

SCHEDULE 12

LANDS

1. GENERAL

1.1 Capitalized Terms

Capitalized terms used in this Schedule have the definitions as set out in the Agreement to Design, Build, Finance and Operate Northeast Stoney Trail, Calgary (the “DBFO Agreement”) between Her Majesty the Queen in right of Alberta and the Contractor, as defined therein, unless expressed otherwise.

1.2 DBFO Agreement Reference

This Schedule is referenced in Sections 1.1 and 1.3 of the DBFO Agreement.

2. TUC

The TUC is as shown on the attached Schedule 12 Drawings. The following land is part of the TUC but is not owned by the Province (the “Privately-Owned TUC Land”):

SHORT LEGAL	TITLE NUMBER
4;28;25;31;NW(Block A, Plan 9410354)	041097763
4;29;25;25;NE	981389642
4;29;25;25;SE	061243859
4;29;25;24;NW	011138967
4;29;25;24;SW	901000193

As set out in sections 4.5 and 4.6 of the DBFO Agreement, the Contractor shall not have the use of the Privately-Owned TUC Land unless the Contractor obtains both permission from the applicable landowner and a Ministerial Consent.

3. ROAD RIGHT OF WAY

The Road Right of Way is as shown on the attached Schedule 12 Drawings.

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4. LANDS

The Lands are as shown on the attached Schedule 12 Drawings and are entirely formed by lands which come from all or a portion of, or are near, the lands with the following South Alberta Land Registration District Title Numbers (for greater clarity, some of the Title Numbers below relate to lands within the TUC but outside the Lands) (also for greater clarity, the Lands do not include Railway Plan RY231):

SHORT LEGAL	TITLE NUMBER
5838HT;E	041116331
599HT;D	041116334
599HT;C	851174306
5838HT;F	921112099
0210555;A	021143601
7611161;RW;25	041171941
4;29;25;33;NE	041171941+11
7611161;RW;25	041171941+12
4;29;25;34;NE	041171941+13
7611161;RW;25	041171941+4
4;29;25;34;NW	041171941+5
0312178;A	041367615
4;29;25;34;NE	901091734
4;29;25;34;NW	911272754
4;29;25;33;SW	911280235
4;29;25;33;SE	911281814
731063;F	921103429
4;29;25;34;SW	921115244
4;29;25;33;NW	921282505+1
9212612;;A	921319219
4;29;25;35;NE	021127733+1
4;29;25;36;SE	021127749+1
4;29;25;35;NW	021127810
4;29;25;35;NW	021130012
4;29;25;36;NE	021130378+1
4;29;25;36;NW	021130488+2
4;29;25;36;NE	021130604+1
4;29;25;35;SE	021130651+1
0211255;D	021130684
4;29;25;36;SE	021130766+1
4;29;25;36;SW	021130785+1
4;29;25;25;NE	021130886+1
0210555;B	021143602

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SHORT LEGAL	TITLE NUMBER
0113644;OT	021185067
4;29;25;25;NE	041054385
4;29;25;35;NW	041171941+1
7611161;RW;25	041171941+2
4;29;25;36;NW	041171941+3
7611161;RW;25	041171941+6
4;29;25;35;NE	041171941+7
7611161;RW;25	041171941+8
4;29;25;36;NE	041171941+9
0211994;A	031200205
0211994;C	031200206
7611162;RW;25	041180801
4;29;25;13;NE and 4;29;25;13;NW and 4;29;25;13;SE	961099439+5
8710480;2	871053489A
8710480;3	871053489B
4;29;25;25;SW,SE	911158768
8411160;1	921002304+2
4;29;25;12;NE and 4;29;25;12;SE and 4;29;25;12;SW	961099102+5
8211252;A	951226447+1
8411222;1	051256839+1
8710481;2	871053488C
4;29;24;36;NW	901308118
4;29;24;36;SW	911019770+1
4;29;25;1;SE	921044295
0311182;OT	061087490
9010040;B	901007322
8910499;OT	901040624
4;29;24;24;SE,NE	911076666
8511085;OT	921077865+1
8710628;1	901206813+1
8110318;C	901206849+1
8511085;OT	921077744
5152JK;C	921140320
2340AH;X	921282816
5152JK;D	931164921+1
4;29;24;12;NW	941132389
0211995;E	051077849
0211995;D	021305821
9011327;RW;25	901257261

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SHORT LEGAL	TITLE NUMBER
0.57 hectare portion of 4;29;25;34;NE(Block F, Plan 731063) (which once acquired by the Province will have the legal description Plan 0211995 Area C)	921269969
3.71 hectare portion more or less of 4;29;25;34;NW (as marked by the 3.47 hectare and 0.25 hectare portions in Drawing #1 of Appendix B to this Schedule)	051077849+1 and 931147928
2.36 hectare portion more or less of 4;29;25;34;SE (as marked by the 2.36 hectare portion in Drawing #2 of Appendix B to this Schedule)	021143601+1
2.37 hectare portion more or less of 4;29;25;34;SW (as marked by the 2.37 hectare portion in Drawing #2 of Appendix B to this Schedule)	011257927+1

**The following road plans and government road allowances are referred to as the
“City Road Allowances”:**

Within Transportation/Utility Corridor Right of Way Plan 9112279

SE 36-25-1-W5: Road Plan 7598JK, Road Plan 499HX, Road Plan 991EZ) Deerfoot Trail
NE 36-25-1-W5: Road Plan 7598JK, Road Plan 499HX, Road Plan 991EZ) Deerfoot Trail

Within Transportation/Utility Corridor Right of Way Plan 9011894

SW 33-25-29-W4: Road Plan 7598JK, Road Plan 499HX, Road Plan 991EZ) Deerfoot Trail and
Barlow Trail
North / South Government Road Allowance west of SW 33-25-29-W4) Deerfoot Trail
NW 33-25-29-W4: Road Plan 7598JK, Road Plan 3474BM) Deerfoot Trail and
Barlow Trail
North / South Government Road Allowance west of NW 33-25-29-W4) Deerfoot Trail
North / South Government Road Allowance west of SW 34-25-29-W4) 36th Street NE
North / South Government Road Allowance west of NW 34-25-29-W4) 36th Street NE

Within Transportation/Utility Corridor Right of Way Plan 9112284

North / South Government Road Allowance west of SW 35-25-29-W4) 52nd Street NE
North / South Government Road Allowance west of NW 35-25-29-W4) 52nd Street NE
North / South Government Road Allowance west of SW 36-25-29-W4) 68th Street NE
North / South Government Road Allowance west of NW 36-25-29-W4) 68th Street NE

Within Transportation/Utility Corridor Right of Way Plan 0211994

North / South Government Road Allowance west of NW 31-25-28-W4) 84th Street NE
North / South Government Road Allowance west of SW 31-25-28-W4) 84th Street NE

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Within Transportation/Utility Corridor Right of Way Plan 9110703

NE 24-25-29-W4: Road Plan 1833 LK) Country Hills Blvd. NE
East / West Government Road Allowance north of NE 24-25-29-W4	) Country Hills Blvd. NE
NW 24-25-29-W4: Road Plan 1833 LK	) Country Hills Blvd. NE
East / West government Road Allowance north of NW 24-25-29-W4	) Country Hills Blvd. NE

Within Transportation/Utility Corridor Right of Way Plan 9110968

East / West Government Road Allowance north of NE 12-25-29-W4) 80 th Avenue NE
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Within Transportation/Utility Corridor Right of Way Plan 8910498

East / West Government Road Allowance north of NE 36-24-29-W4) McKnight Blvd. NE
East / West Government Road Allowance north of NW 36-24-29-W4	) McKnight Blvd. NE
SE 1-25-29-W4: Road Plan 5618 K	) unnamed road off of McKnight Blvd. NE
SW 1-25-29-W4: Road Plan 5618 K	) unnamed road off of McKnight Blvd. NE

Within Transportation/Utility Corridor Right of Way Plan 8910499

NE 24-24-29-W4: Road Plan 7610158	) Trans-Canada Highway
East / West Government Road Allowance north of NE 24-24-29-W4	) Trans-Canada Highway
NW 24-24-29-W4: Road Plan 7610158, Road Plan 7811107	) Trans-Canada Highway
East / West Government Road Allowance north of NW 24-24-29-W4	) Trans-Canada Highway
SW 25-24-29-W4: Road Plan 7610158	) Trans-Canada Highway
SE 25-24-29-W4: Road Plan 7610158	) Trans-Canada Highway
Government Road Allowance south east of NE 24-24-29-W4	) 84 th Street NE

Within Transportation/Utility Corridor Right of Way Plan 8911124

SW 13-24-29-W4: Road Plan 1620 EZ, Road Plan 1766 LK	) 17 th Avenue SE
SW 13-24-29-W4: Street – Subdivision Plan 2340 AH	) 76 th Street SE
SW 13-24-29-W4: N-S Road – Subdivision Plan 5152 JK	) 76 th Street SE
SE 13-24-29-W4: Road Plan 1620 EZ, Road Plan 1766 LK	) 17 th Avenue SE
SE 13-24-29-W4: N-S Road – Subdivision Plan 5152 JK	) 76 th Street SE
SE 13-24-29-W4: E-W Road – Subdivision Plan 5152 JK	) 9 th Avenue SE
Government Road Allowance North of NW 12-24-29-W4	) 17 th Avenue SE
NW 12-24-29-W4: Road Plan 1766 LK	) 17 th Avenue SE
Government Road Allowance North of NE 12-24-29-W4) 17 th Avenue SE
NE 12-24-29-W4: Road Plan 1766 LK) 17 th Avenue SE

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**APPENDIX A
(Section 1.1 – “Identified Encumbrances” (b)(ii))**

Province File	Grantee	Project Description	Location	Status
MCC93-0034	Sunbow Consulting Ltd.	300mm Waterline	NW 36-24-29-W4	Pending Utility Right of Way Agreement.
MCC-95-0041	Shaw Cablesystems Ltd.	Fibre Optics Cable Installation - Barlow Trail area	Highway #2 W ½ 33-25-29-W4	No easement registered against title
MCC96-0045	Canadian Western Natural Gas Limited	88.9mm Natural Gas Pipeline – Stoney Trail / East Freeway Interchange area	NE 36-25-29-W4	Pending Utility Right of Way Agreement.
MCC97-0026	506498 N.B. Inc.	Temporary Storm Water Pond Chateau Estates / Trans Canada Highway area	NE 24-24-29-W4	Pond must be removed from TUC when moratorium on drainage entering the Western Headworks Canal is cancelled, and when subsequently directed by the Province.
MCC99-0028	Shaw Cablesystems GP	Underground Fibre Optic Cable North of Trans Canada Highway	SW 25-24-29-W4	Must be relocated at Grantee’s cost if in conflict with the Project.
MCC03-0018	ATCO Gas	Temporary Gas Line relocations – 17 th Avenue SE	NE 12 and S ½ 13-24-29-W4	Must be relocated at Grantee’s cost if in conflict with the Project.
MCC03-0032	The City of Calgary	McKnight Boulevard Widening and Dry Pond	NW 36-24-29-W4 and SW 1-25-29-W4	License Agreement for Dry Pond pending
MCC03-0044	ENMAX Envision Inc.	Temporary Fibre Optic Cable – 36 th Street NE	W ½ 34-25-29-W4	Must be relocated at Grantee’s cost if in conflict with the Project.
MCC04-0018	TELUS Mobility	Taradale Cell Tower	NE-12-25-29-W4	Lease Agreement

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Province File	Grantee	Project Description	Location	Status
MCC04-0021	TELUS Communications Inc.	Temporary Telecommunications Cable	SE 13-25-29-W4	Must be relocated at Grantee's cost if in conflict with the Project.
MCC04-0025	TELUS Communications Inc.	Telecommunications Cable Relocation	NW 36-24-29-W4	Pending Utility Right of Way Agreement
MCC04-0053	Bell Mobility Inc.	Taradale Cell Tower - Bell Mobility and Microcell Co-Locates	NE 12-25-29-W4	Lease Agreement.
MCC04-0066B	Farm Air Properties Inc.	Storm Sewer and Sanitary Sewer – Saddlebrook/Airport Trail	NW 13-25-29-W4	Utilities only partially installed due to the discovery of hydrocarbon contamination from the nearby decommissioned Nexen sour gas well.
MCC05-0068	ENMAX Power Corporation	15kV Overhead Powerline feed to School Bus Storage Lot – McKnight Blvd.	SE-1-25-29-W4	Under construction and license agreement pending. Must be relocated at Grantee's cost if in conflict with the Project.
MCC06-0021	ENMAX Power Services Corporation	Temporary 25kV Overhead and Underground Powerline – McKnight Blvd.	N½ -36-24-29-W4 and SE-1-25-29-W4	Under construction and license agreement pending. Must be relocated to permanent alignment during construction of Project.

**SCHEDULE 12 – DBFO AGREEMENT
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**APPENDIX B
(Drawings #1 and #2)**

C.P.R.

CITY LIMITS

144 AVENUE NE

100m

87°11'26"

4°11'29"
R 755
T 31.12

5°43'29"

148.29

172°14'57"

41

403.7

3.47ha.

8°21'22"
R 1230
T 89.85

NW 34-25-29-4

NE 34-25-29-4

71.2

25.6

41.6

0.25ha

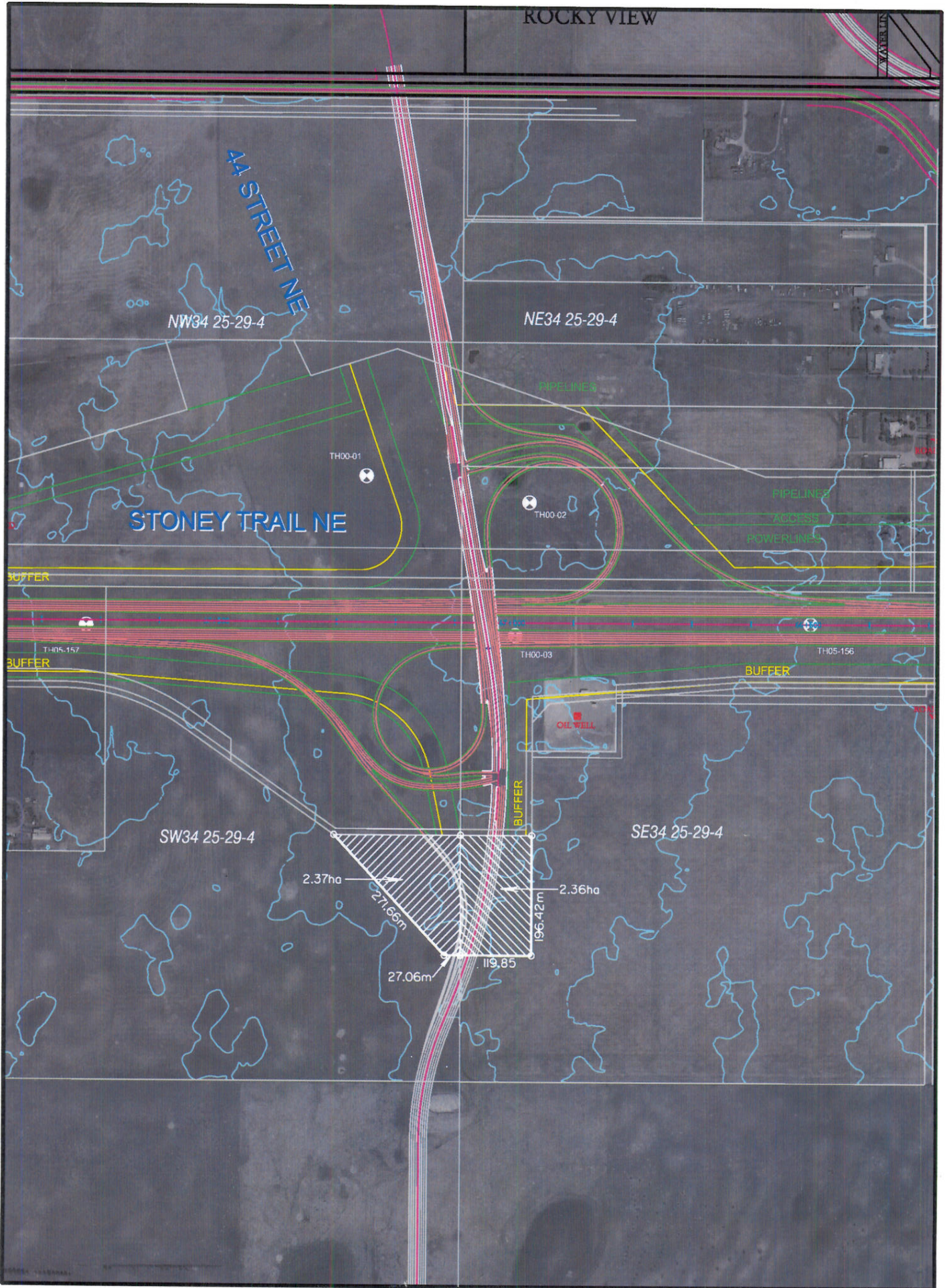
44 STREET NE

18

PIPELINES

STONEY TRAIL NE

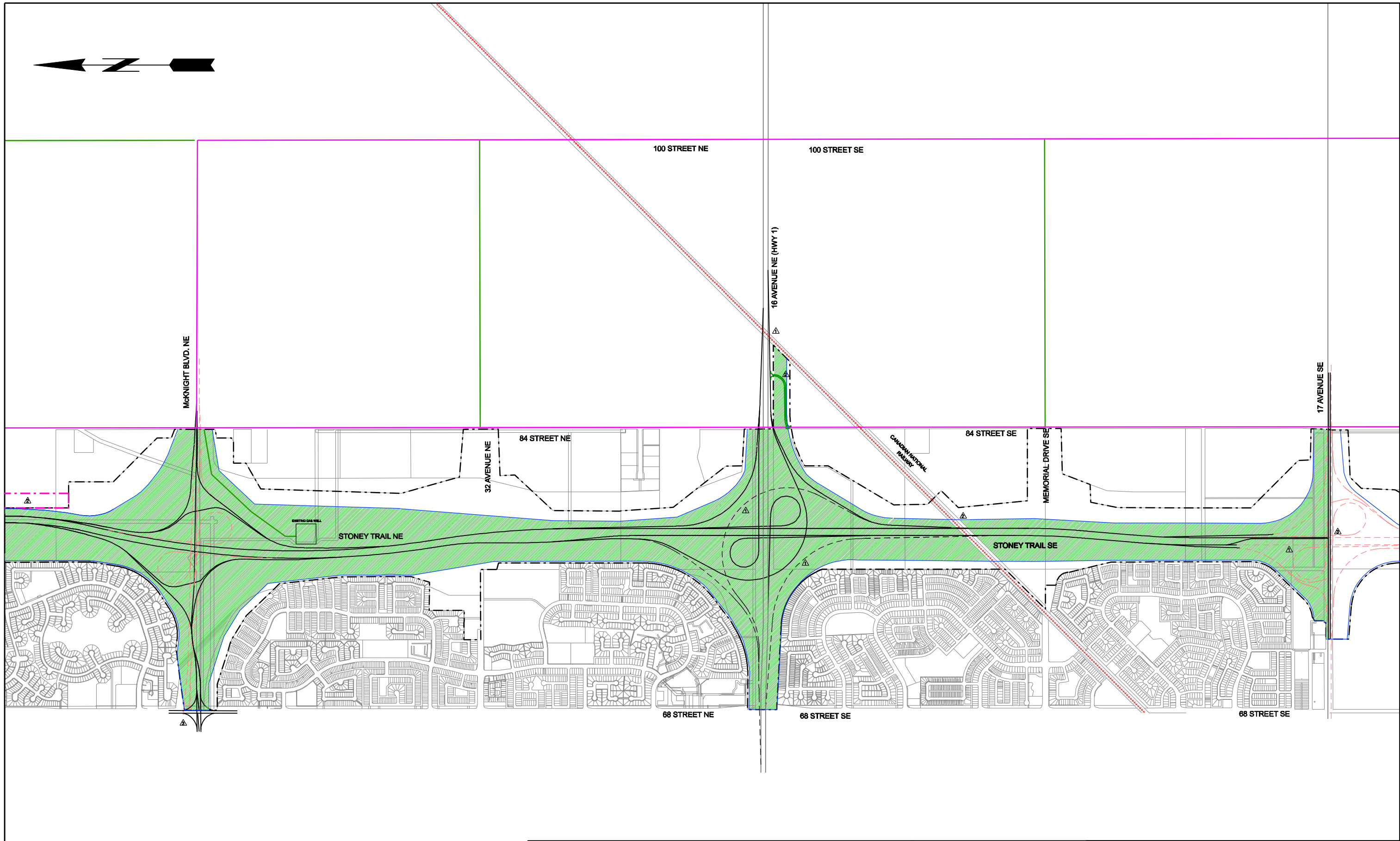




**SCHEDULE 12 – DBFO AGREEMENT
DRAFT: SEPTEMBER 29, 2006**

Schedule 12 Drawings 12-01 to 12-06

No.	REVISION	BY	DATE	PHOTO No.	COORDINATE DATA	PLAN No.	CONTRACT No.	PLAN LOCATION	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING NEW INFRASTRUCTURE TUC & ROAD RIGHT OF WAY	BY	DATE
	RE ISSUED FOR ADDENDUM 2	KLA	07/26/06	TITLE SEARCH								
	RE ISSUED FOR ADDENDUM 7	KLA	28/08/06	DATE								
	RE ISSUED FOR ADDENDUM 11	KLA	28/08/06	GRAPHICS FILE								
RE ISSUED FOR ADDENDUM 11	KLA	28/08/06			NAD 83					TO IMS		
					BASE LONGITUDE						TO GIB	
											MICROFILMED	



LEGEND:

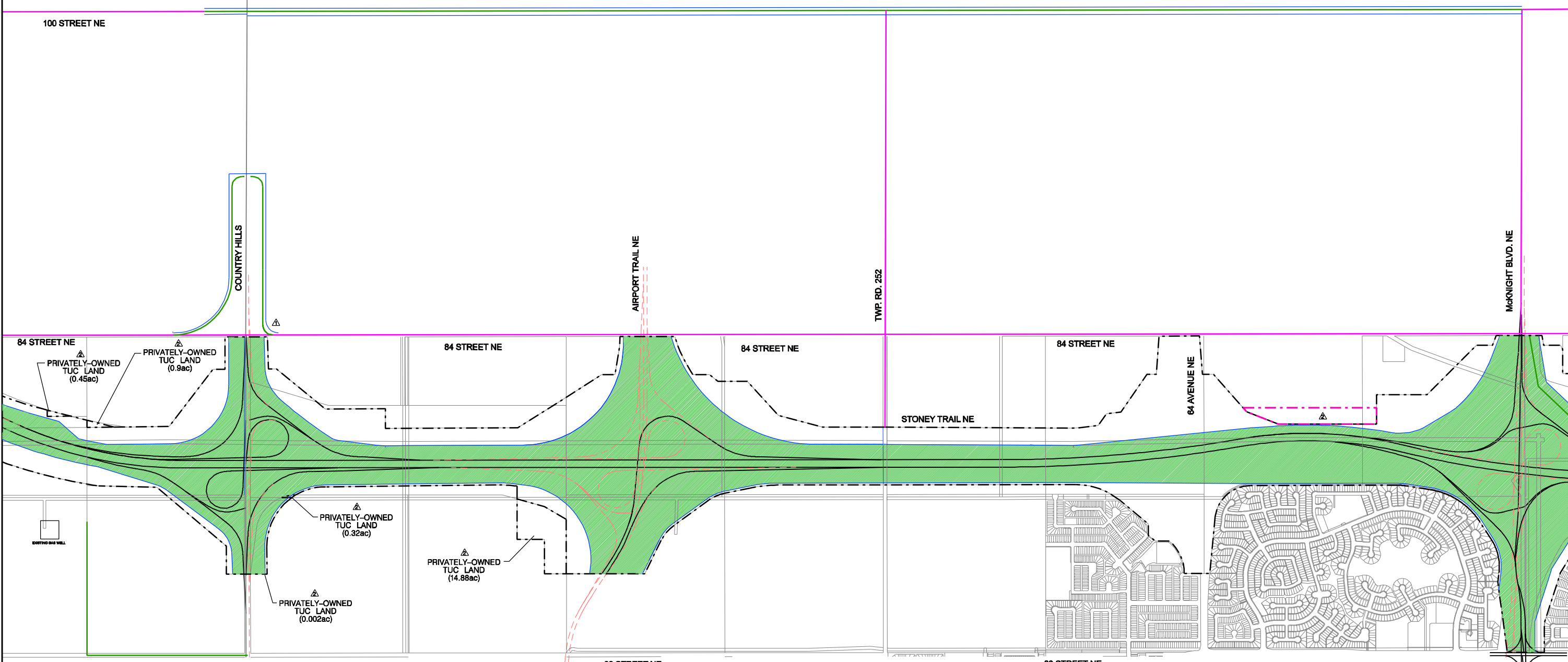
LANDS	PROPOSED ADDITIONAL TUC
T.U.C. BOUNDARY	ROADS - EXISTING INFRASTRUCTURE
ROAD RW	EXISTING RURAL ROAD
ROADS - NEW INFRASTRUCTURE	TWO LANE GRAVEL SERVICE ROAD
ROADS - NEW INFRASTRUCTURE (DELAYED)	FUTURE ROADS - ULTIMATE STAGE

CONSULTANT	
JOB No. 0705-187-00-01	PLAN No. 12-01
UMA AECOM	
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NORTHEAST STONEY TRAIL SCHEDULE 12 DRAWING NEW INFRASTRUCTURE TUC & ROAD RIGHT OF WAY				
REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-01	NORTH EAST STONEY TRAIL		1 of 6
				SCALE 1:10000



No.	REVISION	BY	DATE	SURVEYED	DESIGNED	CHECKED	DRAWN	DATE	PHOTO No.	COORDINATE DATA		PLAN No.	CONTRACT No.	PLAN LOCATION	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING NEW INFRASTRUCTURE TUC & ROAD RIGHT OF WAY		
										RE ISSUED FOR ADDENDUM 2	RE ISSUED FOR ADDENDUM 7					RE ISSUED FOR ADDENDUM 10	RE ISSUED FOR ADDENDUM 12	TO DMS	TO GIS	DATE	BY
1	AS ISSUED	KLA	07/2008								NAD 83							
2		KLA	20/08/08								BASE LONGITUDE							
3		KLA	10/09/08															
4		KLA	20/09/08															



*ALL PRIVATELY-OWNED LAND WITH IN THE TUC BOUNDARY ARE APPROXIMATE LOCATIONS.

LEGEND:

- LANDS
- T.U.C. BOUNDARY
- ROAD RW
- ROADS - NEW INFRASTRUCTURE
- PROPOSED ADDITIONAL TUC
- ROADS - EXISTING INFRASTRUCTURE
- EXISTING RURAL ROAD
- TWO LANE GRAVEL SERVICE ROAD
- FUTURE ROADS - ULTIMATE STAGE

CONSULTANT

JOB No. 0705-187-00-01 | PLAN No. 12-02

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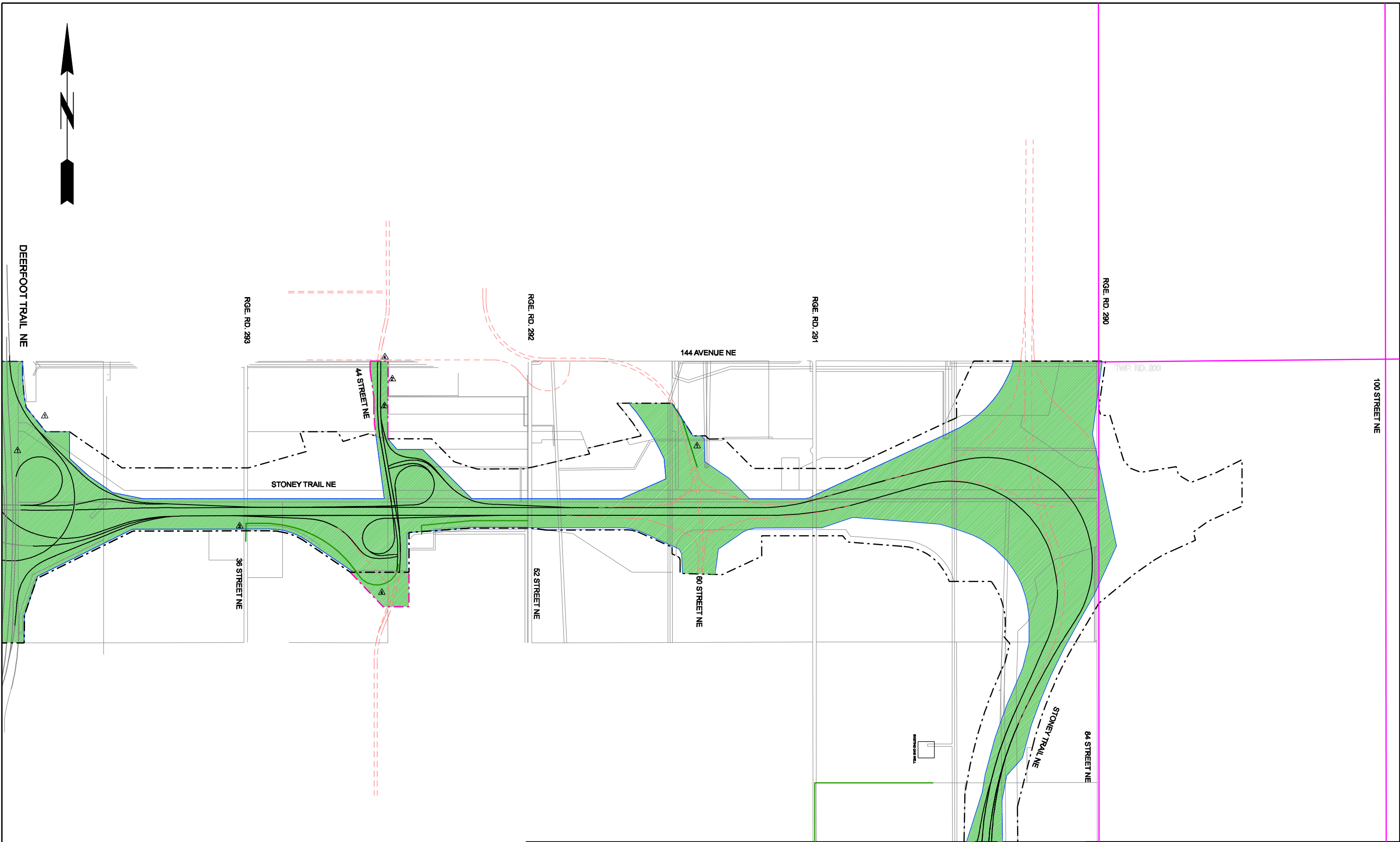
2540 Kensington Rd. NW
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**NORTHEAST STONEY TRAIL
SCHEDULE 12 DRAWING
NEW INFRASTRUCTURE
TUC & ROAD RIGHT OF WAY**

SCALE 1:10000

REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-02	NORTH EAST STONEY TRAIL		2 of 8

No.	REVISION	BY	DATE	SURVEYED	DESIGNED	CHECKED	DRAWN	DATE	PHOTO No.	GRAPHICS FILE	COORDINATE DATA	PLAN No.	CONTRACT No.	PLAN LOCATION	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING NEW INFRASTRUCTURE TUC & ROAD RIGHT OF WAY			BY	DATE
	RE ISSUED FOR ADDENDUM 2	KLA	07/06/06						TITLE SEARCH		NAD 83					TO DMS	TO GIB	MICROFILMED		
△	RE ISSUED FOR ADDENDUM 6	KLA	14/08/06								BASE LONGITUDE									
△	RE ISSUED FOR ADDENDUM 10	KLA	18/08/06																	
△	RE ISSUED FOR ADDENDUM 12	KLA	28/08/06																	



LEGEND:	
LANDS	PROPOSED ADDITIONAL TUC
T.U.C. BOUNDARY	ROADS - EXISTING INFRASTRUCTURE
ROAD RW △	EXISTING RURAL ROAD
ROADS - NEW INFRASTRUCTURE	TWO LANE GRAVEL SERVICE ROAD
	FUTURE ROADS - ULTIMATE STAGE

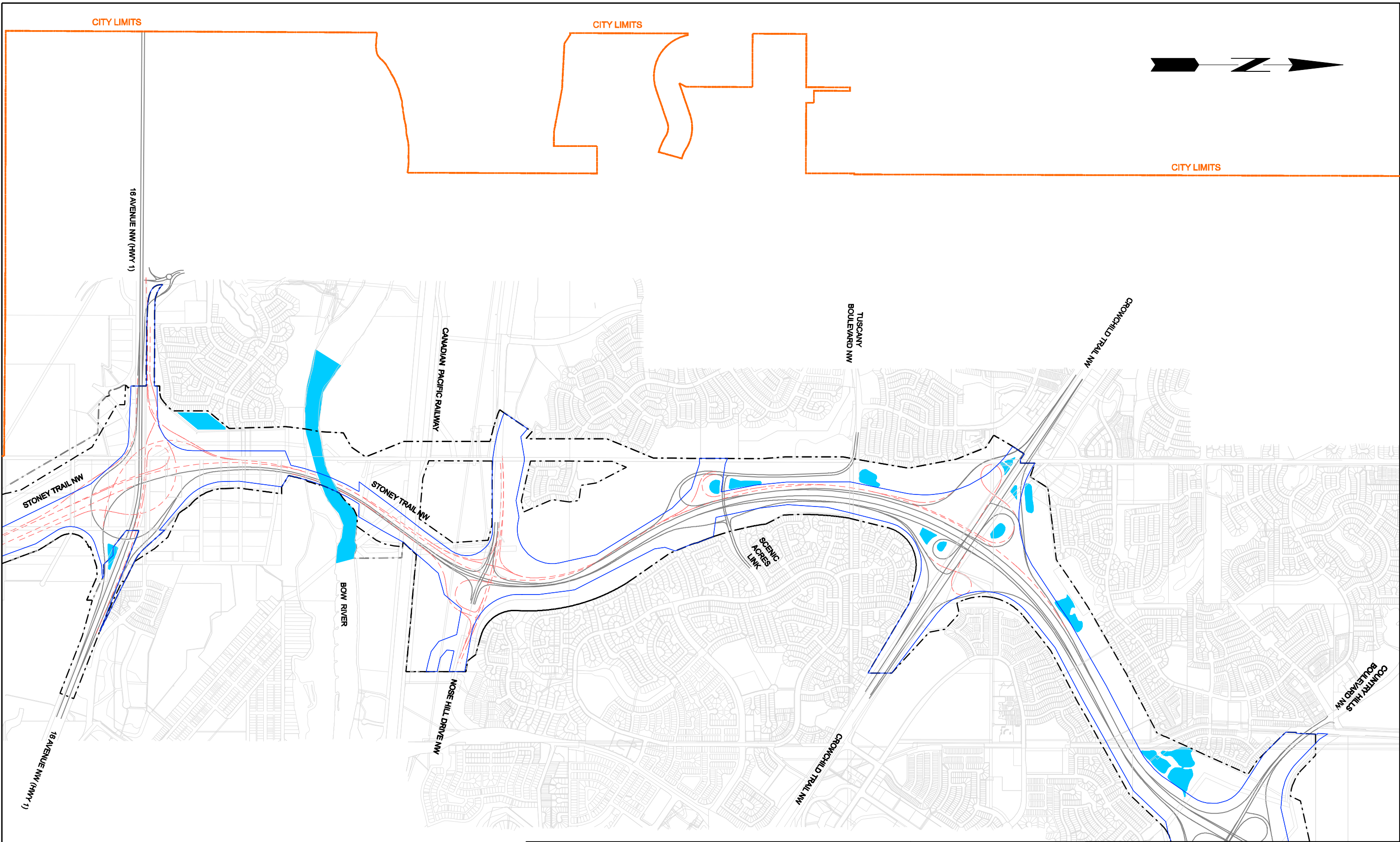
CONSULTANT	
JOB No. 0705-187-00-01	PLAN No. 12-03
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NORTHEAST STONEY TRAIL SCHEDULE 12 DRAWING NEW INFRASTRUCTURE TUC & ROAD RIGHT OF WAY				
REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-03	NORTH EAST STONEY TRAIL		3 of 6

Alberta
INFRASTRUCTURE AND TRANSPORTATION

SCALE 1:10000

No.	REVISION	BY	DATE	SURVEYED	DESIGNED	CHECKED	DRAWN	PHOTO No.	TITLE SEARCH	DATE	GRAPHICS FILE	COORDINATE DATA	PLAN No.	CONTRACT No.	PLAN LOCATION	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY	BY	DATE	TO IIMS	TO GIS	MICROFILMED	
		RE ISSUED FOR ADDENDUM 10	KLA																				180908
0																							



LEGEND:	
--- T.U.C. BOUNDARY	— ROADS - EXISTING INFRASTRUCTURE
— ROAD RIGHT OF WAY	- - - FUTURE ROADS - ULTIMATE STAGE
— ROADS - NEW INFRASTRUCTURE	■ LANDS

CONSULTANT	
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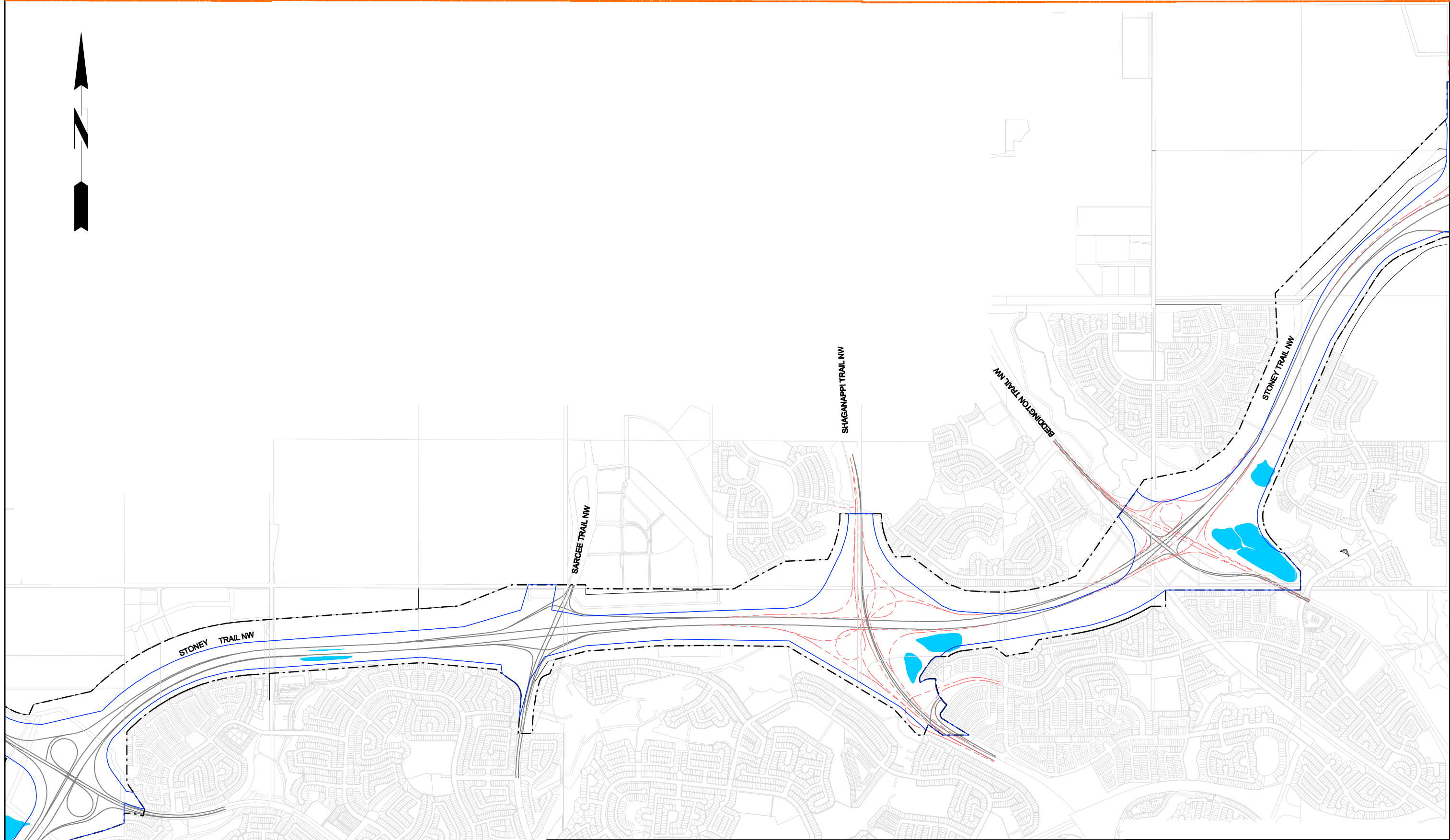
NORTHEAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY				
REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-04	NORTH EAST STONEY TRAIL		4 of 8
				SCALE 1:10000

No.	REVISION	ISSUED FOR ADDENDUM 10	BY	DATE	PHOTO No.	TITLE SEARCH DATE	GRAPHICS FILE	COORDINATE DATA	PLAN No.	CONTRACT No.	PLAN LOCATION	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY	TO IMS	TO GIS	DATE	
		RE	KLJ	18/08/08													DESIGNED
0																	



CITY LIMITS

CITY LIMITS



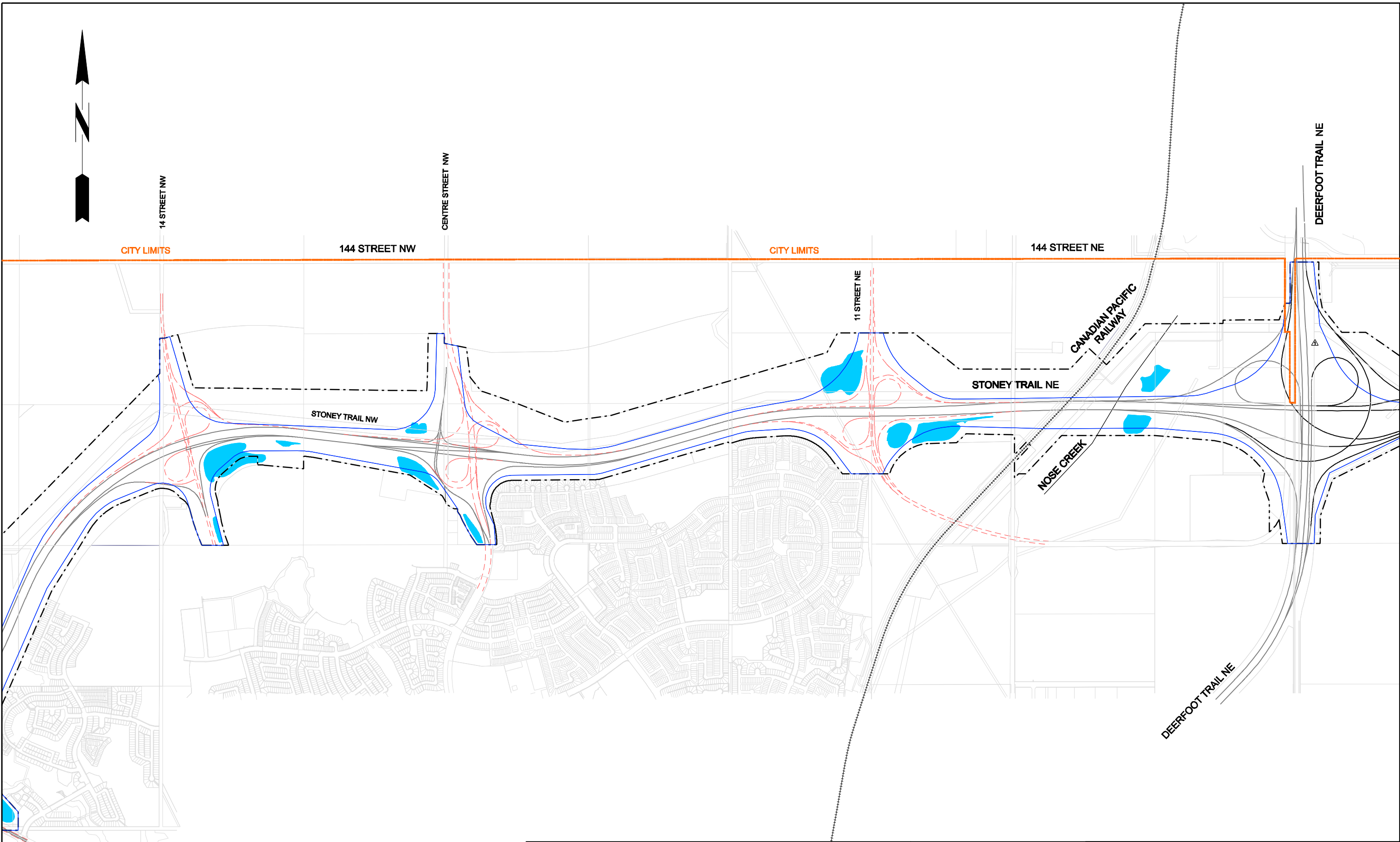
LEGEND:	
--- T.U.C. BOUNDARY	— ROADS - EXISTING INFRASTRUCTURE
— ROAD RIGHT OF WAY	- - - FUTURE ROADS - ULTIMATE STAGE
— ROADS - NEW INFRASTRUCTURE	■ LANDS

CONSULTANT	
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NORTHEAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY				
REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-05	NORTH EAST STONEY TRAIL		5 of 6

SCALE 1:10000

No.	REVISION	BY	DATE	PHOTO No.	COORDINATE DATA	PLAN No.	BAR CODE	NORTH EAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY	BY	DATE
	RE ISSUED FOR ADDENDUM 2	KLA	07/26/06	TITLE SEARCH DATE	NAD 83	CONTRACT No.			TO IMS	
	RE ISSUED FOR ADDENDUM 10	KLA	10/09/06	GRAPHICS FILE	BASE LONGITUDE	PLAN LOCATION		TO GIS		
0								MICROFILMED		



LEGEND:	
--- T.U.C. BOUNDARY	— ROADS - EXISTING INFRASTRUCTURE
— ROAD RIGHT OF WAY	- - - FUTURE ROADS - ULTIMATE STAGE
— ROADS - NEW INFRASTRUCTURE	■ LANDS

CONSULTANT	
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NORTHEAST STONEY TRAIL SCHEDULE 12 DRAWING EXISTING INFRASTRUCTURE TUC & ROAD RIGHT OF WAY				
REGION	PLAN No.	PROJECT	CONTRACT No.	SHEET
SOUTHERN	12-06	NORTH EAST STONEY TRAIL		6 of 6
				SCALE 1:10000

