

Treasurer's Report - Beverley Buhr

The land owner (573248 B.C. LTD.) provided capital funds to the community to purchase materials to build the boat dock, swim dock, swim platform and washrooms. These facilities were built by community volunteers or under their supervision.

The Board of Directors referred to the Beach Access Easement Agreement registered at the Kamloops Land Titles Office on June 3, 2004. The Beach Access Easement Agreement is between the land owner (573248 B.C. LTD.) and Canadian Lakeview Estates (CLE) property owners (Transferees). As per this agreement, the land owner granted to the Transferees "...the full and free right in perpetuity (subject to provisions of paragraph 7), to enter onto and use the Easement Areas...". For detailed information, please refer to the Easement Agreement that you should have received from your real estate agent or lawyer when you purchased your property.

There are conditions associated with the continued use of the Easement Areas as set out in

Paragraph 4: Maintain the Easement Areas and all improvements...in a state of good and safe condition and repair at all times. Establish a representative committee to be known as CLD Beach Club to act as liaison with the land owner; to oversee, manage and regulate the maintenance, repair, use of the Easement Areas.

and

Paragraph 6: Transferees take out and maintain at all times during the currency of the Easement, third party public liability insurance.

The Beach Access Easement agreement is between the land owner and CLE property owners - it is not between the land owner and LECA. In order to fulfill the obligations as per the Beach Access Agreement, there needs to be financial support from the community. LECA became the association representing owners in this agreement to ensure that the conditions set out in the Beach Access Easement Agreement are met. In this capacity, it collects membership fees and oversees, manages and regulates maintenance, repair and use of the easement areas.

In conclusion having access to a private beach area, boat launch and dock that each CLE property owner can boast of when selling their property adds value to the CLE property.

New BC Societies Act, 2015

The new Act came into force November 28, 2016. This may affect LECA with the introduction of member-funded societies (Part 12).

A member-funded society is a society that is primarily funded by its members to carry on activities for the benefit of its members. A member-funded society must have a statement to this effect in its constitution.

Until the new Societies Act came into effect, no society could be a member-funded society. Now the the new Societies Act has come into force, pre-existing societies will be required to indicate if they wish to become member-funded societies as part of the Transition Application Filing.

A member-funded society may, on its winding up, distribute its money to its members and is subject to fewer requirements than an ordinary society.

