

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

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ADVISORY

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CAVEAT

TO THE REGISTRAR OF THE ALBERTA LAND TITLES OFFICE

TAKE NOTICE that **JAGARE RIDGE HOMEOWNERS ASSOCIATION** of Edmonton, in the Province of Alberta, (the "Caveator") claim an interest under and by virtue of a Restrictive Covenant in writing, dated February 1, 2021, and made between **JAGARE RIDGE COMMUNITIES INC.**, as registered owner, and the Caveator whereby the said registered owner and the Caveator agreed, all in accordance with the terms of the said Restrictive Covenant, a true copy of which is attached to and forms part of this Caveat, in the lands described as follows:

REC

See Schedule "A" attached hereto.

standing in the register in the name of **JAGARE RIDGE COMMUNITIES INC.**, and the Caveator forbids the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument or Certificate of Title, as the case may be, is expressed to be subject to the Caveator's claim.

THE CAVEATOR DESIGNATES 900, 10310 Jasper Avenue, Edmonton, AB, T5J 1Y8, as the place at which notices and proceedings relating hereto may be served.

Dated this 1st day of February, 2021.

JAGARE RIDGE HOMEOWNERS ASSOCIATION

PER:

PER:



AFFIDAVIT IN SUPPORT OF CAVEAT

I, TRIONA COSGRAVE, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY AS FOLLOWS:

1. That I am Agent for the Caveator.
2. I believe that the said Caveator has a good and valid claim upon the said land and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME Tanya Eklund
at the City of Edmonton, in the
Province of Alberta, this 1st
Day of February, A.D. 2021

)
) *Triona Cosgrave*
) TRIONA COSGRAVE
)

Tanya Eklund
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

TANYA L. EKLUND
COMMISSION EXPIRES
MAY 24th, 2022

SCHEDULE "A"

PLAN 212 0024
BLOCK 7
LOTS 37 - 44 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

8

PLAN 212 0024
BLOCK 8
LOTS 17 - 25 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

9

RESTRICTIVE COVENANT

MADE AS OF THIS 1st day of February, 2021

BETWEEN:

JAGARE RIDGE COMMUNITIES INC.

a body corporate incorporated under the laws of the Province of Alberta
(hereinafter called the "Grantor/Grantee")

OF THE FIRST PART

- and -

JAGARE RIDGE HOMEOWNERS ASSOCIATION,
a society incorporated under the Societies Act of Alberta, with
registered office at 900, 10310 Jasper Avenue, in the City of
Edmonton, in the Province of Alberta, T5J 1Y8
(hereinafter called the "Grantee")

OF THE SECOND PART

RESTRICTIVE COVENANT

WHEREAS:

- a. The Grantor/Grantee is the registered owner of the Dominant Lands and the Servient Lands described in Schedule "A" hereto situate in City of Edmonton, Alberta.
- b. The Grantor/Grantee intends to impose a scheme of mutually enforceable restrictions with respect to the use and improvements on the Lands in order to preserve the integrity of the Development.

NOW THEREFORE:

The Grantor/Grantee as registered owner of the Servient Lands described in Schedule "A" does grant and the Grantor does hereby declare, establish, impose and annex to the Servient Lands and each and every portion thereof for the benefit of the Dominant Lands, the following stipulations, restrictions, guidelines and provisions to run with the Lands and be binding upon the owners from time to time of the Lots:

1. In this Restrictive Covenant, including the preamble, the following words and expressions shall have the meaning herein set forth:
 - a. "**Architectural Committee**" means a committee established by the Grantor/Grantee for so long as the Grantor/Grantee remains an Owner, and thereafter established by the Homeowners Association;
 - b. "**Development**" means the residential subdivision plan within which the Lots are located;

- c. **“Dominant Lands”** means the leasehold and easement interests of the Homeowner’s Association, granted to the Homeowner’s Association in the lands described in Schedule “A” hereto;
 - d. **“Dwelling”** means any residential dwelling constructed on any of the Lots;
 - e. **“Guidelines”** means the Architectural and Construction Guidelines attached hereto as Schedule “B” and as may be amended from time to time by the Architectural Committee;
 - f. **“Homeowners Association”** means the Jagare Ridge Homeowners Association;
 - g. **“Lands”** means the lands described in Schedule ‘A’ hereto;
 - h. **“Lot”** means one of the lots described in Schedule ‘A’ hereto and any further subdivision of such lots;
 - i. **“Owner”** means a registered owner in fee simple of a Lot;
 - j. **“Restrictions”** means the provisions, restrictions and stipulations contained in Paragraph 2 of this Restrictive Covenant;
 - k. **“Restrictive Covenant”** means this agreement as the same may be amended from time to time and the expressions “herein”, “hereof”, “hereto”, “above”, “below”, and similar expressions if used in any article, section or paragraph of this agreement refer to this agreement including the schedules hereto and do not refer solely to a particular article, section or paragraph unless specifically stated herein;
 - l. **“Servient Lands”** means the lands described as such in Schedule ‘A’ hereto.
2. For each of the Lots comprising the Servient Lands, for the benefit of the Dominant Lands, the following restrictions, stipulations and provisions are to run with the Lands, namely:
- a. No motor homes, recreational vehicles, trailers, boats or similar vehicles shall be stored for any period exceeding seven (7) days or for any period aggregating fourteen (14) days in a twelve month period on the front driveway, nor on the side yard, nor on any driveway of any building on any of the Lots, unless within an enclosure approved by the Architectural Committee, or as required by Municipal Bylaw as amended from time to time.
 - b. No satellite dishes shall be constructed, installed, placed, kept or maintained on any roof, front or side yard of any Dwelling, unless first approved by the Architectural Committee;
 - c. No radio or television aerials or antenna of any kind shall be erected, constructed or placed on any Dwelling or on any of the Lots, unless first approved by the Architectural Committee and unless the said aerial or antenna is a single unit incorporated into the structure of the Dwelling;

- d. No construction of the Dwelling may commence unless the building plans have been approved by the Architectural Committee;
 - e. No dwelling may be constructed unless said Dwelling conforms with the Guidelines attached hereto as Schedule "B";
3. If any of the Restrictions herein or the application thereof to any part or any circumstances shall be held by any Court of competent jurisdiction to be invalid or unenforceable to any extent, then such Restriction shall be severed from the remainder of this Restrictive Covenant, and the remainder of this Restrictive Covenant or application of such Restriction to a party or circumstance other than those to which it is held invalid or unenforceable shall not be affected thereby and each of the remaining Restrictions of this Restrictive Covenant shall be valid and enforceable to the fullest extent permitted by the law.
 4. This Restrictive Covenant is in addition to the requirements of the municipal or other government authorities having jurisdiction in respect of the use of the Lands, and nothing contained herein shall be construed as permitting or authorizing anything which is prohibited, controlled or regulated by any statute, bylaw, regulation or like enactment having the force of law and having application to the lands.
 5. Nothing herein shall require or oblige the Grantee to enforce this Restrictive Covenant or render the Grantee liable for the failure of any of the Owners from time to time of the Lots to adhere to or conform with the Restrictions contained in this Restrictive Covenant, it being the intention to attach to each of the Lots and the Owners thereof the obligation for compliance with this Restrictive Covenant.
 6. The Restrictions contained in this Restrictive Covenant shall be binding upon and enure to the benefit of the Owner from time to time of each of the Lots and the Grantee and the restrictions herein shall run with the Lands and each of the Lots.

IN WITNESS WHEREOF these presents have been executed by each of the parties hereto the day and year first above written under its corporate seal and by the hands of its officers duly authorized in that behalf.

JAGARE RIDGE COMMUNITIES INC.

Per: _____

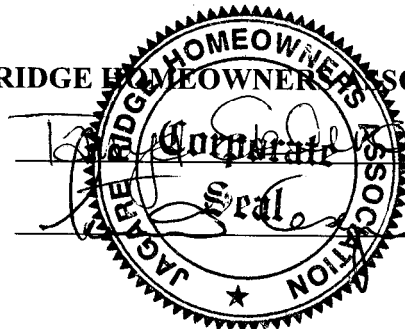
Per: _____



JAGARE RIDGE HOMEOWNERS ASSOCIATION

Per: _____

Per: _____



SCHEDULE "A"
TO RESTRICTIVE COVENANT AGREEMENT

The Current Lots are legally described as follows, all being lots shown on the subdivision plan registered as Plan No. 212 0024, namely:

Block 7, Lots 37 – 44 inclusive

Block 8, Lots 17 – 25 inclusive

SCHEDULE "B"

ARCHITECTURAL AND CONSTRUCTION GUIDELINES

THE HOMES OF JAGARE RIDGE

Objective

The general objective of these guidelines is to express lifestyle through design, creating harmonious streetscapes comprised of varied architectural styles that are distinctive and uniquely unified.

Architectural Theme

The architecture of Jagare Ridge will embody a diverse range of styles. An eclectic blend of classic and sophisticated homes will have stylistic definition identifiable to a period original. Diverse in styling and compelling in their range and declaration, homes will exemplify style. These guidelines include style profiles for the following vernaculars (See Pages 2 - 8):

Prairie	Craftsman
Tudor	Contemporary International
Modern Contemporary	French Country
Georgian	

Each home will draw details and characteristics from only one architectural style. It shall be the responsibility of the applicant to demonstrate the merits and characteristics of an architectural period style. Acceptability of such designs will rest solely with the Developer.

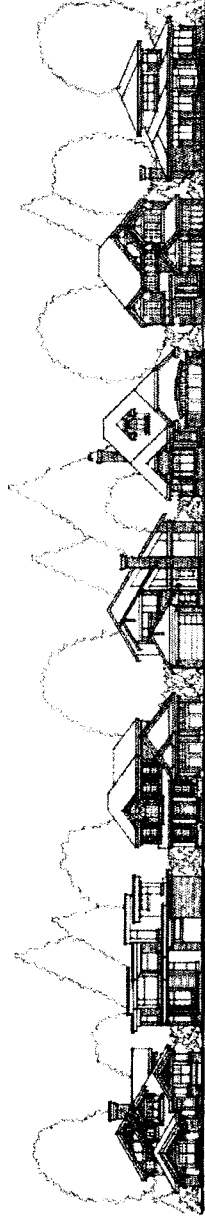
All architectural styles will be considered on the basis of the following criteria:

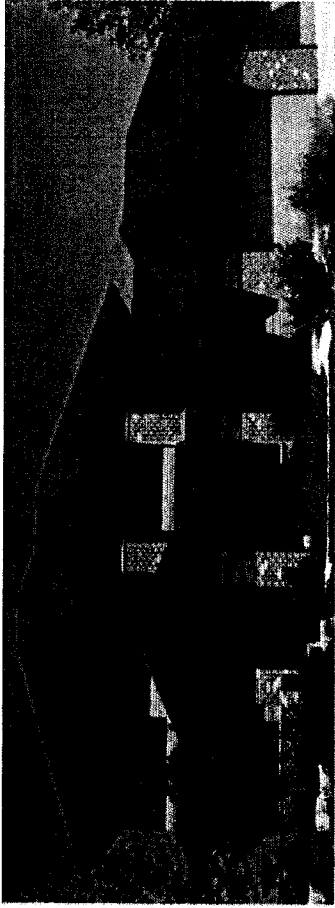
- Scale and proportion
- Appropriate image and style (all architectural elements and features are consistent with the vernacular)
- Relationship with neighboring homes
- Appropriate finishes and colors

Streetscape

The scale massing of each home will reflect architectural intent and style with careful consideration of relationship and orientation. A variety of designs will ensure diversity with no predominance of style.

Second floor decks and balconies at street elevations and in high visibility settings, will be understated and integrated into the building mass and/or roof line.

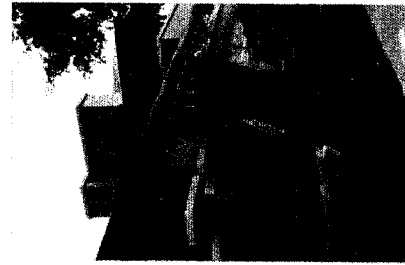




Prairie

The Prairie home is characterized by gently sloping roofs and low understated proportions. Roof overhangs are wide and extended with deep fascia. Massing is integrated with the landscape and surroundings. Natural interaction is enhanced by the creation of outdoor spaces as an extension of the interior layout.

The design has horizontal emphasis with simplified forms. Windows are large, organized and consistent in shape, while uncluttered by the omission of a grid pattern but defined by horizontal mullions or rectangular transoms. Clerestory windows are a feature.

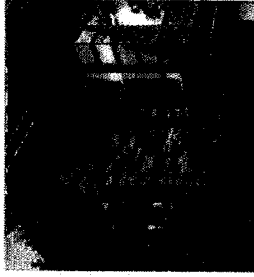
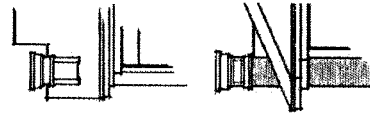


The entrance is recessed and defined by approach. A single oversized door with clear glazing and sidelines adds drama while the deep cover creates shelter and sense of arrival.

Trims and surrounds are simple and definite,

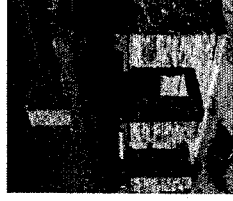
providing emphasis on horizontal lines while framing openings with definition rather than decoration.

Flat panel details and stonework reinforce styling and add contrasting texture. Heavy angular knee braces are intentional supports of the extended roof lines and wide overhangs.

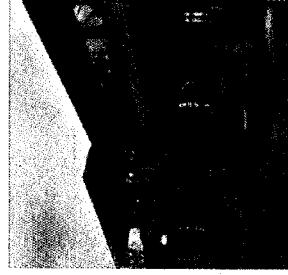
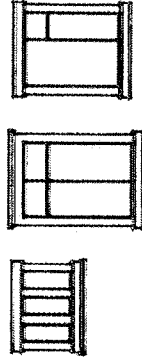
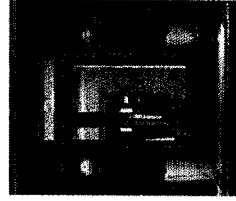


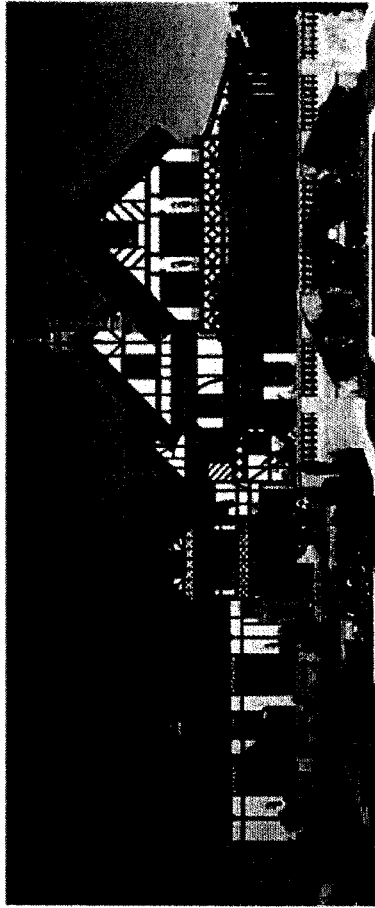
Prairie homes are finished in smooth stucco or traditional profile siding.

Stone or brick are required in panel effect, often with a substantial top trim in concrete or stone. Stone and brick may also be incorporated at chimneys, columns or as feature partition supports.



Colors suited to the Prairie style are mid to dark earth tones with monochromatic or darker trims and stone in contrast.





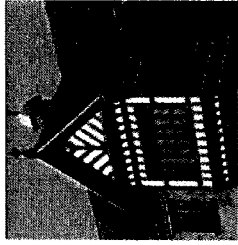
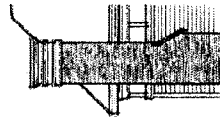
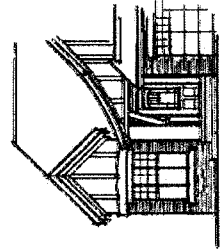
Tudor

The Tudor home is characterized by prominent, high sloping cross gables overlapping a main roof sloping to view. Roof overhangs are shallow with wide fascia. Steeply pitched roofs may be punctuated by gabled dormers.

Countryside charm is informal and decidedly European in flavor. Drawn on medieval architecture, massing of the Tudor home conveys a sense of permanence.

The design has a vertical emphasis that is asymmetrical. The beautifully patterned stonework and natural materials create a solid connection to the surroundings.

The expression of windows and doors is significant to the architectural style. Tall, narrow windows are ganged with divided panels and grids in rectangular or diamond patterns. Stained or leaded glass

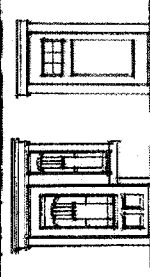
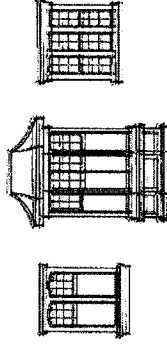
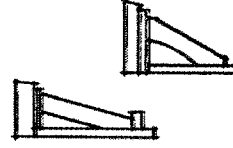
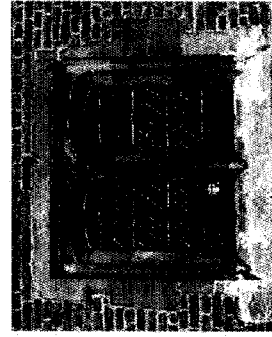


windows add enchantment. Bayed windows with a curved roof are classic.

The entrance is recessed and celebrated with timber posts or stone columns, hefty brackets and statement defining hardware. A steep intersecting roof line, sweeping across the entry, may add a romantic prominence to arrival.

Striking half timbering details contrast the walls and gables, in decorative vertical and curved patterns. Tudor homes are finished in smooth stucco or traditional, wide profile siding.

Stone or brick adds solidity in panel application, at fireplace chases, chimneys, or anchoring the foundation walls. Colors suited to the Tudor style are light to mid earth tones with dark fascia and timber trims in contrast.





Modern Contemporary

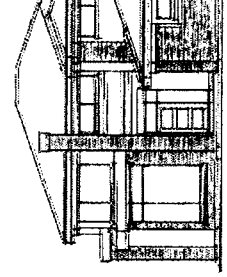
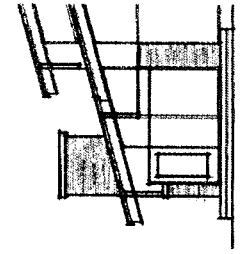
The Modern Contemporary home is characterized by roof forms that dominate the façade. Slopes may be moderate with wide eaves or high with shallow eaves. Fascia is substantial and troughs are generally concealed. Sloped roofs may be paired with a secondary flat roof feature. Although unconventional at a glance, asymmetric elements are organized and roof pairings are intentional rather than random. Outdoor spaces extend into the living area, creating comfortable scale.

Designs will derive distinction from simplicity and restraint, with unique variations in building forms.



Rather than eschew much of the traditional form, in jagged Ridge the Modern Contemporary will borrow from the more traditional styles with simple elegant lines rather than colliding geometric shapes. These homes will be comfortable in their proportions.

Entrances are simple, recessed, and uncluttered, framed by unique cover within the height of the main floor.

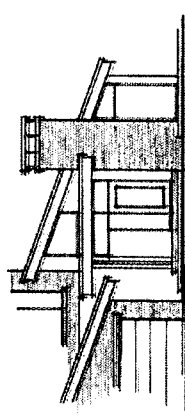
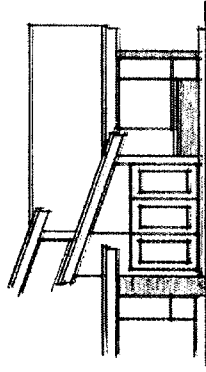
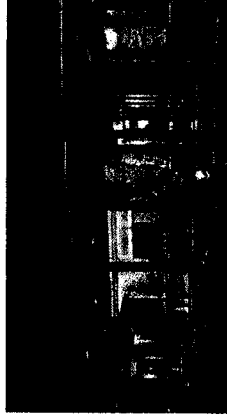


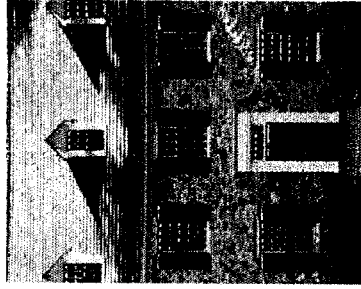
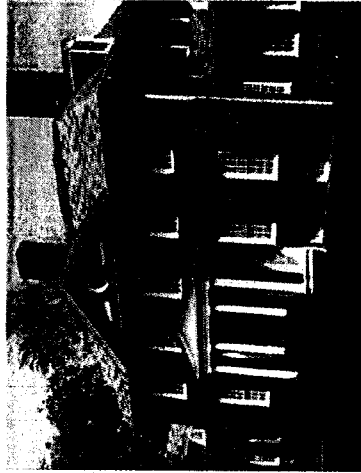
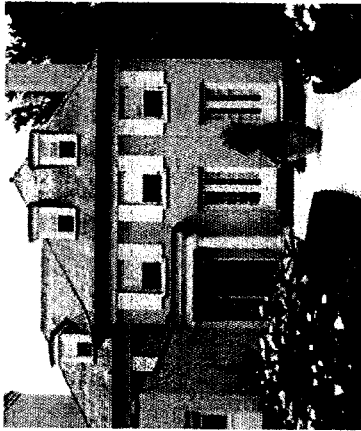
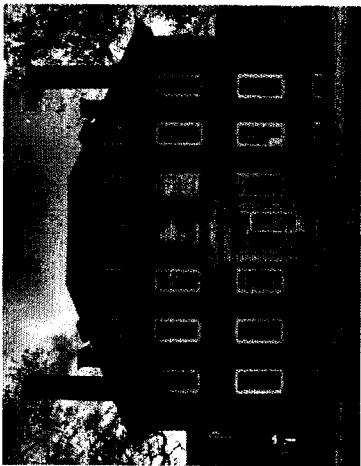
Glazing is extensive and placed with diversity. Windows will be unadorned by grills or include a single horizontal and/or vertical bar in unusual placements. Glazing is clear (not tinted or mirrored).

Horizontal elements, layered levels and staggered wall planes adjust the scale in this setting. Trim is simple and definite rather than ornamental.

Wall surfaces are smooth stucco in acrylic. Cedar paneling and long board siding may provide a warm contrast to the stucco and glass. The use of other materials or panels must be thoughtful and non-reflective. Stone or brick are required in panel effect, adding texture and strength, for relationship with the more traditional styles in the neighborhood.

Colors and finishes are natural and subtle.





Georgian

The Georgian home is characterized by classical elegance and old world charm. Distinctly rectangular or square in shape these two story homes are stately in their massing. Balanced and symmetrical proportions create a sense of formality.

Roofs are moderately sloped with shallow overhangs. Cornice may be embellished with decorative dentil work for emphasis. Multiple narrow dormers dot the simple roof line.

Multi paned windows are dressed with sills and crowns and arranged in strict symmetry. Windows are often shuttered and round top panes may add drama.

The welcoming entry is framed with decorative crown and fluted pilasters and covered with a

