

DEVELOPMENT AGREEMENT

THIS AGREEMENT made in duplicate the 27th day of January, 1992.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE
OF MANITOBA, represented by the Honourable Minister of
Northern Affairs,
(hereinafter referred to as "Manitoba"),

OF THE FIRST PART,

- and -

MARGUERITE ELINOR JULIANA DYKE and
KATHARINE KEHLER, both of the City of Winnipeg, in
Manitoba,
(hereinafter referred to as "the Developers"),

OF THE SECOND PART.

WHEREAS the Developers are the registered owners of the lands
described in Winnipeg Land Titles Office, Title No. 1220149, more particularly described
as:

S 1/2 of Section 35 and W 1/2 of Section 36-25-8 EPM exc. out of
said Section 35 and NW 1/4 of said Section 36 that portion covered
by waters of Lake Winnipeg as shown on plan approved by
E. Deville, Surveyor General of Dominion Lands on March 29, 1915
subject to any subsisting reservations contained in The Provincial
Lands Act (hereafter described as Parcel A);

AND WHEREAS the Developers are entitled to become the owners of the
lands now owned by Manitoba and consisting of the fractional portion of NE 1/4
Section 35-25-8 EPM which is not covered by the waters of Lake Winnipeg (formal legal
description of which will be formulated upon transfer from Manitoba to the Developers but
which lands are hereafter referred to as Parcel B);

AND WHEREAS the Developers propose to develop the said
Parcels A and B (collectively referred to as "the Land") for seasonal recreation purposes,
same being situated within the jurisdiction of the Minister of Northern Affairs;

AND WHEREAS the Developers have agreed to purchase from Manitoba
a portion of NE 1/4 Section 36-25-8 EPM and consisting of a corridor One Hundred (100)
metres in width to permit construction of an access road from the Land to connect to an

existing Manitoba roadway east of the Land, ~~such purchase to be subject to a reservation by Manitoba permitting continued public use of said corridor~~ (formal legal description of which to be formulated upon transfer from Manitoba to the Developers but said parcel being hereafter referred to as Parcel C);

AND WHEREAS the Developers require the approval of the Minister of Northern Affairs as the municipal approving authority in accordance with The Planning Act, C.C.S.M., CAP. P80, to carry out the aforesaid development;

AND WHEREAS the Minister of Northern Affairs has the rights and privileges and responsibilities of a municipality in northern Manitoba, in accordance with The Northern Affairs Act, being C.C.S.M., CAP N100;

AND WHEREAS the Developers have declared their intent to develop the land as a bare land condominium in accordance with the provisions of The Condominium Act, C.C.S.M. CAP. C170;

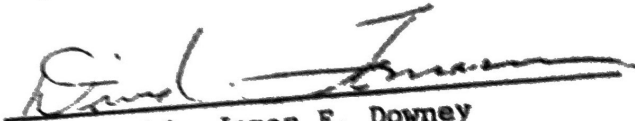
NOW THEREFORE, this agreement witnesseth that in consideration of the sum of One (\$1.00) Dollar now paid by the Developers to Manitoba, the receipt and sufficiency whereof is hereby acknowledged, the parties covenant and agree as follows:

1. General Instructions

- (a) The Developers agree to undertake such expenditures as are or may become necessary in furtherance of the covenants and conditions herein contained with respect to the Proposed Plan of Subdivision, copy of which is attached hereto as Schedule "A" and outlined in red; provided it is agreed that the Developers may undertake the physical development in stages as indicated on the said Schedule "A".
- (b) The Developers agree not to proceed or undertake or put into effect the installation of works, improvements or developments whatsoever until a Plan of Subdivision has been approved by Manitoba for registration in the Winnipeg Land Titles Office.
- (c) The Developers acknowledge that, before commencing the development, works or improvements, they shall familiarize themselves with any and all requirements of Manitoba, whether by legislation or otherwise, and agree that all material and workmanship installed or to be performed under this agreement shall be completed in a good and workmanlike manner.
- (d) The Developers shall, at their expense, construct an improved roadway along Parcel C in accordance with the specifications required by Manitoba. No other development shall take place upon said Parcel C without the prior approval of Manitoba; provided the parties acknowledge the intent of the Developers to place signage on said parcel to draw attention and direction to the subdivision but such signage shall be subject to approval by Manitoba.

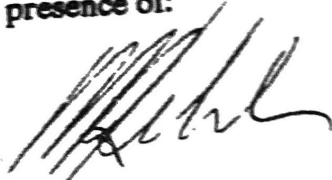
(d) This agreement shall run with the Land and shall bind the parties hereto and their respective successors in Title and all permitted assigns.

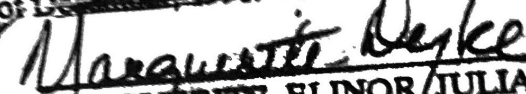
IN WITNESS WHEREOF HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF MANITOBA, represented by the Honourable Minister of Northern Affairs, has hereunto set her hand and seal the 27th day of January, 1992.


(for) Honourable James E. Downey

IN WITNESS WHEREOF the above named Developers, being MARGUERITE ELINOR JULIANA DYKE and KATHARINE KEHLER, have hereunto set their hands and seals this 27th day of January, 1992. MD
1-1-92

SIGNED SEALED AND DELIVERED
in the presence of:

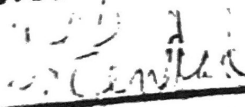


) 
) MARGUERITE ELINOR JULIANA
) DYKE
) 
) KATHARINE KEHLER

Department of Justice
Approved as to form

Name

Date



2019-13-1992