

SCHEDULE A

All of lots 1 to 18 inclusive as shown on Plan 53M in the City of Greater Sudbury are subject to and benefit from the following restrictions which have been imposed as part of a building scheme for the subdivision and which shall run with and are legally annexed to such land. The restrictions run with the lands for a period of 25 years from September 1st, 2009.

1. No lot shall be developed unless the development provides for landscaping of the front yard and a reasonable area around the rear and side yards. Landscaping shall consist of sodding except for any portion of the lot occupied by building, driveway, swimming pool, patios, decks, hedges and landscaping architectural features. The boulevard lying between the front lot line and the curb shall be sodded. All landscaping will be completed within one (1) year of occupancy of any dwelling constructed on the lot and maintained by the owner.
2. No lot shall be developed unless such development provides for grading and drainage in accordance with the Lot Grading Agreement with the City of Greater Sudbury which will be registered against the title to the property.
3. No activity shall be carried on or the property left in a condition which results in blowing sand and dust.
4. No lot shall be developed unless easements that are reasonably required are granted to a municipality, public utility, Bell Telephone or cable television company in accordance with the Vendor's obligations under its Subdivision Agreement.
5. No surplus fill shall be removed from any lot without the consent of the Vendor.
6. No dwelling shall be erected or placed on a lot unless it contains a living floor area of not less than 1,300 square feet excluding finished or unfinished basement, open porches, garage or car port.
7. No one-storey dwelling shall be erected on any lot unless the exterior walls of the dwelling excluding windows, doors, and architectural features are finished in brick, stucco, stone or precast concrete. No two-storey dwelling shall be erected unless fifty (50%) per cent of the exterior walls excluding windows, doors and architectural features are finished in brick, stucco, stone or precast concrete.
8. Commercial motor vehicles, as defined by Highway Traffic Act of Ontario or any statute enacted to replace it, shall not be parked on the lot or ant street between the hours of nine o'clock p.m. of any day and seven o'clock a.m. of the following day.
9. No building or structure of any kind shall be erected or placed on any lot unless and until the plans, dimensions, specifications and other particulars of it, including the finishes and colours to be used on all exterior surfaces shall have first been submitted to and approved by Albona Investments Inc. and every building or other structure shall be constructed, placed and maintained in strict accordance with such approved plans, specifications and particulars.
10. No occupancy shall be permitted of any dwelling or other building or structure on a lot unless and until it has been completed in accordance with the approved plans and specifications and unless and until an occupancy permit has been issued by the City of Greater Sudbury.
11. No lot or any building or structure erected on a lot shall be used as a school, hospital, charitable institution, hotel, apartment house, duplex, rooming or boarding or lodging house, or for any other purpose except as a private single family dwelling nor any other use not herein specifically authorized.

12. No lot or any building or structure erected on a lot shall be used as an office or place of business for any profession, trade or business of any kind except a portion of such structure located on any such lot specifically authorized and approved by municipality bylaw as a home office or home business.
13. None of the above restrictions may be altered or waived unless at the time that such alteration or waiver is effected the then registered owners of a majority of the lots covered by the building scheme indicate their agreement thereto by executing a document in writing capable of being registered against the title to the lots effected thereby.
14. Not lot or any building or structure erected on any lot shall contain asphalt of any kind.
15. All respective original home builders and owners will be required to provide Rainbow Concrete Industries an opportunity to provide competitive pricing on equivalent home construction products on any structures erected on any lot.
16. The foregoing restrictions shall constitute a building scheme for lots 13 to 30 inclusive as shown on Plan 53M shall run with the said lands for the period above described and shall be for the benefit of and binding upon and enforceable by each Vendor and Purchaser of a lot and each of their respective heirs, executors, administrators, successors and assigns in respect of each and all of the lots.
17. Phase 2 (Lots 1 to 18) purchasers agree that dwelling will use @ Source Energy pipe as source of heating and cooling.