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THIS AGREEMENT is made as of the 8 day of
March, 1978

E.H.L. JB 2B

BETWEEN: JAMES HAS BENNETT, Teacher, and 13 06 '78
PAULINE KAY BENNETT, Housewife, Joint Tenants,
both of Box 91, Topley, in the Province of
British Columbia,

(hereinafter called "the Owner")

OF THE FIRST PART

AND:

British Columbia Hydro and Power
Authority, of 970 Burrard Street,
in the City of Vancouver, in the
Province of British Columbia,

(hereinafter called "B. C. Hydro")

OF THE SECOND PART

WHEREAS the Owner is the owner of that certain
parcel or tract of land and premises (hereinafter called
"the land") situate, lying and being in the Omineca
Assessment District----- in the Province of
British Columbia and more particularly known and described
as:

Lot One (1), District Lot Four Thousand
Two Hundred and Nineteen (4219), Range
Five (5), Coast District, Plan 7465.

MEMORANDUM OF REGISTRATION
Registered the 31 day of March, 1978
on application received at the time written
or stamped on the application

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. The Owner, in consideration of the sum of
One Dollar (\$1.00) and other good and valuable consideration
----- Dollars -----,
now paid to the Owner by B. C. Hydro (the receipt of

SUBSTITUTE FORM C
over all
RIGHT OF WAY DECLARED VALUE \$100.00
APPLICANT Donna Lou Fowler
SOLICITOR FOR B.C. HYDRO, 800-1615 HOWE STREET
VANCOUVER, B.C. 633-2434

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L.R.O.
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which is hereby acknowledged) and the covenants of B. C. Hydro herein contained, hereby grants unto B. C. Hydro in perpetuity the full and free right, liberty and right of way for B. C. Hydro, its servants, agents and all others the licensees of B. C. Hydro, first, from time to time to construct, erect, string, operate, maintain, remove and replace upon the land poles with guy wires, brackets, crossarms, insulators, transformers, anchors and their several attachments, and one or more lines of wire for the transmission and distribution of electric energy and for communication and television and aircraft warning purposes (all of which are hereinafter collectively called "the works"); secondly,

- (i) To trim or fell all or any trees or growth now or hereafter on any portion or portions of the land lying within ten (10) feet of a line formed by dropping perpendiculars to the ground from the outermost points of any of the works (which portions are hereinafter together called "the adjacent areas"),
- (ii) To clear the adjacent areas and keep them cleared of all or any part of any trees, growth, buildings or obstructions now or hereafter on the adjacent areas,

which might, in the opinion of B. C. Hydro, interfere with or endanger the construction, erection, stringing, operation, maintenance, removal or replacement of the works or any part thereof; and thirdly, generally to do all acts necessary or incidental to the business of B. C. Hydro in connection with the foregoing.

2. The Owner hereby covenants with B. C. Hydro:

(a) Not to plant or maintain any trees or shrubs exceeding fifteen (15) feet in height or place or erect or maintain any building or other structure or store any inflammable material on any of the adjacent areas without the written consent of B. C. Hydro.

(b) Not to plant, make, place or maintain any growth, excavation, pile of material or obstruction on any of the adjacent areas so as at any time to obstruct access by B. C. Hydro's servants, employees, agents, licensees, vehicles or equipment to, or to interfere with the works, or any part thereof.

(c) Not to do or knowingly permit to be done any act or thing which will in any way whatsoever interfere with, injure or endanger any of the works or any part thereof or impair the operating efficiency thereof, and in particular without limiting the generality of the foregoing, not to carry out blasting on or near any of the adjacent areas unless permission in writing from B. C. Hydro has first been received, which permission will not be unreasonably withheld.

3. B. C. Hydro hereby covenants with the Owner:

(a) To pay all royalties, scaling fees and other charges which may be levied by the Crown against any timber that B. C. Hydro cuts on the land.

(b) To pay compensation to the Owner for any damage to crops and improvements situate on the land elsewhere than on any of the adjacent areas caused by B. C. Hydro in the exercise of any of its rights hereunder and without negligence on the part of the Owner.

4. It is mutually understood, agreed and declared by and between the parties hereto that:

(a) The amount of any compensation payable under paragraph 3 hereof shall be such as may be mutually agreed upon between the Owner and B. C. Hydro and in the event of disagreement as may be settled by arbitration pursuant to the Arbitration Act of British Columbia, but no such compensation shall be payable for any damage or cutting for which compensation has theretofore been paid.

(b) The title to all timber cut on the land by B. C. Hydro in the exercise of its rights hereunder shall vest in B. C. Hydro.

(c) This Agreement shall be construed as running with the land and no part of the fee of the soil thereof shall pass to or be vested in B. C. Hydro under or by these presents.

(d) The expressions "Owner" and "B. C. Hydro" herein contained shall be deemed to include the executors, administrators, successors and assigns of such parties wherever the context so admits.

(e) Where the expression "Owner" includes more than one person, all covenants herein on the part of the Owner shall be construed as being several as well as joint.

(f) Wherever the singular and masculine are used in this Agreement they shall be construed as meaning the plural or the feminine or body corporate where the context or the parties hereto so require.

IN WITNESS WHEREOF the Owner has caused these presents to be executed as of the day and year first above written.

SIGNED, SEALED AND DELIVERED by the Owner in the presence of:

J. L. Lachan
NAME
504746
ADDRESS
Burns Lake, B.C.
Land Representative
OCCUPATION
(Witness as to both signatures)
B. C. Hydro - P.A.

James Has Bennett
JAMES HAS BENNETT
Pauline Kay Bennett
PAULINE KAY BENNETT

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ACKNOWLEDGMENT OF OFFICER OF A CORPORATION

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____, in the Province of British Columbia, (whose identity has been proved by the evidence on oath), who is personally known to me, appeared before me and acknowledged to me that he is the _____ of _____, and that he is the person who subscribed his name to the annexed instrument as _____ of the said _____ and affixed the seal of the _____ to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ in the year of our Lord One thousand nine hundred and _____

A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits for British Columbia.

ACKNOWLEDGMENT OF OFFICER OF CORPORATION (D.V.A.)

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at Ottawa, in the County of Carleton, in the Province of Ontario, personally known to me, appeared before me and acknowledged to me that he is the person who executed the annexed instrument as The Director, The Veterans' Land Act, and affixed the seal of the said Director to the said instrument, that he was first duly authorized to subscribe the Director's name as aforesaid, and affix the said seal to the said instrument, and that THE DIRECTOR, THE VETERANS' LAND ACT, is a Corporation Sole and as such is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office at OTTAWA, this _____ day of _____ in the year of our Lord One Thousand Nine Hundred and _____

A Notary Public in and for the Province of Ontario.
A Commissioner for taking affidavits for the Province of Ontario.

STATUTORY DECLARATION OF ATTORNEY

I, _____, of the _____ of _____, in the Province of British Columbia, DO SOLEMNLY DECLARE:-

1. That I am the attorney for _____
2. That I am the person who subscribed the name of _____ in the annexed instrument as the Maker thereof.
3. That at the time of the execution of the said instrument the power of attorney had not been revoked by or on behalf of _____, and I have not received any notice or information of the death, disability, or bankruptcy of _____ (or if the donor of the power is a corporation, substitute for 3 (ante) ---)
3. That at the time of the execution of the said instrument the power of attorney had not been revoked by or on behalf of _____, and I had not received any notice or information of the bankruptcy or dissolution of _____
4. That I know the contents of the said instrument and subscribed the name of the said _____ thereto voluntarily as the free act and deed of the said _____

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act".

Declared before me at _____,)
In the Province of _____,)
This _____ day of _____,)

A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits for British Columbia.

A Commissioner for taking Affidavits
for British Columbia
A Notary Public in and for the Province
of British Columbia.
JESSEE OF THE PEACE IN AND FOR
THE PROVINCE OF BRITISH COLUMBIA

Ernest K. Krahan

Sworn before me at BURNS LAKE
in the Province of British Columbia
this 8th day of MARCH 1978

1. I was personally present and did see the within instrument duly signed and executed by -----JAMES HAS BENNETT and PAULINE KAY BENNETT-----
2. The said instrument was executed at Hoodston, B.C.
3. I know the said parties, and that they are of the full age of nineteen years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

I, Ernest K. Krahan, of the village of Burns Lake
} TO WIT
PROVINCE OF BRITISH COLUMBIA

AFFIDAVIT OF WITNESS

Dated 1978

JAMES HAS BENNETT and
PAULINE KAY BENNETT

and
BRITISH COLUMBIA HYDRO AND
POWER AUTHORITY

R I G H T O F W A Y

Properties Division
British Columbia Hydro and
Power Authority
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
9 - 1045 HOWE STREET
VANCOUVER, B.C.
V6Z 2B1

DLE/ 812-1602.0(11)-2 / 16/2/78

A Commissioner for taking affidavits for British Columbia.
A Notary Public in and for the Province of British Columbia.

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____
in the Province of British Columbia
personally known to me, appeared before me and acknowledged to me that
person mentioned in the annexed instrument as the maker thereof, and whose name
person subscribed thereto as part, that know the contents thereof, and
executed the same voluntarily, and of the full age of nineteen years.
IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
at _____ in the Province of British Columbia,
this _____ day of _____
in the year of our Lord, one thousand nine hundred and _____

FOR MAKER

FOR MAKER

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____ in the Province of British Columbia personally known to me, appeared before me and acknowledged to me that person _____ mentioned in the annexed instrument as the maker thereof, and whose name subscribed thereto as part _____, that _____ know the contents thereof, and that _____ executed the same voluntarily, and _____ of the full age of nineteen years.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ in the year of our Lord, one thousand nine hundred and _____

A Commissioner for taking affidavits for British Columbia.
A Notary Public in and for the Province of British Columbia.

DLF/ 812-1602.0(11)-2 / 16/2/78

Properties Division
British Columbia Hydro and
Power Authority
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
9 - 1045 HOWE STREET
VANCOUVER, B.C.
V6Z 2B1

R I G H T O F W A Y

BRITISH COLUMBIA HYDRO AND
POWER AUTHORITY

and

JAMES HAS BENNETT and
PAULINE KAY BENNETT

Dated _____ 1978

AFFIDAVIT OF WITNESS

PROVINCE OF BRITISH COLUMBIA)
TO WIT

I, Ernest K. Graham, of the village of Burns Lake

make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by -----JAMES HAS BENNETT and PAULINE KAY BENNETT----- the parties thereto, for the purposes named therein.
2. The said instrument was executed at Houston, B.C.
3. I know the said parties, and that they are of the full age of nineteen years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at BURNS LAKE)
in the Province of British Columbia)
this 8th day of MARCH 1978)

A Commissioner for taking Affidavits
for British Columbia.

A Notary Public in and for the Province
of British Columbia.

JUSTICE OF THE PEACE IN AND FOR
THE PROVINCE OF BRITISH COLUMBIA

Ernest K. Graham