



## Revised Trust Indenture - Feb. 2012

At the 2009 AGM a proposal was put forward to amend the Trust Indenture.

The Owners voted against the proposal, pending resolution of an issue dealing with the Gate 5 common area access road.

That issue has been resolved and the Board is once again proposing amending the Trust Indenture. At the time, we are only proposing amending the Trust Indenture itself. The Appendices, which includes the Regulations, will not be changed.

The principal document that provides you with your rights as an owner is the Trust Indenture. This document also provides for what we, as joint owners of Lillooet Lake Estates, can expect of other owners. The original Trust Indenture has been amended several times over the past 30 years, but the document remains fundamentally the same as the one prepared in 1973. Our lawyers have been telling us for some time that we need to look at the Trust Indenture and bring it into the 21st century.

Taking the advice, the board started a review in 2008 last year to review the Trust Indenture and the Regulations word by word to improve the wording of the documents. That review has continued off and on since that time. The goal was to clarify the document, so everyone can understand what it means and avoid confusion. We also wanted to clean up the provisions that deal with budgets, assessments, and special levies. We also wanted to ensure that you, as owners, are protected against those who fail to pay their fees, expose us to risk through their conduct, and to provide mechanisms to allow for easier collection against those in arrears. That said, the parts of the Trust Indenture that protect the rights of owners to possess and use their lot were not changed.

Updating the Trust Indenture was a painstaking process. We started by laying out every clause on a spreadsheet. As we got close to a final product, we gave it to our corporate counsel for advice and suggestions. Because the directors did most of the groundwork, we kept legal fees to a minimum. Our counsel has approved the documents we will present to the owners.

We are at the stage where we can put the revised Trust Indenture to the owners to vote on acceptance of the documents.



We have posted the proposed Trust Indenture along with an explanation of the changes, to the LLE website.

Why should you care about this?

Hasn't the Trust Indenture served you well for many years?

The reality is that our form of ownership is a novelty to many, including lawyers who act for prospective buyers. The proposed reforms should provide greater clarity, which may assist when owners attempt to sell their lot. Our lots have also become much more valuable, so we want to be clear on our rights and obligations.

Finally, it is simply good practice to look at documents such as our trust indenture occasionally to ensure it continues to protect all of our interests.

Please take a look at the annotated Trust Indenture that is posted on the Owner's section of the LLE website and be ready to vote at the Annual General Meeting.

Robert Prior