

**CORIX™**  
Utilities

May 11, 2009

To: THE HOMEOWNERS - SONOMA PINES DEVELOPMENT

From: Corix Utilities

Re: ANNUAL GENERAL MEETING  
Date: Tuesday, May 26, 2009  
Time: Registration: 6:30p.m. Meeting: 7:30p.m. SHARP  
Location: Holiday Inn West Kelowna

Dear Owner(s):

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Attached are an Agenda, a copy of the Minutes of the May 7, 2008 Annual General Meeting, the Year End Financial Statements (4pages) for the 12 month period ending March 31, '09, the Proposed Operating Budget for the fiscal year April 1, 2009 to March 31, 2010, 2 Proxy forms, and a copy of the amended Rules and Regulations as recommended by the current Board of Directors.

Your Board of Directors has reviewed the year end financials and the proposed budget for 2009/2010 and recommend acceptance.

There will be a one time 'Special Levy' to all home owners in July 2009 of an amount between \$105.00 and \$115.00. The amount will be confirmed at the AGM.

The community of Sonoma Pines has nearly 231 residents and your outgoing board of the SPHOM (Sonoma Pines Home Owners Management) greatly encourages those residents who wish to be an active voice for their neighbors, to allow their name to stand for the incoming board. This is a great opportunity to learn all aspects of the community including the Articles of Incorporation, Rules and Regulations, and other guiding principles used for decision making at Sonoma Pines. The goal is to get as broad a base of representation as possible from all corners of the community.

We stress the importance to all homeowners in attending this meeting. This is your ownership and therefore your responsibility to share in the decision making. Attached is a Proxy form for those who are unable to attend. You are asked to assign someone to vote on your behalf if you can not make it.

Water will be provided at the meeting.

Please bring this entire package with you on Wednesday, May 26, 2009 to the Holiday Inn West Kelowna. COME EARLY, AS ALL HOME OWNERS MUST SIGN IN.

Yours Truly  
Corix Utilities

Linda Hamilton & Bonnie-Lee Hansen  
On behalf of the owners of Sonoma Pines Development

**Items to be Voted on at the SPHOM AGM – May 26 2009**

- 1. R/V Lot monthly fee increase – The Board is proposing a fee increase to both lot sizes by \$10.00 each per month.**
- 2. The Board will be making a motion of change in the administration of the Contingency Fund.**
- 3. Budget for 2009/ 2010**
- 4. Rules and Regulations – The Board will be recommending changes as noted in the attached package**
- 5. New Board of Directors**

**AGENDA**  
**AGM Sonoma Pines Homeowners Mgmt Ltd**  
**Tuesday May 26, 2009**  
**7:30p.m. Holiday Inn – West Kelowna**

Registration

Call to Order

Calling the roll and certifying Proxies

Filing proof of notice of meeting

Approval of the Agenda

**Introduction of the Board, Rykon, and Corix:**

**Board:** Dave Gingras (chair) Dennis Ressler (treasurer), Cecil Harder, Richard Bakker, Joel Young, Mike Barrett and Tracy Wall

**Corix:** Linda Hamilton, Bob Welsh, Bonnie-Lee Hansen

**Rykon:** Bill Eager, Paul Perschon and Adrian Block

**Approve the minutes of the AGM May 7, 2008**

**SPHOM Chairman's Report: Dave Gingras**

**Committee Reports:**

- 1) Neighbourhood Watch Report – Joel Young & Duane McTavish
- 2) Landscape Report – Jim Kay

**Financial Report: Corix Utilities**

**Presentation of Budget for 2009/2010**

**Rykon Development Update – Bill Eager**

- 1) Development Progress

**Rules & Regulations (Additions & Amendments): Tracy Wall**

**RV Lot Increase: Board Recommendation (sm. space \$15.00 to \$25.00 and lg. space \$25.00 to \$35.00)**

General Discussion – *limit 3 minutes per person*

*\*Note: AGM discussion items are to relate to common issues, and not specific home owner concerns. Specific issues must be sent to Rykon Construction Management, Rykon Group.*

**Present Board now resigns**

Election of new Board – maximum of 6 members (the 7<sup>th</sup> member will be elected from the town home board to sit on the common board).

- Call for Nominations
- Election if required

**Adjournment**

**SONOMA PINES HOME OWNERS MANAGEMENT LTD**

The undersigned being a shareholder of the Company, hereby appoints (*name*) \_\_\_\_\_ or, failing that person, (*name*) \_\_\_\_\_ a proxy holder for the undersigned to attend, act and vote for and on behalf of the undersigned at the meeting of the Company to be held on May 26, 2009 and at any adjournment of that meeting.

Number of shares in respect of which this proxy is given \_\_\_\_\_ (if no number specified, then this proxy is given in respect of all shares registered in the name of the shareholder):

Signed: \_\_\_\_\_  
(*Signature of Shareholder*)

\_\_\_\_\_  
(*Month/Day/Year*)

\_\_\_\_\_  
(*Name of shareholder – printed*)

**SONOMA PINES HOME OWNERS MANAGEMENT LTD**

The undersigned being a shareholder of the Company, hereby appoints (*name*) \_\_\_\_\_ or, failing that person, (*name*) \_\_\_\_\_ a proxy holder for the undersigned to attend, act and vote for and on behalf of the undersigned at the meeting of the Company to be held on May 26, 2009 and at any adjournment of that meeting.

Number of shares in respect of which this proxy is given \_\_\_\_\_ (if no number specified, then this proxy is given in respect of all shares registered in the name of the shareholder):

Signed: \_\_\_\_\_  
(*Signature of Shareholder*)

\_\_\_\_\_  
(*Month/Day/Year*)

\_\_\_\_\_  
(*Name of shareholder – printed*)

**AGM Sonoma Pines Homeowners Management Ltd.**  
**Wednesday May 7, 2008**  
**Minutes of Meeting**

**Registration:** Bonnie-Lee Hansen and Linda Hamilton of Corix Utilities

**Minutes** taken by Bonnie-Lee Hansen of Corix Utilities

**In Attendance:** **Board of Directors SPHOM**

Fred Wickett	Chair
Joel Young	Treasurer
David Gingras	Director
Ed McCoy	Director
Dennis Ressler	Director

**Guests**

Bob Welsh	Corix
Linda Hamilton	Corix
Bonnie-Lee Hansen	Corix
Bill Eager	Rykon
Paul Perschon	Rykon

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**Call to Order**

Meeting was called to order at 7:36pm by meeting chair Fred Wickett

**Calling of Roll and Certifying Proxy**

At the time the meeting was called to order there were 111 present, 74 homes represented and 18 proxies.  
This constituted a quorum.

**Filing Proof of Notice of Meeting**

The proof of meeting was delivered by Linda Hamilton on April 24, 2008 which was within the required 10 days.

**Approval of Agenda**

Motion: To approve the agenda as circulated 3304 Pine Vista Place  
Seconded 2298 Pine Vista Place  
Motion Passed

**Introduction of Board Members**

Fred Wicket introduced himself, Joel Young, David Gingras, Ed McCoy, and Dennis Ressler.

**Approval of Minutes from AGM December 6, 2007**

Motion: 2285 Pine Vista Place  
Seconded: 3831 Sonoma Pines Drive

Fred Wickett read a brief letter thanking all board members and others for all their hard work and help for a great year.

### **Committee Reports**

**Financial and Insurance Report** Bob Welsh (Corix Utilities) – Bob Welsh, Regional Manager introduced himself, Linda Hamilton and Bonnie-Lee Hansen. Bob gave a PowerPoint presentation of the Financial Tracking by month, Statement of Account with ending period of March 31, 2008 and then asked Linda Hamilton to speak briefly on the Pre-Paid Insurance. Bob touched briefly on the approximately \$5300.00 deficit that appears on the financial report, this amount was due to an abundance of snow removal needed for this past winter season but indicated that Rykon Development is responsible to cover this deficit amount entirely. Linda (Corix Utilities) gave details about the Contingency Fund and that Corix manages it on behalf of the Home Owners and Board and should anyone need a break down to see her and one would be provided.

### **Presentation of Budget for 2008/2009**

Paul Perschon gave a PowerPoint presentation of the new estimated 2008/2009 Budget for Sonoma Pines. Paul went over the Common Costs for Sonoma Pines; he indicated that some of those costs were going up slightly in different areas.

- Common landscaping costs will increase from \$28,000.00 to \$35,000.00 because there will be more mulch put into the common bed areas around the property.

- Another increase in fees is the addition of fence maintenance/restoration; the budgeted amount is approximately \$12,000.00.

- A significant increase in the budget amount is the snow removal/clearing for the single family and town homes at Sonoma Pines. Last year there was a budget of \$7000.00; but because of the abundance of snow fall this past winter the charges for snow removal and sanding was approximately \$30,000.00. Hence in the new budget there is an estimated \$25,000.00.

- The common irrigation maintenance budget for last year was \$1000.00, \$2900.00 was spent, and the new budget amount for irrigation this year is \$3000.00. The fire hydrant maintenance inspections double from \$1800.00 to \$4935.00 due to the amount of inspections that were done, this year two inspections were done. The street light maintenance also increased as the construction of the new phases completed, therefore more lights needed work (light replacement).

The budget deficit for last fiscal year was \$5327.00.00. The Rykon Group will pick up that cost.

Motion to accept new proposed budget: 2304 Pine Vista  
Seconded: 2108 Alvarado Trail  
Motion Carried

## Rykon Development Update – Bill Eager

### **Development Progress**

Bill Eager spoke about how much Sonoma Pines has grown over the past 16 months, as they have added close to a 100 new homes; 57 of them are the multi family homes, 25 are in phase 3. Phase 3 is now completely sold. In phase 5B Rykon has sold in 23 homes in the multi family and sold 17 out of 25 single family homes. All the land in phase 6 has been serviced and has sold 4 out of the 44 thus far.

### **Boucherie Gates**

Some of the improvements over the next year will include gates that will be installed at the bottom of Sonoma Pines at Boucherie road. These gates will serve as an entrance and exit for resident home owners only; there will be a clicker for each owner as these gates are solely intended to control traffic for people who might want to take a short cut to the other side of the development. There will be no enter phone or buzz in service installed at these gates. Rykon is hoping to have these gates installed within the next year, however in the mean time they have put up construction gates at the bottom of Boucherie Road till such time as the gates are installed.

Bill also indicated that land has been put aside (near the Boucherie Gates) for future RV parking as currently the one they have on site is full and there is a long list of owners waiting to use it. At this time Rykon can not put a date to when this project will be completed however it is a project that will come to be in the future.

Part of the golf course improvements that are currently taking place involves Rykon giving back land that will accommodate golf course improvements by Two Eagles for the safety of owners on hole #16. Rykon has also given back a portion of land near hole # 3 so that the tee off box can be realign for homeowner safety. Other changes are being made at hole #13 to change the hole from a par three to a par four.

### **Clubhouse, Pool and Park**

Rykon will be putting in walking trails and a park with a play area as outline in the AGM package. This development will happen between phase 5A and 5B. Bill mentioned some of the implications of putting in a pool. Research was undertaken on a number of existing projects in order to get a fair estimate of the costs of having a pool and clubhouse, or just a clubhouse alone. Some of the amenities that the clubhouse would include are a gym, rooms that could accommodate crafts or pool tables. The costs to put in the pool and the clubhouse compared to just the clubhouse would be approximately \$58,245.00 for both which works out to be \$16.18 per resident @ 300 residents or \$12.13 per resident @ 400 residents. With no pool added the costs would be lower at \$26,152.00 which is \$7.26 per resident @300 residents or \$5.45 per resident @ 400 residents. As Sonoma Pines grows and more residents come in the more cost are being covered. Bill asked for a show of hands to see how many residents would be in favor of a clubhouse with a pool, about **16 hands** (1 hand per house hold). A show of hands were asked for those who are not in favor of having the pool built, over 45 hands went up. Rykon has an estimated budget for this project of about \$750,000.



## Door Prize – David Gingras

David Gingras introduced Ono Curatolo of Ace Trim & Tint who donated an invisible screen; Barb Bassette pulled the winning name. The winners were Kim Rasmussen and Mike Gardiner, congratulations and enjoy.

## General Discussion

**Q** – 4122 Solana Place: What is the plan regarding the unplanted areas, that back onto hole #3 & #16?

**A** – This is a golf course issue but Rykon is monitoring closely, what the golf course is doing around those areas. Currently there is no landscape at all, but the golf course will be seeding with long grass. The golf course has also outlined a new tree planting project over the next number of years, and is hoping to plant 400 new trees.

**Q** – 3692 Sonoma Pines Drive: Security and quality of traffic, who is liable for the property, if there is an accident that occurs out of speed?

**A** – If it is a Rykon construction trade worker, then that trade is responsible. If it is an owner or guest then it is that individual who is responsible.

**Q** – 4118 Solana Place: What if we do not want the tall trees and grass planted around holes 3 and 16?

**A** – Golf Course land is controlled by Two Eagles, and hence that is something that the owner will need to discuss with the golf course.

**Q** – 3682 Sonoma Pines Drive: is there a group that represents the Home Owners concerns that don't relate to common property?

**A** – Bill Eager asked that everyone let him know about all individual issues again forward them to him at Rykon.

**Q** - Wants to know how Corix calculates the Gas price for our utilities?

**A** – (Bob Welsh) the rates are fair and equitable and all our submissions go to BCUC, British Columbia Utility Commission. The way we purchase and supply the gas is the same to owners on Sonoma Pines as it is to people not in Sonoma Pines.

**Q** – 3684 Sonoma Pines Drive: the piece of the property at the top slated beside the main entrance what is the intent for that site?

**A** – Bill Eager stated he does not know at this point, but they still have control of that piece of property.

**Comment** - 4120 Sonoma Pines Drive: in respect to phase 3 hole #3 the fence ends right at the green. We will not enjoy the idea of grass bur on the golf course at hole #16. We are continually having interruptions from the golfers and their carts, as there is constant disregard and lack of privacy.

**A** – Bill Eager will take that suggestion back to their development team and review it to the up most intention.

**Election of New Board** - Call for nominations, 6 to be elected, 7 required in total, one of which will come from the town home board

Dennis Ressler  
Cecil Harder  
David Gingras  
Roger Hare  
Joel Young  
Louise Wickett  
Betty-Anne Cathrea

Roger Hare was the only one who did not want his name held, there for the new Board Members are as follows: Dennis Ressler, Cecil Harder, David Gingras, Joel Young, Louise Wickett, and Betty-Anne Cathrea.

Adjournment was called at 9:17pm by Linda Hamilton

***\* Please note that this document has been double sided to conserve paper and to save the home owner costs.***

**Year End Financials**

**April 1, 2008 – March 31, 2009**

**3 pages**

**Sonoma Pines Home Owner's Association**

Statement of Account for April 1, 2008 to March 31, 2009

<b>COMMON</b>	<b>BUDGET</b>	<b>REVENUE ACTUAL</b>	<b>EXPENDITURE ACTUAL</b>	
<b>Physical Maintenance:</b>				
Common Area Landscaping	35,600	36,563	29,530	
Common Area Plantings	3,000	3,110	6,155	
Repairs & Maintenance	1,200	1,237	2,815	
Fence Maintenance	12,000	9,560	11,429	
Snow Clearing	25,000	22,022	49,492	
Irrigation Repairs	3,000	2,673	-	
Hydrant Maintenance	4,935	4,451	2,590	
Street Light Maintanance	1,000	976	353	
<b>Utilities</b>				
Electricity-Street Lights	900	1,021	338	
Garbage Collection	25,800	25,125	28,005	
Sewer	55,788	54,320	68,475	
Water	41,865	40,781	57,340	
<b>Administrative</b>				
Bank Charges	100	112	-	
Insurance - Common Area	9,821	9,423	8,714	
Misc	1,000	1,075	2,273	
Management Fee - 10%	20,901	20,337	26,751	
Reserve-Contingency - 5%	12,095	11,672	14,713	
<b>PHASE 1&amp;2-SPECIFIC ALLOCATIONS</b>				
Landscaping	55,680	55,457	48,720	
Management Fee - 10%	5,568	5,549	4,872	
Reserve-Contingency - 5%	3,062	3,052	2,680	
<b>PHASE 3-SPECIFIC ALLOCATIONS</b>				
Landscaping	27,840	26,531	24,225	
Entrance Gate Maintenance & Plantings	3,500	-	470	
Oversize Lot Maintenance	6,000	5,718	4,515	
Management Fee - 10%	3,734	3,225	2,921	
Replacement Reserve - 5%	2,054	1,775	671	
<b>PHASE 4 &amp; 5a-SPECIFIC ALLOCATIONS</b>				
Landscaping	31,008	27,149	26,610	
Insurance - Buildings	20,044	22,481	14,715	
Administrative			692	
Misc Repairs and Maintenance/Insurance	600	930	2,500	
Management Fee - 10%	5,165	5,054	4,452	
Replacement Reserve - 5%	2,841	2,767	2,448	
<b>PHASE 5b (SF)-SPECIFIC ALLOCATIONS</b>				
Landscaping	23,664	4,854	4,829	
Oversize Lot Maintenance	2,720	454	-	
Management Fee - 10%	2,638	531	483	
Replacement Reserve - 5%	1,451	291	266	
<b>PHASE 5b (MF)-SPECIFIC ALLOCATIONS</b>				
Landscaping	15,232	11,541	9,146	
Insurance - Buildings	10,999	6,340	5,076	
Misc Repairs and Maintenance	300	229	-	
Management Fee - 10%	2,653	1,811	1,422	
Replacement Reserve - 5%	1,459	994	782	
<b>PHASE 6</b>				
Landscaping		758		
Insurance - Buildings		389	1,093	
Misc Repairs and Maintenance		58		
Management Fee - 10%		120	109	
Replacement Reserve - 5%		66	60	
<b>RV PARKING</b>				
Insurance		10,192	162	
Landscaping			150	
<b>Net Income (Loss)</b>	<b>\$ 482,217</b>	<b>\$ 442,772</b>	<b>\$ 473,043</b>	<b>\$ (30,271)</b>

Sonoma Pines  
CONTINGENCY FUND

**BALANCE SHEET**

**2008/09**

For the Period April 1, 2008 to March 31, 2009

**ASSETS**

Reserve/Contingency Fund

**COMMENCING BALANCE: 28,959.96**

April-08	1938.10
May-08	1045.15
June-08	3040.61
July-08	2254.28
August-08	1216.36
September-08	1819.07
October-08	2697.01
November-08	771.17
December-08	1886.25
January-09	453.09
February-09	1002.16
March-09	3496.80

**SUBTOTAL 21,620.06**

**CARRY FORWARD BALANCE: 50,580.02**

Sonoma Pines  
PREPAID INSURANCE

**BALANCE SHEET**

**2007/08**

For the Period April 1, 2008 to March 31, 2008

**PREPAID INSURANCE ACCOUNT**

Strata Insurance

**COMMENCING BALANCE: 5,422.78**

April-08	1807.58	
May-08	1807.58	
June-08	1807.62	
		<b>POLICY RENEWED: 30002</b>
July-08	2500.17	
August-08	2500.17	
September-08	2500.17	
October-08	2500.17	
November-08	2500.17	
December-08	2500.17	
January-09	2500.17	
February-09	2500.17	
March-09	2500.17	
	<b>SUBTOTAL</b>	<b>27924.31</b>
	<b>CARRY FORWARD BALANCE:</b>	<b>7,500.47</b>

**Estimated Budget**

**April 1, 2009 – March 31, 2010**

**1 page**

**Proposed**

**SCHEDULE "D"**  
**SONOMA PINES HOME OWNERS MANAGEMENT LTD.**  
**& SONOMA PINES MULTI-FAMILY MANAGEMENT LTD.**  
**ESTIMATED ANNUAL COSTS 2009/2010**  
**PHASES 1 - 6**

COMMON AREA COSTS:	2009	2009	2009	
	Dev Lots <i>(all)</i>	Occup Home <i>(living)</i>	Monthly Per Unit	
			Common Monthly Costs	Living Monthly Costs
<b>Physical Maintenance:</b>				
Common Area Landscaping	\$ 50,000		\$14.72	
Common Area Plantings	\$ 5,000		\$1.47	
Repairs & Maintenance	\$ 3,000		\$0.88	
Fence Maintenance	\$ 15,000		\$4.42	
Snow Clearing	\$ 40,000		\$11.78	
Irrigation Repairs	\$ 3,000		\$0.88	
Hydrant Maintenance	\$ 5,000		\$1.47	
Street Light Maintenance & Upgrades	\$ 2,500		\$0.74	
<b>Utilities:</b>				
Electricity - Street Lights	\$ 900		\$0.27	
Garbage Collection		\$ 33,264		\$12.00
Sewer		\$ 59,931		\$21.62
Water		\$ 44,989		\$16.23
<b>Administration &amp; Other:</b>				
Bank Charges	\$ 100		\$0.03	
Insurance - Common Areas	\$ 9,000		\$2.65	
Miscellaneous & Administrative Management - 10%	\$ 3,000	\$ -	\$0.88	
	\$ 13,650	\$ 13,818	\$4.02	\$4.07
Subtotal	\$ 150,150	\$ 152,002	\$44.21	\$53.92
Contingency (2.5%)	\$ 3,754	\$ 3,800	\$1.11	\$1.12
Reserve (2.5%)	\$ 3,754	\$ 3,800	\$1.11	\$1.12
<b>Total</b>	<b>\$ 157,658</b>	<b>\$ 159,603</b>	<b>\$46.42</b>	<b>\$56.16</b>
				<b>\$102.58</b>

Phase Expenses	Units	Dev Lots	Occup Home	Phase Monthly Costs	Common Monthly Costs	Living Monthly Costs	Phase Total
<b>Phase 1 &amp; 2 Allocation</b>							
Landscaping	80		\$ 72,000	\$75.00			
Misc				\$0.00			
Management - 10%			\$ 7,200	\$7.50			
Subtotal			\$ 79,200	\$82.50			
Contingency (2.5%)			\$ 1,980	\$2.06			
Reserve (2.5%)			\$ 1,980	\$2.06			
<b>Total</b>			<b>\$ 83,160</b>	<b>\$86.63</b>	<b>\$46.42</b>	<b>\$56.16</b>	<b>\$189.21</b>
<b>Phase 3 Allocation</b>							
Landscaping & Plantings	40		\$ 40,000	\$83.33			
Entrance Gate Maintenance *			\$ 3,500	\$7.29	*Note 1		
Management - 10%			\$ 4,350	\$9.06			
Subtotal			\$ 47,850	\$99.69			
Contingency (2.5%)			\$ 1,196	\$2.49			
Reserve (2.5%)			\$ 1,196	\$2.49			
<b>Total</b>			<b>\$ 50,243</b>	<b>\$104.67</b>	<b>\$46.42</b>	<b>\$56.16</b>	<b>\$207.25</b>
<b>Phase 5b (SF) Allocation</b>							
Landscaping & Plantings	34		\$ 34,000	\$83.33			
Management - 10%			\$ 3,400	\$8.33			
Subtotal			\$ 37,400	\$91.67			
Contingency (2.5%)			\$ 935	\$2.29			
Reserve (2.5%)			\$ 935	\$2.29			
<b>Total</b>			<b>\$ 39,270</b>	<b>\$96.25</b>	<b>\$46.42</b>	<b>\$56.16</b>	<b>\$198.83</b>
<b>Phase 4/5a/5b (MF) Allocation</b>							
Landscaping	85		\$ 68,000	\$66.67			
Insurance - Buildings**			\$ 27,244	\$26.71	Note 2		
Administration			\$ 1,000	\$0.98			
Misc. Repairs and Extras			\$ 1,000	\$0.98			
Management Fee (10%)			\$ 9,724	\$9.53			
Sub Total			\$ 106,968	\$104.87			
Building Reserve (5%)			\$ 5,348	\$5.24			
Contingency (1%)			\$ 1,070	\$1.05			
<b>Total</b>			<b>\$ 113,387</b>	<b>\$111.16</b>	<b>\$46.42</b>	<b>\$56.16</b>	<b>\$213.74</b>
<b>Phase 6 (MF) Allocation</b>							
Landscaping	44		\$ 8,000	\$66.67			
Insurance - Buildings**			\$ 3,272	\$27.27	Note 2		
Administration			\$ 60	\$0.50			
Misc. Repairs and Extras			\$ 60	\$0.50			
Management Fee (10%)			\$ 1,139	\$9.49			
Sub Total			\$ 12,532	\$104.43			
Building Reserve (5%)			\$ 627	\$5.22			
Contingency (1%)			\$ 125	\$1.04			
<b>Total</b>			<b>\$ 13,284</b>	<b>\$110.70</b>	<b>\$45.32</b>	<b>\$56.16</b>	<b>\$212.17</b>

Total Dev. Units 283

\*Note 1: To be applied when Gate is Installed and Fully Operational

\*\*Note 2: Insurance is paid on Unit Entitlement. Budget figure is average of all units.



**SCHEDULE E  
SONOMA PINES  
RULES AND REGULATIONS  
EFFECTIVE JULY 2005**  
(With proposed additions & amendments May, 2009))

**DIVISION SUMMARY**

Division 1 - Duties of Owners, Tenants, Occupants and Visitors  
Division 2 - Powers and Duties of the Homeowners Association  
Division 3 - Enforcement of Rules and Regulations  
Division 4 - Voluntary Dispute Resolution  
Division 5 - Marketing Activities by Developer

**Division 1 - Duties of Owners, Tenants, Occupants and Visitors**

**Payment of homeowner fees**

1. An owner must pay homeowner fees on or before the first day of each month.

**Repair and maintenance of property by owner**

2. (1) An owner must repair and maintain the owner's lot, except for repair and maintenance that is the responsibility of the Sonoma Pines Homeowners Management Ltd. ("SPHOM") under its Articles of Incorporation.  
  
(2) An owner shall keep all areas of the lot clean, free of debris and well maintained at all times.  
  
(3) **An owner shall be responsible for any damage occurring to common property, limited common property/assets or those parts of lot, which the SPHOM must repair or insure under these rules and regulations. Costs of repairs or insurance deductibles will be charged back to an owner, tenant, or occupant or visitor who is responsible for any damage.**  
**(Added May 2009)**

**Use of property**

3. (1) An owner, tenant, occupant or visitor must not use a lot, the common property or common assets in a way that:
  - (a) causes a nuisance or hazard to another person,
  - (b) causes unreasonable noise,
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another lot,
  - (d) is illegal, or
  - (e) is contrary to a purpose for which the lot or common property is intended as shown expressly or by necessary implication on or by the overall development plan.

- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a lot which the SPHOM must repair and maintain under these rules and regulations.
- (3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset. **An owner, tenant, occupant or visitor must ensure that pet excrement is removed and cleaned immediately from all common property. (Added May 2009)**
- (4) An owner, tenant, occupant or visitor must not keep any pets on a lot other than following:
  - (a) a reasonable number of fish or **no more than 2** small aquarium animals; (Amended May 2009)
  - (b) **no more than 2** small caged mammals; (Amended May 2009)
  - (c) **no more than 2** caged birds; (Amended May 2009)
  - (d) **no more than 2 dogs or no more than 2 cats or no more than 1 cat and 1 dog. (Amended May 2009)**
- (5) An owner, tenant, occupant or visitor must not conduct **any** major repairs or maintenance to motor vehicles or trailers or other mechanical equipment. **(Amended May 2009)**
- (6) An owner, tenant, occupant or visitor must not have exposed or open garbage cans, bags or containers, unless being placed for collection on specified collection days only.
- (7) Real estate, rental, **election**, or any advertising signs must not be displayed on a lot or on the common property except as approved and in the location designated by the SPHOM. **(Amended May 2009)**
- (8) A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on a lot, common property or land that is a common asset. Despite the foregoing, the placing of items on balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, summer furniture and accessories and not used for storage of other items.  
***Also refer to Section 6.***
- (9) Second kitchens are permitted so long as they are intended for the use by members of the household, and must be freely and fully accessible from the remainder of the dwelling without any intervening doors equipped with a locking device of any kind.

(10) Garage doors must remain closed except (i) when an Owner is performing activities in the garage, which do not violate the provisions of the rules of the SPHOM and (ii) for access to and from the garage. Allowing the garage doors to remain open a maximum of one foot (1') from the driveway surface during the summer months for the purpose of ventilation shall not be deemed to be a violation of this rule. (Added May 2009)

#### Parking Restrictions

4. (1) An owner, tenant, occupant or visitor must not park trucks exceeding 1 ton, campers, recreational vehicles, equipment, unlicensed vehicles, boats, trailers, containers, **Except on areas specifically approved and designated by the SPHOM, except for the purpose of loading and unloading which will not exceed 12 hours. (Amended May 2009)**
- (2) Boat, recreational vehicle and utility trailer parking on the street is prohibited.
- (3) A resident or visitor shall not use any part of a lot as a parking stall other than the concrete driveway.
- (4) An owner or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with driveway entrances or access to driveway entrances.
- (5) Any vehicle parked in violation of rule 4 may be subject to removal by a towing company authorized by the SPHOM, and all costs associated with such removal will be charged to the owner of the lot.

#### Inform Homeowners Association

5. (1) Within 2 weeks of becoming an owner, an owner must inform SPHOM of the owner's name, lot number and mailing address outside the plan, if any.
- (2) Owners must inform SPHOM of a rental tenancy and complete "Notice of Tenant Responsibilities" form signed by both; the owner and renter, the completed form must then be returned to SPHOM (Added August, 2006)

Obtain approval before altering a lot

6. (1) An owner must obtain the written approval of SPHOM before making an alteration to a lot that involves any of the following:
- (a) the structure of a building;
  - (b) the exterior of a building including the color of the building;
  - (c) chimneys, stairs, balconies or other things attached to the exterior of a building **including: planters, trellises, ornaments or any other items; (Added May 2009)**
  - (d) doors, windows or skylights on the exterior of a building;
  - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
  - (f) common property located within the boundaries of a lot;
  - (g) those parts of the lot which the SPHOM must insure;
  - (h) removal or addition of vegetation, planting of any hedges or trees, except for annuals and perennials. All trees planted by homeowners must not exceed 3 meters when grown to maturity. (Added May 2009)
  - (i) Acceptable Satellite Dish & Antennae locations.
    - a) **24" or less in diameter (dish) (Amended May 2009)**
    - b) Board approval is required before installation  
(Added October, 2006)
- (2) SPHOM may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit entry to lot

7. (1) An owner, tenant, occupant or visitor must allow a person authorized by SPHOM to enter the lot;
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
  - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a lot that are the responsibility of SPHOM to repair, maintain or insure under these rules and regulations.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

**Division 2 - Powers and Duties of SPHOM**

**Repair and maintenance of property by SPHOM**

1. SPHOM must repair and maintain all of the following:
  - (a) common assets of SPHOM;
  - (b) common property that has not been designated as limited common property;

**Division 3 – Enforcement of Rules and Regulations**

**Maximum fine**

1. SPHOM may fine an owner or tenant a maximum of:
  - (a) **\$500.00** for each contravention of a rule or regulations hereunder.  
**Amended May 2009**

**Continuing contravention**

2. If an activity or lack of activity that constitutes a contravention of the rules and regulations continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days

**Action under Default**

3. SPHOM shall be entitled to take any and all action as permitted under the Sublease Agreement for breaches of these rules and regulations, which continue for a period of longer than 30 days.

**Division 4- Voluntary Dispute Resolution**

**Voluntary dispute resolution**

1. (1) A dispute among owners, tenants, SPHOM or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
  - (a) all the parties to the dispute consent, and
  - (b) the dispute involves the regulations, the rules and regulations.

- (2) A dispute resolution committee consists of;
  - (a) one owner or tenant of SPHOM nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
  - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

### **Division 5- Marketing Activities by Developer**

#### **Display lot**

1.
  - (1) The developer of the Sonoma Pines subdivision may carry on sales functions that relate to any lots, including the posting of signs.
  - (2) The developer may use a lot, that the developer owns or rents, as a display lot for the sale of other lots in the development plan.
  - (3) The provisions of this division may not be altered without the prior written consent of the Developer.

**SONOMA PINES Multi Family (4, 5A, 5B) Management Ltd. (SPMFM)  
RULES AND REGULATIONS  
(Not replacing, but in addition to Schedule E)**

- (3) " An owner shall indemnify and save harmless SPMFM Ltd. & SPHOM Ltd. from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any subleased land by the owner's act, omission, negligence or carelessness, or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by the operation of any insurance policy. In such circumstances, and for the purposes of By-Laws (3), any insurance deductible paid or payable by the SPMFM Ltd. & SPHOM Ltd. shall be considered an expense not covered by the proceeds received by the SPMFM & SPHOM as insurance coverage and will be charged to the owner."
- (a) an owner is strictly liable for any damage to common property, limited common property, common assets or to any subleased lot as a result of:
- (i) any of the following items in their subleased lot:
    - (A) dishwasher;
    - (B) refrigerator with ice/water dispensing capabilities;
    - (C) garburator;
    - (D) hot water tank;
    - (E) toilets, sinks, bathtubs and, where located wholly with the subleased lot, plumbing pipes and fixtures;
    - (F) fireplaces;
    - (G) anything introduced into the subleased lot by the owner;
    - (H) any alterations to the subleased lot made by the owner or by prior owners;
  - (ii) damage arising from a blocked drain on the deck or patio designated for the exclusive use of the owner;
  - (iii) any alterations or additions to limited common property or common property undertaken by the owner or by prior owner(s) of the subleased lot;
  - (iv) any pets residing or visiting the owner's subleased lot;
  - (v) any children residing or visiting the owner's subleased lot; and
- (b) an owner shall indemnify and save harmless the SPMFM & SPHOM from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any subleased lot arising from damage of the sort referred to in Bylaw (3) above, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. (Added May 2009)

Obtain approval before altering a lot

6. (1) An owner must obtain the written approval of SPMFM Ltd. before making an alteration to a lot that involves any of the following: **Added May 2009**
- (i) the structure of a building;
  - (j) the exterior of a building including the color of the building;
  - (k) chimneys, stairs, balconies or other things attached to the exterior of a building – **Multi-Family: including planters, trellises, ornaments or any other items; (Added May 2009)**
  - (l) doors, windows or skylights on the exterior of a building;
  - (m) fences, railings or similar structures that enclose a patio, balcony or yard;
  - (n) common property located within the boundaries of a lot;
  - (o) those parts of the lot which the SPMFM must insure;
  - (p) removal or addition of vegetation, planting of any hedges or trees, except for annuals and perennials. **All trees planted by homeowners must not exceed 3 meters when grown to maturity. (Added May 2009)**

Parking Restrictions

4. (1) An owner, tenant, occupant or visitor must not park trucks exceeding 1 ton, campers, recreational vehicles, equipment, unlicensed vehicles, boats, trailers, containers, Except on areas specifically approved and designated by the SPHOM, except for the purpose of loading and unloading which will not exceed 12 hours. (Amended May 2009)
- (2) Boat, recreational vehicle and utility trailer parking on the street is prohibited.
- (3) A resident or visitor shall not use any part of a lot as a parking stall other than the concrete driveway. **Multi Family Units: Driveways are designed for one or two cars and parking is restricted to these designated spaces. (Added May 2009)**
- (4) An owner or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with driveway entrances or access to driveway entrances. **Multi-family Units: No parking is allowed on the sub-roads except in the designated visitor pull outs. Residents require permit from board to park in visitor stalls. Additional temporary parking is allowed along Sonoma Pines Drive; vehicles must be moved every 48 hours. (Added may 2009)**
- (5) Any vehicle parked in violation of rule 4 may be subject to removal by a towing company authorized by the SPMFM or SPHOM and all costs associated with such removal will be charged to the owner of the lot.