



REMOVAL OF "SUBJECT TO CLAUSE" AND APPOINTMENT OF CONVEYANCER



PAGE 1 OF 1 PAGES

ADDRESS OF PROPERTY: 610 Glenwood AVE

Kelowna

V1Y 5M3

P.I.D.: 029-324-556

DATE OF CONTRACT: July 14, 2016

BUYER: Taralynn and Diane Bennet

SELLER: Eric and Shannon Sorensen

A. REMOVAL/WAIVER OF "SUBJECT TO CLAUSE"

WITH REFERENCE TO THE ABOVE THE SUBJECT TO CLAUSE(S) AS NOTED BELOW, IS /ARE REMOVED/WAIVED. TIME SHALL REMAIN OF THE ESSENCE.

Subject to the Buyer, on or before July 27, 2016 searching and approving title to the property against the presence of any charge or other feature, whether registered or pending, that reasonably may affect the property's use or value.

This condition is for the sole benefit of the Buyer.

Subject to the Buyer, on or before July 27, 2016 at the Buyer's expense, obtaining and approving an inspection report. This condition is for the sole benefit of the Buyer. The Seller will allow access to the property for this purpose on reasonable notice.

This condition is for the sole benefit of the Buyer.

Subject to the Buyer on or before July 27, 2016 obtaining and approving a Property Disclosure Statement with respect to the information that reasonably may adversely affect the use or value of the property.

This condition is for the sole benefit of the Buyer.

If approved, such statement will be incorporated into and form part of this contract.

This offer is subject to the Buyer obtaining approval for fire/property insurance, on terms and at rates, satisfactory to the Buyer, on or before July 27, 2016.

This condition is for the sole benefit of the Buyer

Subject to Buyer obtaining and approving suitable financing on or before July 27, 2016.

This condition is for the sole benefit of the Buyer.

THE PARTIES AGREE THAT: (PLEASE INITIAL APPROPRIATE SET OF BOXES)



BUYER



SELLER

ADDITIONAL SUBJECT CLAUSE(S) REMAIN IN EFFECT ON THIS CONTRACT OF PURCHASE AND SALE.

OR



BUYER



SELLER

ALL CONDITIONS HAVE BEEN REMOVED AND THIS CONTRACT IS NOW UNCONDITIONAL.

WITNESS TO BUYER(S) SIGNATURE

(BUYER)

(BUYER)

 DocuSigned by:
Diane
45E04F8B21BB4B2...

WITNESS TO SELLER(S) SIGNATURE

(SELLER)

DATE July 27, 2016

(SELLER)

B. APPOINTMENT OF CONVEYANCER

THE BUYER HEREBY APPOINTS Steven Brandner OF Nixon Wenger
TO COMPLETE ALL NECESSARY LEGAL AND CONVEYANCING DOCUMENTS ON THEIR BEHALF.

WITNESS TO BUYER(S) SIGNATURE

(BUYER)

(BUYER)

 DocuSigned by:
Diane
45E04F8B21BB4B2...

DATE July 27, 2016

THE SELLER HEREBY APPOINTS

OF

TO COMPLETE ALL NECESSARY LEGAL AND CONVEYANCING DOCUMENTS ON THEIR BEHALF.

WITNESS TO SELLER(S) SIGNATURE

(SELLER)

DATE

(SELLER)



PROPERTY DISCLOSURE STATEMENT STRATA TITLE PROPERTIES

PAGE 1 of _____ PAGES

BRITISH COLUMBIA
REAL ESTATE
ASSOCIATION

HORIZON REALTY

Date of disclosure: April 26/2016

The following is a statement made by the seller concerning the property or strata unit located at:

ADDRESS/STRATA UNIT #: 610 Glenwood Ave Kelowna, BC VIY 5M3 (the "Unit")**THE PROPERTY CONTAINS THE FOLLOWING BUILDINGS:**

☒ Principal Residence _____ Residence(s) _____ Barn(s) _____ Shed(s)
 _____ Other Building(s) Please describe _____

THE SELLER IS RESPONSIBLE for the accuracy of the answers on this property disclosure statement and where uncertain should reply "Do Not Know." This property disclosure statement constitutes a representation under any Contract of Purchase and Sale if so agreed, in writing, by the seller and the buyer. "Unit" is defined as the living space, including related limited common property, being purchased. "Common Property" includes buildings or spaces accessible to all owners. "Lands" is defined as the land upon which the Unit, all other strata lots and Common Property are constructed. "Development" is defined as the Lands, the Unit and all other strata lots and Common Property.

THE SELLER SHOULD INITIAL
THE APPROPRIATE REPLIES.

	YES	NO	DO NOT KNOW	DOES NOT APPLY
1. LAND				
A. Are you aware of any past or present underground oil storage tank(s) in or on the Development?		SL		
B. Are you aware of any current or pending local improvement levies/charges?		SL		
C. Are you aware of any pending litigation or claim affecting the Development or the Unit from any person or public body?		SL		
2. SERVICES				
A. Are you aware of any problems with the water system?		SL		
B. Are you aware of any problems with the sanitary sewer system?		SL		
3. BUILDING Respecting the Unit and Common Property				
A. Has a final building inspection been approved or a final occupancy permit been obtained?	SL			
B. Has the fireplace, fireplace insert, or wood stove installation been approved by local authorities?	SL			
C. (i) Has this Unit been previously occupied?		SL		
(ii) Are you the "owner/developer" as defined in the Strata Property Act?		SL		
D. Does the Unit have any equipment leases or service contracts; e.g., security systems, water purification, etc.? <i>Security 1 thru Aug 2017</i>	SL			
E. Are you aware of any additions or alterations made without a required permit; e.g., building, electrical, gas, etc.?		SL		
F. Are you aware of any structural problems with any of the buildings in the Development?		SL		
G. Are you aware of any problems with the heating and/or central air conditioning system?		SL		
H. Are you aware of any damage due to wind, fire or water?		SL		
I. Are you aware of any infestation or unrepaired damage by insects or rodents?		SL		
J. Are you aware of any leakage or unrepaired damage?		SL		
K. Are you aware of any problems with the electrical or gas system?		SL		
L. Are you aware of any problems with the plumbing system?		SL		
M. Are you aware of any pet restrictions?		SL		

INITIALS

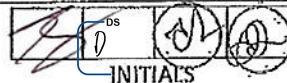
DATE OF DISCLOSURE _____

ADDRESS/STRATA UNIT #: 610 Glenwood Ave

Kelowna, BC

VIY 5M3

3. BUILDING Respecting the Unit and Common Property. (continued)	YES	NO	DO NOT KNOW	DOES NOT APPLY
N. Are you aware of any rental restrictions?		☒	☒	☒
O. Are you aware of any age restrictions?		☒	☒	☒
P. Are you aware of any other restrictions? If so, provide details on page 4, Section 5 Additional Comments.		☒	☒	☒
Q. Are you aware of any special assessment(s) voted on or proposed? (i) For how much? _____		☒	☒	☒
R. Have you paid any special assessment(s) in the past 5 years? (i) For how much? _____		☒	☒	☒
S. Are you aware of any agreements that provide for future payment or possible payment of monies to you in your capacity as the current owner of the Unit?		☒	☒	☒
T. Are you aware of any pending strata corporation policy or bylaw amendment(s) which may alter or restrict the uses of the Unit?		☒	☒	☒
U. Are you aware of any problems with the swimming pool and/or hot tub?		☒	☒	☒
V. Are you aware of any additions, alterations or upgrades made to the Unit that were not installed by the original developer?		☒	☒	☒
W. Are there any agreements under which the owner of the Unit assumes responsibility for the installation and/or maintenance of alterations to the Unit or Common Property?		☒	☒	☒
X. Was this Unit constructed by an "owner builder," as defined in the Homeowner Protection Act, with construction commencing, or a building permit applied for, after July 1, 1999? (If so, attach Owner Builder Declaration and Disclosure Notice.)		☒	☒	☒
Y. Is this Unit or related Common Property covered by home warranty insurance under the Homeowner Protection Act?	☒			
Z. Is there a current "EnerGuide for Houses" rating number available for this unit? i) If so, what is the rating number? _____ ii) When was the energy assessment report prepared? _____			☒	☒
AA. Nature of Interest/Ownership: Freehold ☐ Time Share ☐ Leasehold ☐ Undivided ☐ Bare Land ☐ Cooperative ☐				
BB. Management Company _____ Name of Manager _____ Telephone _____ Address _____				
CC. If self managed, Strata Council President's Name _____ Telephone _____ Strata Council Secretary Treasurer's Name _____ Telephone _____				
DD. Are the following documents available?	Yes	No	Can be obtained from:	
Bylaws				
Rules/Regulations				
Year-to-date Financial Statements				
Current Year's Operating Budget				
All Minutes of Last 24 Months Including Council, Special and AGM Minutes				
Engineer's Report and/or Building Envelope Assessment				
Strata Plan				
Depreciation Report				
Reserve Fund Study				
EE. What is the monthly strata fees? \$ <u>50</u>				


 INITIALS

DATE OF DISCLOSURE _____

ADDRESS/STRATA UNIT #: 610 Glenwood Ave

Kelowna, BC

VIY 5M3

3. BUILDING Respecting the Unit and Common Property. (continued)

Does this monthly fee include:	YES	NO	DO NOT KNOW	DOES NOT APPLY		YES	NO	DO NOT KNOW	DOES NOT APPLY
Management?				AL	Recreation?				
Heat?				AL	Cable?				
Hot Water?				AL	Gardening?				
Gas Fireplace?				AL	Caretaker				
Garbage?				AL	Water?				
Sewer?				AL	Other?				

GG. (i) Number of Unit parking stalls _____ Included and specific numbers _____

(ii) Are these: (a) Limited Common Property? ☐ (b) Common Property? ☐ (c) Rented? ☐ (d) Long Term Lease? ☐ (e) Other? ☐HH. (i) Storage Locker? Yes ☐ No ☐ Number(s) _____(ii) Are these: (a) Limited Common Property? ☐ (b) Common Property? ☐ (c) Rented? ☐ (d) Long Term Lease? ☐ (e) Other? ☐

4. GENERAL	YES	NO	DO NOT KNOW	DOES NOT APPLY
A. Are you aware if the Unit, or any other unit, or the Development has been used as a marijuana grow operation or to manufacture illegal drugs?		AL		
B. Are you aware of any material latent defect as defined in Real Estate Council of British Columbia Rule 5-13(1)(a)(i) or Rule 5-13(1)(a)(ii) in respect of the Property or Unit?		AL		
C. Are you aware if the property, or any portion of the property, is designated or proposed for designation as a "heritage site" or of "heritage value" under the Heritage Conservation Act or under municipal legislation?		AL		

For the purposes of Clause 4. B. of this form, Council Rule 5-13(1)(a)(i) and (ii) is set out below.

5-13 Disclosure of latent defects

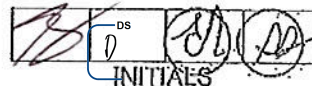
(1) For the purposes of this section:

Material latent defect means a material defect that cannot be discerned through a reasonable inspection of the property, including any of the following:

(a) a defect that renders the real estate

(i) dangerous or potentially dangerous to the occupants

(ii) unfit for habitation



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DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #: 610 Glenwood Ave

Kelowna, BC

V1Y 5M3

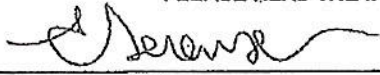
5. ADDITIONAL COMMENTS AND/OR EXPLANATIONS (Use additional pages if necessary.)

The seller states that the information provided is true, based on the seller's current actual knowledge as of the date on page 1. Any important changes to this information made known to the seller will be disclosed by the seller to the buyer prior to closing. The seller acknowledges receipt of a copy of this disclosure statement and agrees that a copy may be given to a prospective buyer.

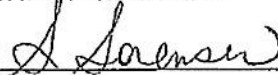
PLEASE READ THE INFORMATION PAGE BEFORE SIGNING.

☒

SELLER(S)


☒

SELLER(S)



The buyer acknowledges that the buyer has received, read and understood a signed copy of this property disclosure statement from the seller or the seller's brokerage on the _____ day of 7/25/2016, yr. _____.

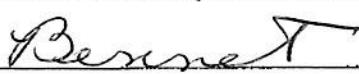
The prudent buyer will use this property disclosure statement as the starting point for the buyer's own inquiries.

The buyer is urged to carefully inspect the Development and, if desired, to have the Development inspected by a licensed inspection service of the buyer's choice.

The buyer acknowledges that all measurements are approximate. The buyer should obtain a strata plan drawing from the Land Title Office or retain a professional home measuring service if the buyer is concerned about the size.

☒

BUYER(S)


☒

BUYER(S)



The seller and the buyer understand that neither the listing nor selling brokerages or their managing brokers, associate brokers or representatives warrant or guarantee the information provided about the strata unit or the Development.

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