAL MEETING**  
**THE OWNERS STRATA PLAN KAS 3104 - "The Outback"**  
**Held on October 24, 2010 at 10:30 am**  
**Within The Okanagan Room, Best Western Lodge, 3914 - 32<sup>nd</sup> Street, Vernon, BC.**

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**1. CALL TO ORDER**

The Council President, Darryl Proudfoot called the meeting to order at 10:30 am

**2. QUORUM REPORT**

Before any business could come before the meeting, a quorum had to be established. Section 48.2 of the Strata Property Act states that one third of the persons entitled to vote need to be present in person or by proxy to constitute a quorum for the meeting. Therefore, with 161 unit owners eligible to vote, the quorum requirement was fifty-four (54) unit owners. There were six (6) unit owners represented in person and sixty-five (65) unit owners represented by proxy for a total of seventy-one (71) unit owners. The quorum requirements were met and the meeting proceeded with the business at hand.

**3. PROOF OF NOTICE**

It was by **MOVED** (SL 31), **SECONDED** by (SL 14) and **CARRIED** that the Notice of Meeting mailed and emailed September 29, 2010 fulfilled the Strata Property Act requirements; therefore the meeting was deemed eligible to proceed.

**4. APPROVAL OF MINUTES**

It was by **MOVED** (SL 133), **SECONDED** by (SL 64) and **CARRIED** to accept the Annual General Meeting Minutes of the May 23, 2010 as circulated.

**5. APPROVAL OF AGENDA**

It was by **MOVED** (SL 133), **SECONDED** by (SL 64) and **CARRIED** to accept the agenda as circulated with the Notice of Meeting of September 29, 2010.

**6. RESOLUTION A**

Darryl Proudfoot reported to the unit owners the intended process of applying for a marina license, designing the marina and funding the process.

An environmental impact assessment and a wind and wave study must be completed and attached to the marina application for South Bay. Summit Environmental will be engaged to do the environmental impact assessment as they completed the assessment of the shallow areas of South Bay during construction of the Outback. Summit will provide some company names for us to get quotes for the wind and wave study.

Integrated Land Management Bureau will be contacted for advice on how to resolve the lack of support for the project from our neighbors to the south of the Outback.

There are four contractors that will be asked to quote on the marina relocation work required; Shoreline Pile Driving, BC Dock & Marine, Burton Marine and Vancouver Pile Driving. These contractors will be provided with our 48 berth conceptual drawing of South Bay and will be asked to provide a detailed design drawing with their quote. They will also be provided with our conceptual drawings for Quarry Bay and will be asked to prepare a quote and detailed design drawing for a Quarry Bay marina using the remaining dock sections and existing gangway. The Marine Facilities Committee will provide updates and design drawings to unit owners when received from the contractors.

**MINUTES**  
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The insurance underwriter has asked for the marina plan to be provided to their engineers for approval before the conditional insurance program terminates in March 2011. The 48 berth conceptual drawing for South Bay and the conceptual drawings for Quarry Bay discussed at the unit owner information meetings will be provided to the insurance underwriter for comments as soon as possible and those comments will be provided to the contractors to facilitate appropriate design drawings from the contractors. As the contractors provide design drawings, we will provide these to the insurance underwriter for comments. The Committee will seek comments from unit owners before a final recommendation is proposed to council on the design of the marinas.

The Ministry of Environment will be continually updated on our marina plans and progress.

Concurrently with the marina application process, unit owners will be provided with a draft document outlining the terms of investment in a berth in the marina for their comments. They will also be asked for an indication of their interest in investing in a berth. Once this agreement is finalized, participating unit owners will be required to provide a deposit to fund the initial stages of the marina relocation program.

There was then a discussion with those unit owners in attendance.

The owners recognized Mr. Darryl Proudfoot and the Committee for all their hard work on the marina and commitment to The Outback.

A friendly amendment to Resolution A to better reflect the intent of the resolution was suggested by an owner. Following discussion it was by **MOVED** (SL 133), **SECONDED** by (SL 60) and **CARRIED** to accept that the wording "of the relocation" be removed from Resolution A. (71 in favour, 0 opposed)

There being no further discussion, it was by **MOVED** (SL 133) **SECONDED** by (SL 64) and **CARRIED** to approve Resolution A as indicated below - 60 in favor, 9 opposed, 2 abstained.

**THEREFORE BE IT RESOLVED** by a  $\frac{3}{4}$  Vote of The Owners, Strata Plan KAS 3104 on October 24, 2010, the owners hereby approve the moving of some of, or the entire existing marina, upon regulatory approval, from Quarry Bay to South Bay and to build facilities in either bay substantially consistent with the conceptual plans. All costs to be paid by marina users with no levy assessed by the strata.

#### **RESOLUTION B**

Resolution B was presented as follows for discussion;

**THEREFORE BE IT RESOLVED** by a  $\frac{3}{4}$  vote of The Owners, Strata Plan KAS3104 on October 24, 2010 the unit owners approve the allocation of any funds remaining from the marina special levy be contributed to the marina contingency reserve fund to provide funds for the payment of insurance deductibles and replacement cost of the marina.

Mr. Proudfoot reported that the current forecast for this year for the marina operations reflects a net loss of \$1,600 compared to a budget for \$600 of net income but there are still outstanding items to be included before the financial statements are finalized. If the Resolution is approved, the balance of the Special Levy will be placed in the Marina Contingency Reserve Fund to cover the \$15,000 insurance deductible and to create a reserve to fund major repairs to the marina.

**MINUTES**  
**SPECIAL GENERAL MEETING**  
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There was discussion on the reasons for the resolution. It was also noted that the purchase of the marina is a value added asset to all owners' property value at The Outback, whether they use the marina or not.

There being no further discussion, it was by **MOVED** (SL64 ), **SECONDED** by (SL14 ) and **CARRIED** to approve Resolution B as presented. 62 in favor, 9 opposed, 0 abstained.

**7. TERMINATION OF MEETING**

There being no further business to discuss the meeting was terminated at 11:50 am.

Respectfully submitted,  
Janet Murray, Strata Property Manager  
Gateway Property Management Corporation  
Agents for Strata Plan KAS 3104 – The Outback.  
Tel: 250-372-1231 [jmurray@gatewaypm.com](mailto:jmurray@gatewaypm.com)



March 4, 2011  
File: 2010-8021.000

Frontcounter BC  
441 Columbia Street  
Kamloops B.C. V2C 2T3

**Re: Letter of Agency**

I, Mr. Darryl Proudfoot, of  
Outback Marina Corporation  
803, 1718 14th Ave NW  
Calgary AB T2N 4Y7

hereby appoint:

Mr. David Hayward, of  
Summit Environmental Consultants Inc.  
#200, 2800 29<sup>th</sup> Street  
Vernon B.C. V1T 9P9  
Telephone 250 545 3672

to handle this application for Crown land off Eastside Road, Vernon, B.C., for development of a marina.

The Term of this appointment will be:

From 4<sup>th</sup> March 2011 to the date of issuance of document or the date of disallowance of application.

Yours truly,

Mr. Darryl Proudfoot  
Outback Marina Corporation