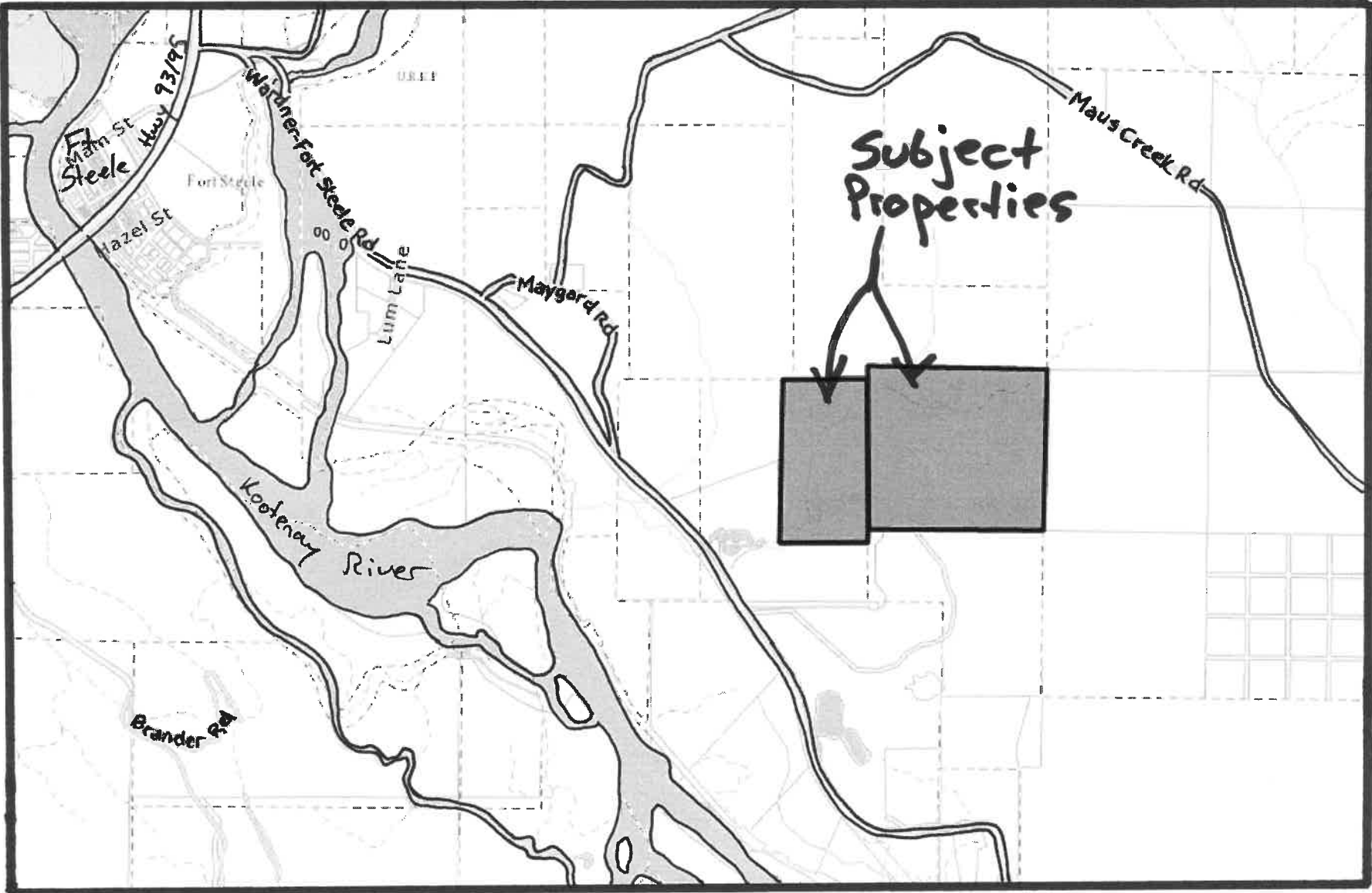
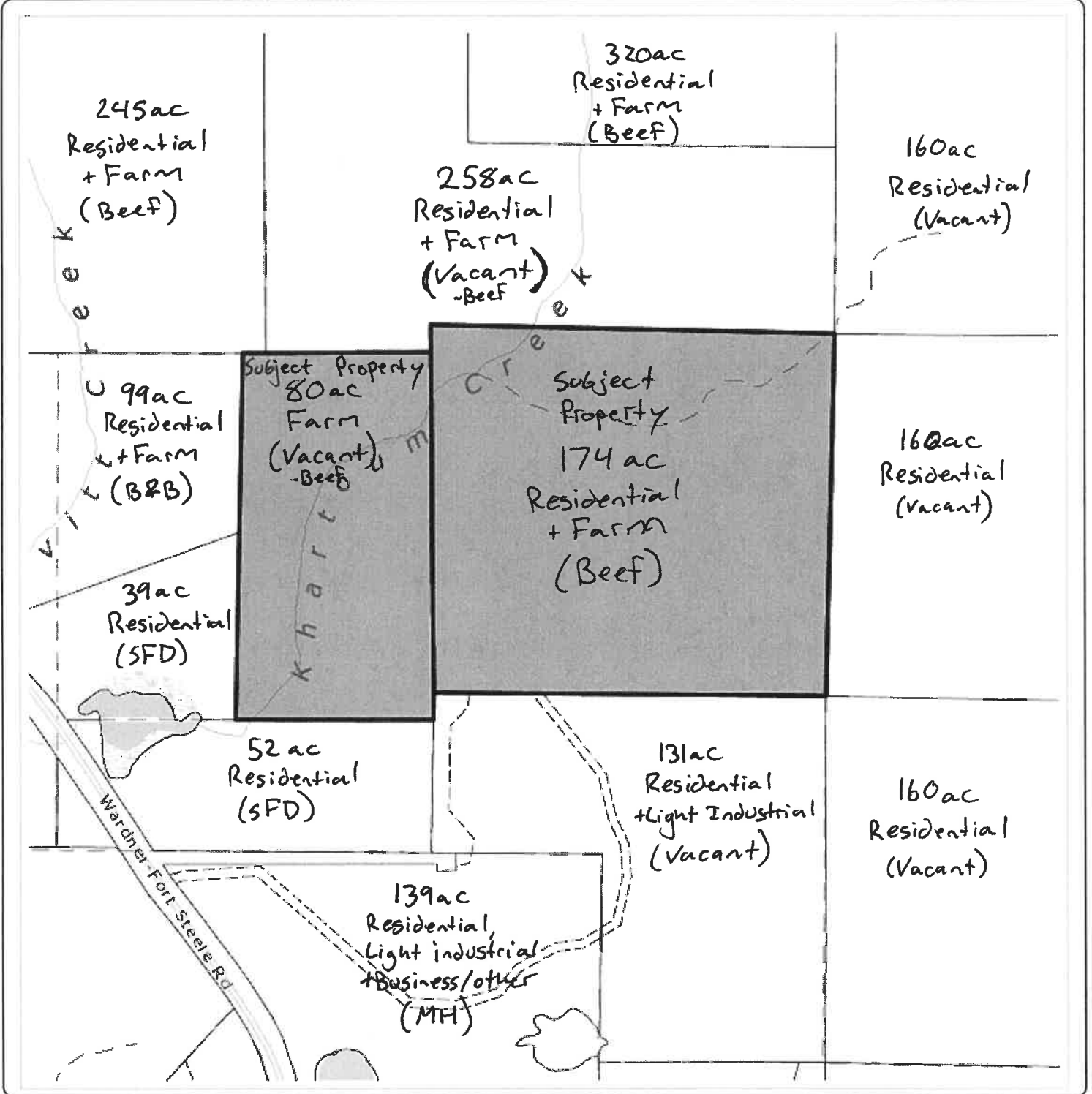


Location Map





Notes:

450 0 225 450 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 11-14-2019 3:23 PM

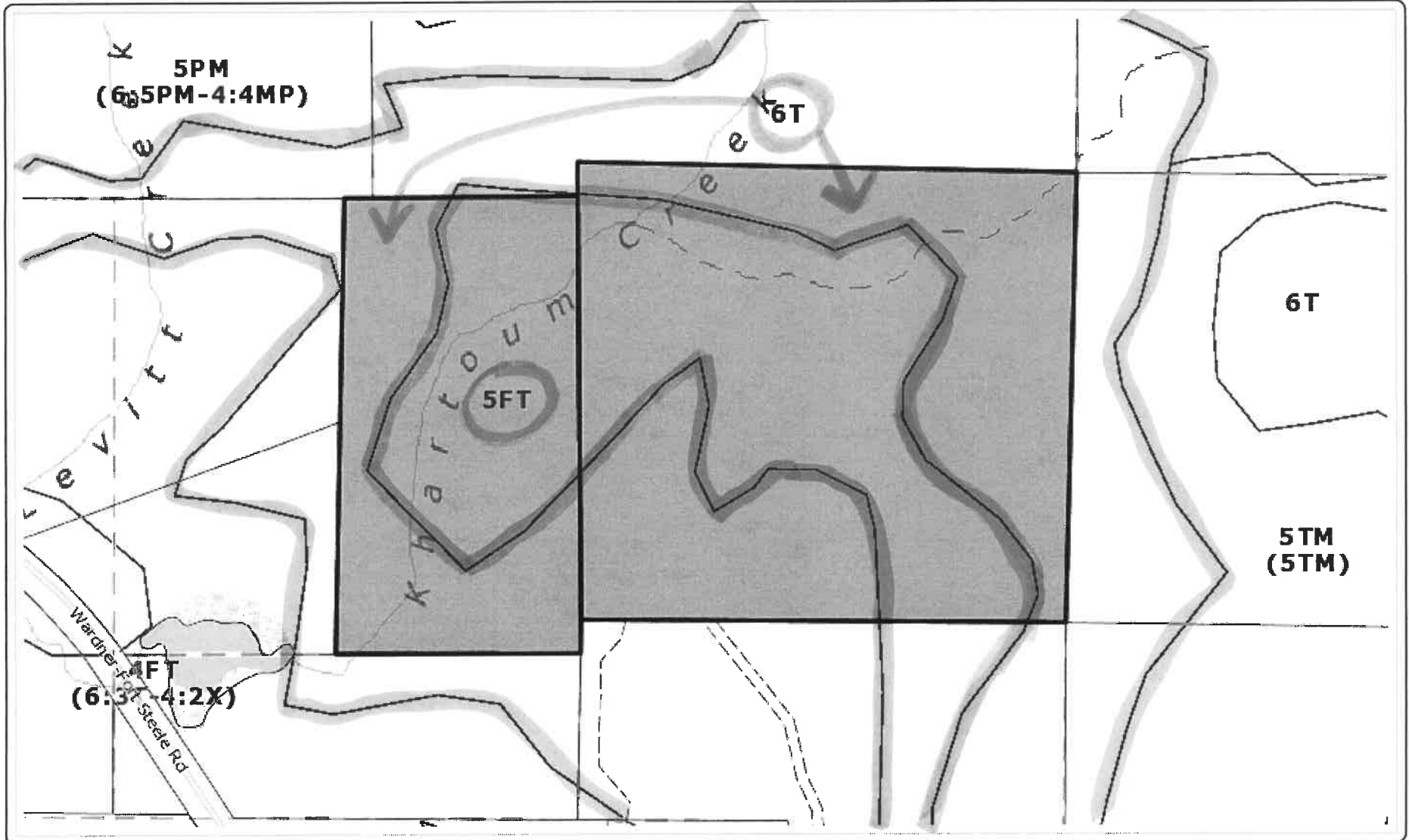
Scale = 1: 18,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

# Agricultural Capability Map



Notes:

375 0 188 375 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 11-14-2019 3:25 PM

Scale = 1:15,000



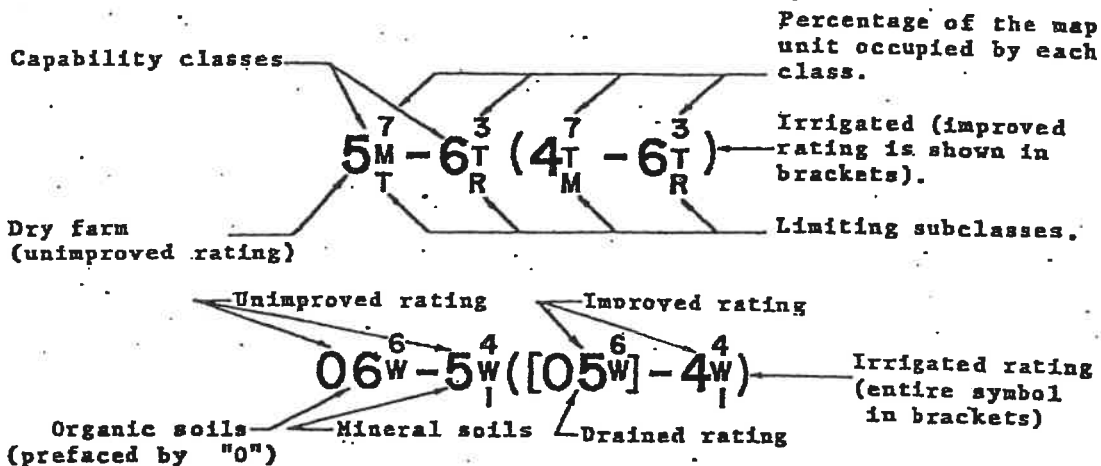
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

KEY FOR INTERPRETATION OF AGRICULTURE CAPABILITY MANUSCRIPT MAPS (B.C.)

There are 7 capability classes for agriculture with 1 representing the highest class and 7 representing the lowest. In some areas of the province, two ratings are shown: one for dry farming and a second for irrigated or drained (improved) conditions. The irrigated ratings are shown enclosed in round brackets while the drained ratings appear in square brackets. In all cases improved ratings have precedence over dry farm ratings.

Example Classifications



The agriculture capability classes are determined on the relative range of crops the land can produce.

a) Capability Classes

- Class 1 - widest range of crops
- Class 2
- Class 3 } reduced range of crops caused by a number of limiting
- Class 4 } factors (subclasses)
- Class 5 - only permanent pasture or forage
- Class 6 - natural grazing
- Class 7 - no productivity

b) Limiting Subclasses

- C - adverse climate
- D - undesirable soil structure
- E - erosion
- F - low fertility
- I - inundation (flooding)
- M - moisture deficiency (droughtiness)
- N - salts
- P - stoniness
- R - bedrock near the surface
- T - topography (slope)
- W - excess water
- X} - combination of soil factors
- S} - cumulative and minor adverse characteristics

Tree fruit and grape growing areas: these crops are tolerant of soil conditions that limit field crops. Steep and stonier soils in suited climates have been upgraded to accommodate the expanded range of crops. e.g. A class 5T soil dry farmed becomes a 3T irrigated in an area climatically suited to tree fruits.

Note: A more detailed 16 page manual entitled Soil Capability Classification for Agriculture is available from the Lands Directorate, Lands Forests and Wildlife Service, Department of the Environment, Ottawa, Ontario, K1A 0H3.

Part of  
Covenant  
KX12779

**TERMS OF INSTRUMENT - PART 2**

**WHEREAS:**

A. The Transferor is the registered and beneficial owner of certain lands situate, lying and being in the East Kootenay Assessment Area, Province of British Columbia, being more particularly known and described as:

P.I.D.

016-390-610 District Lot 781 Kootenay District  
016-390-636 That Part of District Lot 39 Kootenay District Lying East of a Line Which Bisects the Northerly and Southerly Boundaries Thereof

(the "Lands")

B. Alva Marie Soppit ("Soppit") and Timothy Alan Fox ("Fox") wish to subdivide District Lot 284, Kootenay District Except: (1) Part Included in RW Plan DD 15976 and (2) Plans 7825 and 17453 ("District Lot 284") pursuant to the plan of subdivision prepared by Frank R. Maag, British Columbia Land Surveyor, completed on the 12<sup>th</sup> day of October, 2004 (the "Subdivision Plan");

C. All of the Lands and District Lot 284 consist of agricultural land situated in the Agricultural Land Reserve of the Regional District of East Kootenay (the "Regional District") and are subject to the provisions of the Agricultural Land Commission Act (the "Act") and the Regulations thereto;

D. Soppit and Fox wish to subdivide District Lot 284 by depositing in the Land Title Office a subdivision plan (the "Subdivision Plan"), a true copy of which is attached hereto as the first schedule;

E. Soppit and Fox have applied to, or caused an application to be made to the Transferee for authorization to subdivide District Lot 284;

F. The Transferee is empowered to authorize the deposit of the Subdivision Plan and to impose terms it considers advisable pursuant to the Act and Regulations thereto; and

F. The Transferee, by execution of this Indenture, has authorized the Registrar of Titles to accept the deposit of the Subdivision Plan in the Land Title Office at Kamloops, British Columbia, upon the terms and conditions considered advisable by the Transferee and which are set out below, and the Transferor and HSBC Bank Canada (the "Mortgagee") have agreed below to the imposition of these terms and conditions and to the execution and registration of this Indenture.

Page 6

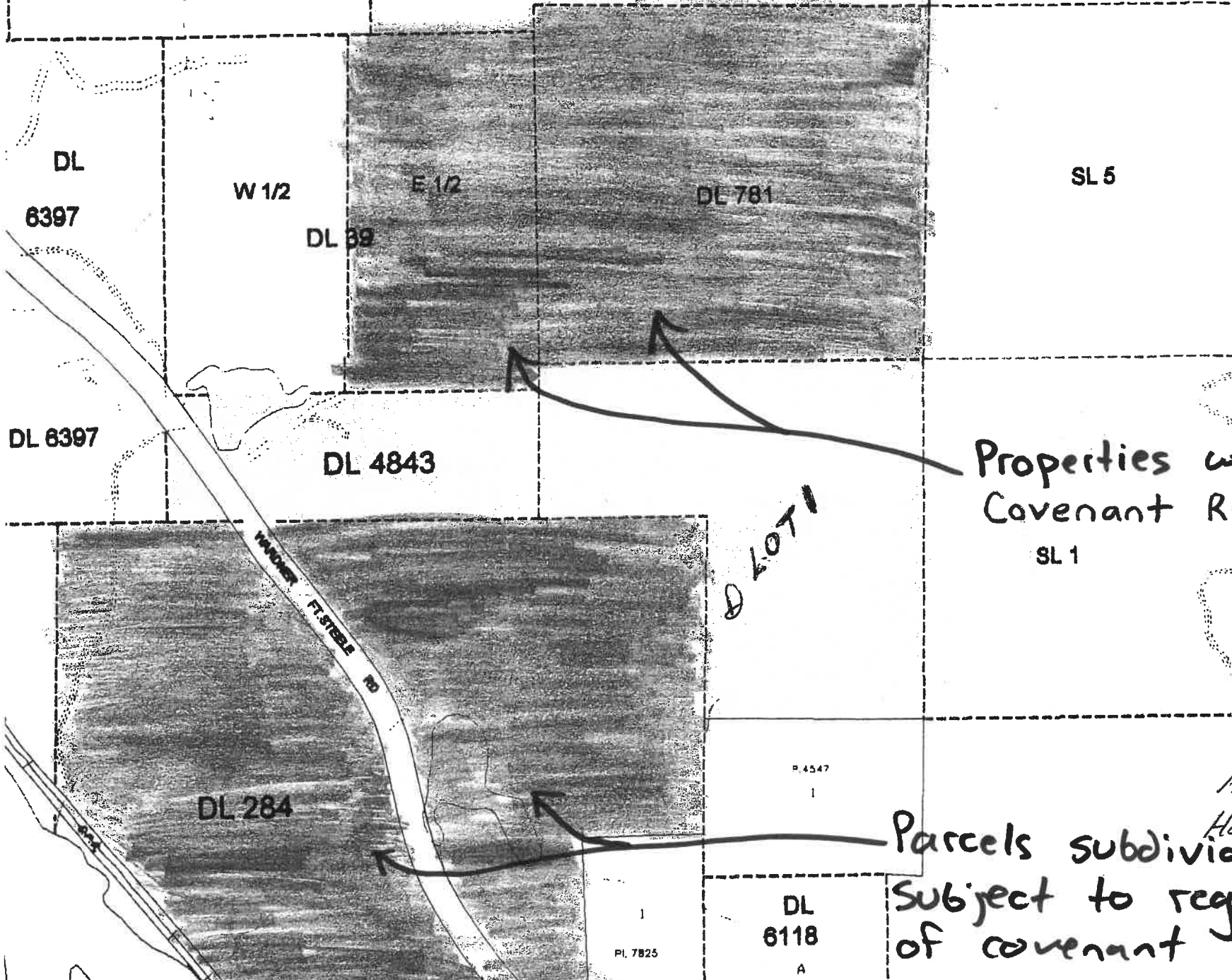
THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) of lawful money of Canada now paid by the Transferee to the Transferor and the Mortgagee, the receipt of which is hereby acknowledged, and other good and valuable consideration the parties covenant and agree as follows:

1. In this Indenture the following definitions shall apply where the context allows:
  - a. "enactment" means an enactment as defined in the Interpretation Act of Canada and an enactment as defined in the Interpretation Act of British Columbia;
  - b. "transfer" includes a conveyance, a grant, an assignment, and a grant of leasehold interest;
  - c. "transferee" includes a grantee, an assignee, and a lessee.
2. The Transferor shall not transfer the Lands separately and shall only transfer the Lands collectively to the same transferee. ✓
3. The covenants in this Indenture shall be covenants running with the Lands and shall be binding on the successors in title and assignees of the Lands.
4. The Transferor covenants with the Transferee that the Transferor has done no acts to charge or encumber the Lands, save for Mortgage KW15767 extended by KW162182 in favour of the Mortgagee.
5. The Lands shall remain in the Agricultural Land Reserve of the Regional District and remain subject to the provisions of the Act and the Regulations thereto.
6. The Transferee hereby authorizes the Registrar of Titles to accept the application for deposit of the Subdivision Plan.
7. The authorization given by the Transferee to the Registrar of Titles to accept an application for deposit of the Subdivision Plan shall in no way relieve the Transferor, his successors in title and assigns of the Lands, or any user or occupier thereof, from complying fully with any law or enactment or the decisions, directions, rulings or orders of the Transferee or of any other body, commission, tribunal or authority whatsoever which may apply to the Lands.
8. The Transferor and the Mortgagee will, upon the request of the Transferee, make do, execute or cause to be made, done or executed all such further and other lawful acts, deeds, documents, and assurances whatsoever as may be necessary or desirable for the better and more perfect and absolute performance of the grants, covenants, provisos and agreements herein.
9. This Indenture shall enure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and assigns of the parties hereto.
10. Words importing male gender, including the female gender and either includes the neuter and vice versa and words importing the singular number include the plural number and vice versa.



# Reference Map

DL 4834



Properties with the  
Covenant Registered  
SL 1

Alva Soppit  
Holly ELLIOTT  
Parcels subdivided  
Subject to registration  
of covenant