



# Upper Windermere

## Homeowners' Association

Beaverbrook Developments proudly presents its newest community—Upper Windermere. Located in southwest Edmonton, this exclusive master-planned community incorporates the most desirable features of today's most prestigious developments.

### Some of these features include:

- Community-owned Private Leisure Centre with:
  - outdoor heated pool
  - tennis/basketball court
  - children's play area
  - amenities building with washrooms and change facilities
  - outdoor skating rink
  - key fob access
  - video monitoring
- Landscaped lakes, islands, and paved walkways
- Stone entranceway, masonry pillars, and special fixtures
- Special landscaping, street lighting, and seating/viewing areas
- Custom perimeter fencing
- Wireless Internet

### Who is the Upper Windermere Homeowners' Association?

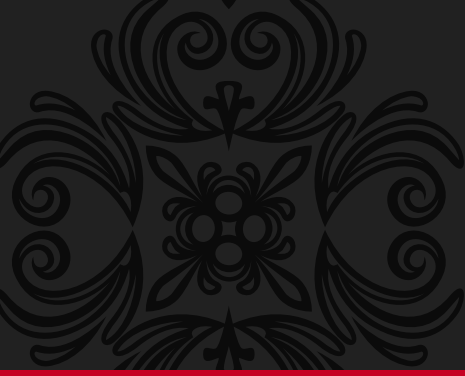
The Upper Windermere Homeowners' Association is a non-profit corporation responsible for additional maintenance within the community. The Upper Windermere Homeowners' Association is entitled to collect annual membership fees and all homeowners are automatically members of the association.

Beaverbrook Windermere Ltd. will operate, maintain, and manage the Upper Windermere amenities and enhancements until there is an elected Homeowners' Association group in place. The Upper Windermere Homeowners' Association will then continue to carry out the responsibilities without the involvement of Beaverbrook Windermere Ltd.

### What are the responsibilities of the Upper Windermere Homeowners' Association?

The Upper Windermere Homeowners' Association upholds the image of the development and works to preserve the investment of every home in this upscale subdivision. Although the City of Edmonton is responsible for the normal maintenance of grass around the walkways and the care of some trees in Upper Windermere, special landscaping features, such as landscaped islands and flowerbeds, decorative street lamps, walkway corridors, perimeter fencing, and power charges for lighting the entrance, all require additional maintenance so they may continue to add to the integrity and beautification of the community.

In addition, the Private Leisure Centre will require management of access passes and maintenance of the outdoor pool, amenities building, tennis/basketball courts, play area, and outdoor skating rink. Benched seating areas and garbage receptacles provided in the park and around the neighbourhood are also maintained by the association.



## Legal Structure of the Upper Windermere Homeowners' Association

The Upper Windermere Homeowners' Association is a non-profit corporation registered under Part IX of the Companies Act. The Articles of Association declare who can be a member of the association, rules for conducting meetings and electing executives, purposes and powers of the association, etc.

Restrictive Covenant, Easement and Encumbrance Agreements have been executed between the association and the developer (registration evidencing the agreement are filed against all lot titles). These agreements give the association the beneficial ownership of all easements on which community facilities are constructed. The encumbrance imposes an annual fee to be charged to each homeowner in Upper Windermere. These fees provide the operating funds necessary for the association to carry out its functions.

### It is important for you to know:

- In Upper Windermere there is a non-profit Homeowners' Association, and that as a homeowner you are automatically a member.
- As a member of the association, you will be expected to pay a fee set by the association. The annual fee is currently set at \$550/year for urban lots, \$780/year for estate lots, \$600/year for premier lots, and \$1,080/year for the Windermere Ridge lots. These fees are subject to annual inflationary increases.
- In order to provide the association with the operating funds referred to above, each property is charged with an encumbrance registered against the title to the lot.
- Each lot in Upper Windermere has a caveat registered on title which includes a restrictive covenant preventing activities which are contrary to the architectural guidelines. A Right of Entry Easement may also be registered on title to allow the association, or its agents, the access that might be necessary to enforce provisions of the restrictive covenant, and, in some cases, to allow access across lots necessary for conducting routine maintenance of community facilities (e.g. access to power meters, light bulb replacements).

Please be advised that this is a summary of the Upper Windermere Homeowners' Association agreement. The complete document should be fully reviewed prior to purchase of lands in Upper Windermere.