

**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

**IMAGE OF DOCUMENT REGISTERED AS:**

**241069000**

**ORDER NUMBER: 49961549**

**ADVISORY**

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# CAVEAT FORBIDDING REGISTRATION

TO THE REGISTRAR OF THE SOUTH ALBERTA LAND REGISTRATION DISTRICT

Take Notice that **THE CITY OF CALGARY**, a municipal corporation in the Province of Alberta claims an interest in the following described lands under and by virtue of a Special Development Agreement (Environmental Reserve) in writing dated the 30<sup>th</sup> day of January, 2024 and made between **THE CITY OF CALGARY** and **THE CITY OF CALGARY (CPC SB2021-0144)** a copy of which is attached as Schedule "A" pursuant to Section 130 of the *Land Titles Act*, R.S.A. 2000, Chapter L-4, as amended, in which **THE CITY OF CALGARY** granted The City of Calgary an interest in a portion of the lands described below, being such interest as is necessary to satisfy the requirements of Section 664 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, being the dedication of land for environmental reserves, namely:

**PLAN CALGARY 2113JK**

**BLOCK ONE (1)**

**CONTAINING TWO HUNDRED AND FIFTEEN AND EIGHTY FOUR HUNDREDTHS**

**(215.84) ACRES MORE OR LESS**

**EXCEPTING THEREOUT:**

**HECTARES (ACRES) MORE OR LESS**

A) PLAN 3989JK ROAD 0.389 0.96

B) PLAN 0113558 ROAD 0.103 0.25

C) SUBDIVISION 24/0605 0.827 2.04

**EXCEPTING THEREOUT ALL MINES AND MINERALS**

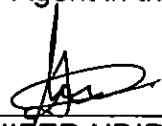
standing in the register in the name of: **THE CITY OF CALGARY**

and it 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 its claim.

It appoints Law, Legal Services, Municipal Building, 12th Floor, 800 Macleod Trail S.E., Calgary, Alberta, T2G 2M3 as the place at which notices and proceedings relating hereto may be served.

DATED this 13 day of February, 2024.

THE CITY OF CALGARY  
By its Agent in that behalf



JENNIFER NDIRANGU  
PARALEGAL – PLANNING  
PLANNING & REAL ESTATE  
LAW, LEGAL SERVICES

## AFFIDAVIT IN SUPPORT OF CAVEAT

I, **JENNIFER NDIRANGU**, of the City of Calgary, in the Province of Alberta **MAKE OATH AND SAY:**

1. I am the agent for the above named Caveator; and
2. I believe that the said Caveator has a good and valid claim upon the said lands 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 at the City of )  
Calgary, in the Province of Alberta, )  
this 13 day of February, 2024. )

ALANNA ROBERTS )

JENNIFER NDIRANGU  
Jennifer Ndirangu

ALANNA ROBERTS  
A COMMISSIONER FOR OATHS  
IN AND FOR ALBERTA  
MY APPOINTMENT EXPIRES DEC. 24, 2025

### CAVEAT SPECIAL DEVELOPMENT AGREEMENT (ENVIRONMENTAL RESERVE)

LAW, LEGAL SERVICES  
THE CITY OF CALGARY (#8053)  
FLOOR 12, CALGARY MUNICIPAL BUILDING  
800 MACLEOD TRAIL SE  
P.O. BOX 2100, POSTAL STATION "M"  
CALGARY, ALBERTA T2G 2M3  
FAX: 403.268.4634

File: P10888

## SCHEDULE "A" TO CAVEAT

THIS AGREEMENT made this 30<sup>th</sup> day of January, 2024.

BETWEEN:

**THE CITY OF CALGARY**  
a municipal corporation in the Province of Alberta

(the "Owner")

- and -

**THE CITY OF CALGARY**  
a municipal corporation in the Province of Alberta

("The City")

### **SPECIAL DEVELOPMENT AGREEMENT** (ENVIRONMENTAL RESERVE)

#### **RECITALS**

The Owner represents and warrants that it is the sole registered owner of certain lands in the City of Calgary, in the Province of Alberta, the legal descriptions of which are as set out in the attached Schedule "A" which forms a part of this Agreement (the "Land");

The Owner is subdividing lands from the Land and will register a subdivision plan for such lands (**WINSTON HEIGHTS; CPC File No.: SB2021-0144**) (the "Subdivision");

On that portion of the Land remaining following registration of the Subdivision (described in Schedule "B" attached to and forming a part of this Agreement and referred to as the "Residual Lands"), there exists lands which may meet the criteria for environmental reserve as established by Section 664(1) of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended (the "MGA"), and the dedication of which the City of Calgary may be entitled to;

The Owner wishes to proceed with the registration of the Subdivision without identifying and surveying the portions of the Residual Lands which may qualify as environmental reserve pursuant to the MGA, with which the City of Calgary agrees subject to the protection of its statutory right to at a future date dedication without charge or cost to it.

NOW, THEREFORE, THIS AGREEMENT IS WRITTEN CONFIRMATION that in consideration of the approval of the Subdivision and the covenants contained herein, the sufficiency of which is hereby acknowledged, **THE PARTIES AGREE AS FOLLOWS:**

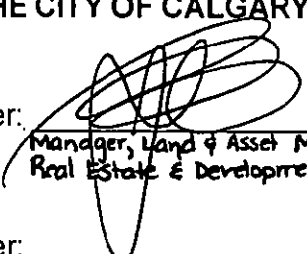
1. The **RECITALS** set out above form part of this Agreement.
2. The Owner acknowledges that no environmental reserves have been dedicated to The City from the Residual Lands.
3. The Owner agrees that upon further application for subdivision of the Residual Lands, The City's Subdivision Authority, in its sole discretion, may require the Owner to provide part of the Residual Lands as environmental reserve pursuant to Section 664(1) of the MGA.
4. The Owner agrees that this Agreement constitutes an interest in the Residual Lands in favour of The City and The City may register a Caveat against the Owner's title to the Residual Lands.
5. This Agreement shall be binding upon and enure to the benefit of the parties to this Agreement their successors, successors-in-title to the Residual Lands and assigns.

**IN WITNESS WHEREOF** the parties have executed this Special Development Agreement (Environmental Reserve) on the date above written.

APPROVED AS TO CONTENT REAL ESTATE & DEVELOPMENT SERVICES	INITIALS
Sherry Shimex	SS
APPROVED AS TO FORM BY LAW, LEGAL SERVICES	INITIALS
Jennifer Ndirangu	JN

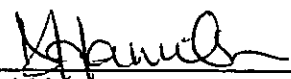
APPROVED AS TO CONTENT	INITIALS
Bus. Unit: Planning & Development Community Planning Name: <u>M. AMEARN</u> Print Name <u>JOHN HALL</u>	JA
APPROVED AS TO FORM BY LAW, LEGAL SERVICES	
Name: Jennifer Ndirangu File: <u>P10888</u>	JN


**THE CITY OF CALGARY**

Per:   
Manager, Land & Asset Management  
Real Estate & Development Services (Corporate Seal)

Per: \_\_\_\_\_

**THE CITY OF CALGARY**

Per:   
General Manager

Per:   
City Clerk

Katarzyna Martin  
City Clerk

MAR 01 2024

**SCHEDULE "A"**  
**TO**  
**SPECIAL DEVELOPMENT AGREEMENT - ENVIRONMENTAL RESERVE**

PLAN CALGARY 2113JK  
BLOCK ONE (1)  
CONTAINING TWO HUNDRED AND FIFTEEN AND EIGHTY FOUR  
HUNDREDTHS (215.84) ACRES MORE OR LESS  
EXCEPTING THEREOUT:

	HECTARES (ACRES) MORE OR LESS
A) PLAN 3989JK ROAD	0.389 0.96
B) PLAN 0113558 ROAD	0.103 0.25

EXCEPTING THEREOUT ALL MINES AND MINERALS

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**SCHEDULE "B"**  
**TO**  
**SPECIAL DEVELOPMENT AGREEMENT - ENVIRONMENTAL RESERVE**

PLAN CALGARY 2113JK  
BLOCK ONE (1)  
CONTAINING TWO HUNDRED AND FIFTEEN AND EIGHTY FOUR  
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EXCEPTING THEREOUT ALL MINES AND MINERALS



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241069000 REGISTERED 2024 03 08  
CAVE - CAVEAT  
DOC 21 OF 23 DRR#: F001ZY3 ADR/DSLUMSKI