

FOR OFFICE USE ONLY

407217

CERTIFICATE OF RECEIPT
OTTAWA - CARLETON NO. 4
AT OTTAWA

APR 30 11 10 59

B. Rheume
BONNIE RHEUME
ASSISTANT DEPUTY LAND
REGISTRAR

New Property Identifiers

Additional:
See
Schedule

Executions

Additional:
See
Schedule

(1) Registry Land Titles (2) Page 1 of 14 pages

(3) Property Identifier(s) Block Property

Additional:
See
Schedule

(4) Nature of Document

BY-LAW NUMBER I UNDER THE CONDOMINIUM ACT

(5) Consideration

N/A

Dollars \$ N/A

(6) Description

ALL OF THE UNITS AND COMMON ELEMENTS OF CARLETON
CONDOMINIUM PLAN NO. 272 REGISTERED IN THE LAND
REGISTRY OFFICE FOR THE LAND TITLES DIVISION AT
OTTAWA (No. 4) CITY OF OTTAWA IN THE
PROVINCE OF ONTARIO

(7) This Document Contains:

(a) Redescription
New Easement
Plan/Sketch

(b) Schedule for:

Description

Additional Parties

Other

(8) This Document provides as follows:

SEE SCHEDULE ATTACHED

Continued on Schedule

(9) This Document relates to instrument number(s)

N/A

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

CARLETON CONDOMINIUM CORPORATION NO. 272

President *[Signature]*

1985. 04. 22.

Secretary *[Signature]*

1985. 04. 22.

(11) Address for Service

29 Cleopatra Drive, Nepean, Ontario K2G 0B3

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

(13) Address for Service

(14) Municipal Address of Property

MULTIPLE

(15) Document Prepared by:

Robert W. McKinley
Barrister & Solicitor
28 Cleopatra Drive
Nepean, Ontario K2G 0B3

FOR OFFICE USE ONLY

Fees and Tax

Registration Fee

76.00

Total

16.00

CONDOMINIUM ACT

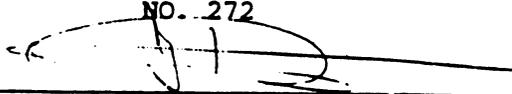
CERTIFICATE

CARLETON CONDOMINIUM CORPORATION NO. 272 hereby certifies that By-Law Number I attached hereto was made in accordance with The Condominium Act, R.S.O. 1980, Chapter 84, and any amendments thereto, the Declaration and the By-Laws of the Corporation, and that the said By-Law Number 1 has not been amended and is in full force and effect.

DATED at the City of Nepean this 22nd day of April, 1985.

CARLETON CONDOMINIUM CORPORATION

NO. 272

PER: 

PRESIDENT



SECRETARY

8
2-

CARLETON CONDOMINIUM CORPORATION NO. 272

BY-LAW NO. 1

A By-law relating generally to the conduct of affairs of Carleton Condominium Corporation No. 272

Be it enacted and it is hereby enacted as a By-law of Carleton Condominium Corporation No. 272 (the "Corporation") as follows:

ARTICLE I

I DEFINITIONS

Words used in this By-law which are defined in The Condominium Act, 1978 and all amendments thereto, hereinafter referred to as "The Act" shall have the same meaning as in The Act unless otherwise specified.

ARTICLE II

II SEAL

The seal of the Corporation shall be in the form impressed in the margin beside this paragraph.

ARTICLE III

III REGISTER

The Corporation shall keep a register (hereinafter called the "register") respecting the property which shall note the name and address of the owner and mortgagee of each unit who have notified the corporation of their respective interests in the property. The address of each owner shall be the address of his unit and the address of each mortgagee shall be the address shown for him on his mortgage registered in the Land Registry Division of Ottawa No. 4, unless the corporation is given notice of a different address by such owner or mortgagee.

ARTICLE IV

IV MEETINGS OF OWNERS

(1) Annual Meeting

Annual meetings of owners shall be held at such a place within the City of Ottawa at such time and on such day as the Board of Directors may from time to time determine, for the purposes of hearing and receiving reports and

B.
4.

statements required by the Act and the by-laws; electing directors; appointing the auditor and for transacting such other business as may be set out in the notice of meeting. Not more than fifteen (15) months shall elapse between the dates of two successive annual general meetings. The first annual general meeting shall be called within three (3) months of the date of the registration of the declaration.

(2) Special Meeting

The board shall, upon receipt of a requisition in writing made by owners who together own at least fifteen (15) per cent of the units, call and hold a meeting of the owners and if the meeting is not called and held within thirty (30) days of the receipt of the requisition, any of the requisitionists may call the meeting, and in such case, the meeting shall be held within sixty (60) days of receipt of the requisition.

(3) Notices

Notice of time and place of each annual, regular or special meeting shall be given not less than ten (10) days before the day on which the meeting is to be held, to the auditor of the corporation and to each owner and mortgagee who is entered on the register at the date of giving of such notice. The corporation shall not be obliged to give notice to any owner who has not notified the corporation that he has become an owner or to any mortgagee who has not notified the corporation that he has become a mortgagee and has been authorized or empowered in his mortgage to exercise the right of the mortgagor to vote. Notice of meetings as hereinbefore required shall have appended to it an agenda or matters to be considered at such meeting.

(4) Reports

A copy of the Financial Statement and a copy of the Auditor's Report shall be furnished to every owner and mortgagee entered on the register of the corporation who has requested this to be done. A copy of the Minutes of meetings of owners and of the board, shall, within thirty (30) days of the date of such meeting, be furnished to each such mortgagee who has requested this to be done.

(5) Persons Entitled To Be Present

The only persons entitled to attend a meeting of owners shall be the owners and mortgagees entered on the register and the spouses of such owners and any others entitled to vote thereat, the auditor, accountants, solicitors and directors and officers of the corporation and others who, although not entitled to vote, are entitled or required under the provisions of The Act or the by-laws of the corporation to be present at the meeting. Any other person may be admitted only on the invitation of the Chairman of the meeting or with the consent of the meeting.

5.

(6) Quorum

At any meeting of owners, a quorum shall be constituted when persons entitled to vote and owning not less than thirty-three and one-third per cent (33 1/3%) of the units are present in person or represented by proxy at such meeting. If thirty (30) minutes after the time appointed for the holding of any meeting of owners, a quorum be not present, the meeting shall be dissolve and shall stand adjourned to the same time on the corresponding day of the next week, at such place within the said municipality as the board shall determine.

(7) Method Of Voting

At a meeting of owners, any question shall be decided by a show of hands unless a poll or vote by ballot is demanded by a person entitled to vote and, unless a poll or vote by ballot is so demanded, a declaration by the Chairman that such vote has, by the show of hands, been carried is a prima facie proof of the fact without proof of the number of proportion of votes recorded in favour of or against such question. A demand for a poll or vote by ballot may be withdrawn at any time prior to the taking of the poll. Voting for the election of directors, however, shall be by ballot only.

(8) Representatives

An executor, administrator, committee of a mentally incompetent person, guardian or trustee (and, where a corporation acts in such capacity, any person duly appointed a proxy for such corporation), upon filing with the Chairman of the meeting sufficient proof of his appointment, shall represent the owner or mortgagee at all meetings of the owners and may vote in the same manner and to the same extent as such owner.

(9) Proxies

Every owner or mortgagee entitled to vote at meetings of owners may appoint a proxy, who need not be an owner or mortgagee, to attend and act at the meetings in the same manner, to the same extent and with the same power as if the owner or mortgagee were present at the meeting. The instrument appointing a proxy shall be in writing signed by the appointer or his attorney authorized in writing. The instrument appointing a proxy shall be deposited with the Chairman of the meeting before any vote is cast under its authority and the Chairman shall resolve any dispute as to the validity of a proxy so deposited.

(10) Co-owners

If a unit or mortgage on a unit is owned by two or more persons, any one of them present or represented by proxy may in the absence of the other or others vote, but if more than one of them are present or represented by proxy, they shall vote in the same way, failing which the vote for such unit shall not be counted.

(11) Votes to Govern

At all meetings of owners every question shall, unless otherwise required by The Act or the Declaration or by-laws be decided by a majority of the votes duly cast on the question.

ARTICLE V

V BOARD OF DIRECTORS

(1)

The affairs of the corporation shall be managed by the board.

(2) Quorum

The number of directors elected by the declarant shall be three (3), who shall hold office until their successors are elected at a meeting of owners called after the declarant ceases to be the registered owner of a majority of the units. At such meeting of owners, the number of directors to be elected shall be five (5) and, thereafter, the number of directors of the Corporation shall be five (5). Until the owners elect their directors at the meeting called after the declarant ceased to be the registered owner of a majority of the units, a quorum for the transaction of business at any meeting of the board shall be two (2) and, after the election of five (5) directors, a quorum for the transaction of business at any meeting of the board shall be three (3). Notwithstanding vacancies, the remaining directors may exercise all the powers of the board so long as a quorum of the board remains in office.

(3) Qualifications

Each director shall be eighteen (18) or more years of age and need not be a member of the corporation.

(4) Election And Term

The three (3) directors elected by the declarant shall hold office until their successors are elected at a meeting of owners called after the declarant ceases to be the registered owner of a majority of the units. At such meeting of owners, in accordance with the number of votes cast for each director, one director shall be elected to hold office until the first annual meeting following the date of their election; two (2) directors shall be elected to hold office until the second annual meeting following the date of their election; and two (2) directors shall be elected to hold office until the third annual meeting following the date of their election. Where the board is elected by acclamation, the members at the meeting shall determine the distribution of terms.

6
7.

Directors may continue to act until removed or until their successors are elected and, at each annual meeting thereafter, a number of directors equal to the number of directors retiring in such year shall be elected for a term expiring at the time of the third annual meeting following the date of their election; provided that any director elected to fill a vacancy created by the resignation or other removal of a director shall be elected at the next annual meeting of the owners to complete the unexpired term of the director whom they are replacing.

Directors shall be eligible for re-election.

(5) Calling Of Meetings

Meetings of the board shall be held from time to time at such place and at such time and on such day as the President or any two (2) directors may determine. Notice of any meeting shall be given personally, by ordinary mail or telegraph to each director not less than forty-eight (48) hours (excluding any part of a Sunday or of a holiday as defined by the Interpretation Act of Canada for the time being in force) before the time when the meeting is to be held, save that no notice of a meeting shall be necessary if all the directors are present and consent to the holding of such meeting or if those absent have waived notice of or otherwise signified in writing their consent to the holding of such meeting.

(6) Regular Meetings

The board may appoint a day or days in any month or months for regular meetings at a place and hour to be named. A copy of any resolution of the board fixing a place and time of regular meetings of the board shall be sent to each director forthwith after being passed, but no other notice shall be required for any such regular meeting.

(7) First Meeting Of New Board

The board may without notice hold its first meeting for the purpose of organization and the election and appointment of officers immediately following the meeting of members at which the directors of such board were elected, provided a quorum of directors be present.

(8) Indemnity Of Directors And Officers

Every director or officer of the corporation and his heirs, executors and administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the corporation from and against:

7
8

- (a) any liability and costs, charges and expenses which such director or officer sustains or incurs in or about any action, suit or proceeding which is proposed or commenced or prosecuted against him for or in respect of anything done or permitted by him in respect of the execution of the duties of his office; and
- (b) all other costs, charges and expenses which he properly sustains or incurs in respect of the affairs of the corporation;

provided that:

- (c) no director or officer of the Corporation shall be indemnified by the Corporation in respect of any liability, costs, charges or expenses that he sustains or incurs in or about any action, suit or other proceeding as a result of which he is adjudged to be in breach of any duty or responsibility imposed upon him under The Condominium Act or under any other statute unless, in an action brought against him in his capacity as director or officer, he has achieved complete or substantial success as a defendant;
- (d) the Corporation is advised of any such action, suit or other proceeding, or cost, charge or expense, forthwith after the director or officer receives notice thereof; and
- (e) the Corporation is given the right to join in the defence of the action, suit or proceeding.

ARTICLE VI

VI OFFICERS

(1) Election Of President

At the first meeting of the board, and at any time a vacancy in the office occurs, after each election of directors the board shall elect from among its members a President. Until such election the then incumbent, if a member of the board, shall hold office until his successor is elected.

(2) Other Elections

The board shall elect a Secretary and may elect one or more Vice-President, a Treasurer and such other officers as the board may determine, including one or more assistants to any such officer. The officers so elected may, but need not be, members of the board. One person may hold more than one office.

(3) Term of Office

In the absence of written agreement to the contrary the board may remove at its pleasure any officer of the corporation.

(4) President

The President shall, when present, preside at all meetings of the owners and of the board and shall be charged with the general supervision of the business and affairs of the corporation.

(5) Vice-President

During the absence of the President, his duties may be performed and his powers may be exercised by the Vice-President or if there are more than one Vice-Presidents, in order of seniority (as determined by the board) save that no Vice-President shall preside at a meeting of the board or at a meeting of owners who is not qualified to attend the meeting as a director or owner, as the case may be. If a Vice-President exercises any such duty or power the absence of the President shall be presumed with reference thereto. A Vice-President shall also perform such duties and exercise such powers as the board may prescribe.

(6) General Manager

The General Manager if one be appointed shall have the general management and direction subject to the authority of the board and the supervision of the President, of the corporation's business and affairs and the power to appoint and remove any and all employees and agents of the corporation not elected or appointed directly by the board and to settle the terms of their employment and remuneration.

(7) Secretary

The Secretary shall give or cause to be given all notices required to be given to the owners, directors, auditors, mortgagees and all others entitled thereto; he shall attend all meetings of the directors and of the owners and shall enter or cause to be entered in books kept for that purpose, minutes of all proceedings at such meetings; he shall be the custodian of all books, papers, records, documents and other instruments belonging to the corporation and he shall perform such other duties as may from time to time be prescribed by the board.

(8) Treasurer

The Treasurer shall keep or cause to be kept full and accurate books of account in which shall be recorded all receipts and disbursements of the corporation and under the direction of the board shall control the deposit of money, the safekeeping of securities and the disbursement of funds of the corporation; he shall render to the board at the meeting thereof or whenever

required of him an account of all his transactions as Treasurer and of the financial position of the corporation; and he shall perform such other duties as may from time to time be prescribed by the board.

ARTICLE VII

VII BANKING ARRANGEMENTS & CONTRACTS

(1) Banking Arrangements

The banking business of the Corporation shall be transacted with such bank or trust company by such persons and in such manner as the board may designate.

(2) Execution Of Instruments

Documents requiring the corporate seal shall be signed by the President or a Vice-President together with the Secretary or any other director; provided that certificates as to payment of common expenses and as to the affairs generally of the corporation may be signed under seal by any director or officer of the corporation acting alone. Any contract or obligations within the scope of any management agreement entered into by the corporation may be executed on behalf of the corporation in accordance with the provisions of such management agreement. Notwithstanding any provisions to the contrary contained in the by-laws of the corporation the board may at any time and from time to time direct the manner in which and the person or persons by whom any particular deed, transfer, contract or obligation or any class of deeds, transfers, contract or obligations of the corporation may or shall be signed.

ARTICLE VIII

VIII FINANCIAL

(1) Year End

Until otherwise ordered by the board, the financial year of the corporation shall end on the 31st day of December in each year or on such other day as the board by resolution may determine.

~~10~~
11.

ARTICLE IX

IX NOTICE

(1) Method Of Giving Notice By The Corporation

Subject to the provisions of the Act, any notice, communication or other document, including budgets and notices of assessments required to be given or delivered by the corporation, shall be sufficiently given if delivered personally to the person to whom it is to be given or if delivered to the address noted in the register, or if mailed by prepaid ordinary mail or air mail in a sealed envelope addressed to him at such address or if sent by means of wire or wireless or any other form of transmitted or recorded communication, to such address. Any notice, communication or other document to be given by the corporation to any other person entitled to notice and who is not a owner shall be given or delivered to such person in the manner aforesaid to the address shown for him on the register. Such notice, communication or document shall be deemed to have been given when it is delivered personally or delivered to the address aforesaid; provided that a notice, communication or document so mailed shall be deemed to have been given when deposited in a post office or public letter box, and a notice sent by any means or wire or wireless or any other form of transmitted or recorded communication shall be deemed to have been given when delivered to the appropriate communication company or agency or its representative for dispatch.

(2) Notice To The Board Or Corporation

Any notice, communication or other document to be given to the board or corporation shall be sufficiently given if mailed by prepaid ordinary mail or air mail in a sealed envelope addressed to it at the address for service of the corporation set out in the Declaration. Any notice, communication or document so mailed shall be deemed to have been given when deposited in a post office or public letter box.

ARTICLE X

IX ASSESSMENT AND COLLECTION OF COMMON EXPENSES

(1) Duties Of The Board

The board shall from time to time and at least annually prepare a budget for the property and determine by estimate the amount of common expenses for the next ensuing fiscal year or remainder of the current fiscal year as the case may be. The board shall allocate and assess such common expenses as set out in the budget for such period among the owners, according to the proportion in which they are required to contribute to the common

expenses as set forth in the Declaration. In addition, the board shall provide in the annual budget a reserve fund for contingencies, working capital, deficits or replacements, which reserve fund shall be an asset of the corporation. The board shall advise all owners promptly in writing of the amount of common expenses payable by each of them respectively determined as aforesaid, and shall deliver copies of each budget on which such common expenses are based, to all owners and mortgagees entered on the register.

(2) Owners' Obligations

Each owner shall be obliged to pay to the corporation or as it may direct the amount of such assessment in equal monthly payments on the first day of each and every month next following delivery of such assessment until such time as a new assessment shall have been delivered to such owner.

(3) Special Assessment

The board may make special assessments when the corporation does not have sufficient funds to meet expenditures which have been incurred or which it is anticipated will be incurred. Notice of such special assessment shall include a written statement setting out the reasons for the assessment and the assessments shall be payable by each owner within ten (10) days after the owner has been given notices of the assessment or within such further period of time and in such instalments as set out in the notice.

(4) Default In Payment Of Assessment

- (a) Arrears of payments required to be made under the provisions of this Article X shall bear interest at the rate of eighteen (18) per cent per annum and shall be compounded monthly until paid; and
- (b) In addition to any remedies or liens provided by The Act, if any owner is in default in payment of an assesment levied against hm, for a period of fifteen (15) days, the board may bring legal action for and on behalf of the corporation to enforce collection thereof and there shall be added to any amount found due all costs of such action including costs as between a solicitor and his own client.

ARTICLE XI

XI DEFAULT

(1) Notice of Unpaid Common Expenses

The board whenever so requested in writing by an owner or mortgagee entered on the register shall promptly report any then unpaid common expenses

due from, or any other default by, any owner, and any common expenses assessed or other money claims by the corporation against any owner, which are thirty (30) days past due.

(2) Notice Of Default

The board when giving notice of default in payment of common expenses or any other default to the owner of the unit, shall concurrently send a copy of such notice to each mortgagee of such unit, who is entered on the register, and who has requested that such notices be sent to him.

ARTICLE XII

XII MISCELLANEOUS

(1) Invalidity

The invalidity of any part of this by-law shall not impair or affect in any manner the validity and enforceability or effect of the balance thereof.

(2) Gender

The use of the masculine gender in this by-law shall be deemed to include the feminine and neuter genders and the use of the singular shall be deemed to include plural wherever the context so requires.

(3) Waiver

No restriction, condition, obligation or provision contained in this by-law shall be deemed to have been abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.

#3.
14.

(4) Heading

The headings in the body of this by-law form no part thereof but shall be deemed to be inserted for convenience of reference only.

The foregoing by-law is hereby made and enacted as By-law No. 1 of the CARLETON CONDOMINIUM CORPORATION NO. 272

PASSED by the Directors and sealed with the corporate seal this 22 day of April, 1985.

CARLETON CONDOMINIUM CORPORATION NO.
272

per: 

President

per: 

Secretary

CONFIRMED by owners of units of the Corporation at a meeting duly called for that purpose on the _____ day of _____, 198 .

President

Secretary