

# NOTICE

## Shared Facilities Agreement Negotiations Cypress Point A,B,C, & D, Ashford Place & Woodridge Estates

Over the past four years Cypress ABC has attempted to negotiate with Ashford Place & Woodridge Estates. During negotiations Ashford and Woodridge have not provided documentation requested and we do not feel that they are genuinely interested in working toward a resolution.

### Background Information:



Google Earth

#### Strata Locations:

Ashford Place  
(NW1868)  
64 Suites

Woodridge Estates  
(NW1942)  
141 Suites

Cypress Point ABC  
(NW2050)  
106 Suites

Cypress Point D  
(NW2090)  
50 Suites

On July 28<sup>th</sup>, 2003 the (1983) 20 year Easements & Shared Use agreement between Cypress Point ABC, Ashford Place & Woodridge Estates expired.

There is also a 50 year Easement & Shared Use agreement between Cypress Point ABC & Cypress Point D, which expires on August 30<sup>th</sup>, 2033.

Cypress ABC was short paid on Shared Facilities Fees that have remained outstanding since 2003. (Woodridge Estates owes \$240.46 and Ashford Place owes \$1,981.97)

Cypress ABC received a year end financial Statement from Woodridge for 2003 reflecting a \$1,500.00 surplus. Eight months later, Woodridge submitted a revised 2003 year end statement advising a \$6,000.00 loss (difference of \$7,000.00) and requested payment immediately. Since that date, Cypress ABC has repeatedly requested backup documentation and copies of relevant invoices, to confirm the loss being claimed, but to date this information has yet to be provided.

After years of trying to negotiate a new Shared Facility agreement, Cypress ABC entered into mediation with the Shared Facilities partners and their respective legal counsel. The mediation proved costly for all parties but did not provide any meaningful resolution that has assisted in resolving outstanding financial concerns nor with providing a draft for a new Shared Facilities Agreement.

Immediately after the mediation, as there was no meaningful progress with negotiations, and because Cypress ABC has concluded that portions of the Shared Facilities Agreement have expired, Cypress ABC disconnected the Satellite feed and suspended pool access during April and May 2007. As a show of good faith, when negotiations were re-initiated, we reconnected the satellite and allowed pool access to Ashford Place and Woodridge Estates residents. However, no appropriate documentation has been received to date, which has prompted formal deadlines to be set. Therefore, unless Ashford Place and Woodridge Estates resume meaningful negotiations with Cypress ABC we will continue to take the position that portions of the Shared Facilities Agreement have expired which will necessarily result, amongst other steps being taken, in the disconnection of the Satellite feed (as of July 15, 2007) and suspension of the pool access (as of July 31, 2007).