COURT FILE NUMBER

1801-06609

COURT

COURT OF QUEEN'S BENCH OF

ALBERTA

JUDICIAL CENTRE

CALGARY

APPLICANT

BRIDLE ESTATES HOMEOWNERS

ASSOCIATION

DOCUMENT

AMENDED ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

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Lawyer: David Cumming

File No.: 130169

DATE ON WHICH ORDER WAS PRONOUNCED: LOCATION WHERE THIS ORDER WAS PRONOUNCED: NAME OF MASTER WHO MADE THIS ORDER:

June 20, 2018
Calgary, Alberta
A.R. Robertson

Clerk's Stamp CLERK OF THE COURT

FILED

AUG 29 2018

JUDICIAL CENTRE

OF CALGARY

UPON THE APPLICATION of Counsel for the APPLICANT; **AND UPON HAVING READ** the supporting Affidavit of Sharon Turner, filed; **AND UPON** hearing from the Respondents, D. DONAHOE and C. LINDSAY;

IT IS HEREBY ORDERED THAT:

- The Restrictive Covenant, registered as instrument number 061 276 532 Is hereby modified to delete Schedule "F" thereof and the Schedule "F" attached as **Schedule** "A" to this Order hereto shall be substituted in its place.
- There shall be no costs of this application.
- Rule 9.4(2)(c) is invoked.

M.C.C.Q.B.A

SCHEDULE "A"

SCHEDULE "F"

AGE RESTRICTION COVENANTS

The Grantor, as Owner of the Servient Lot, shall:

- (a) Ensure that no individual under fifty-five (55) years of age shall be entitled to occupy, rent or reside in or on the Lands, whether as resident, tenant, guest, invitee or otherwise, it being acknowledged by the Grantor and all present and future assignees of the Grantor that the Lands have been designated as an adult residential complex for ownership use and enjoyment by residents over fifty-five (55) years of age;
- (b) Notwithstanding the provision of (a) above, a person under fifty-five (55) years of age may reside with the Grantor or occupy any of the Lands when the Grantor is physically residing thereon:
 - (i) If a guest of the Owner and is the minimum age of eighteen (18) years; or
 - (ii) If a child or grandchild or charge of the Owner and is under the age of eighteen (18) years for a maximum period of sixty (60) days in any one (1) calendar year; unless this person has received special written consent to reside or otherwise occupy a specific Unit from the Board of Directors for a longer period of time.
- (c) Notwithstanding provision (a) above, any individual who resided on the Lands prior to January 1, 2018 who does not conform to the minimum age for occupancy contained in provision (a) shall not be considered non-compliant by reason of continued occupation by those individuals within the Lands.