

This is appendix A to the agreement for sale between Berry Hills Developments, a registered business name of 101105097 Saskatchewan Ltd, and
_____ (print name of purchasers)

BERRY HILLS ESTATES

ARCHITECTURAL CONTROLS AND STANDARDS

(Effective: July 2008)

Compliance with these architectural standards and controls is mandatory in accordance with the terms and conditions of the contract to purchase this land,

Berry Hills Estate is intended to be a community of low profile dwellings that do not interfere with the view of Katepwa Lake from other nearby properties.

PART ONE: GENERAL

1. No construction on this land may violate the District of Katepwa Zoning Bylaw or these Architectural Standards.
2. Prior to commencement of construction on this land the owner must submit to the developer a copy of all plans, blueprints and plot plans for the proposed construction.
3. The developer has the right to refuse permission to commence construction where the proposed building will violate any provision of these Architectural Standards. The developer may allow, at their sole discretion, exceptions to these standards due to special lot conditions and situations
4. The "developer" Berry Hills Developments, Box 2479, Fort Qu'Appelle, Saskatchewan S0G 1S0, is not liable to the purchaser for damage caused by ground water, ground instability, erosion, rain, frost or other weather conditions.

PART TWO: TEMPORARY DWELLINGS

5. A land owner may occupy a "temporary dwelling" on this land for 12 months from the date that the owner first obtains a building permit to construct a dwelling on this property.
6. "Temporary dwelling" means a fifth wheel trailer, a motor home, a mobile home, or a house trailer.
7. Except during the 12 month period that commences on the date that the owner first obtains a building permit to construct a dwelling on this property, no land owner shall permit any person to occupy a temporary dwelling on this land.

PART THREE: CERTAIN BUILDINGS PROHIBITED

8. The owner shall not move onto this land any modular home, or ready-to-move building, or any pre-constructed building, except with the permission of the developer, in advance, in writing.
9. The owner shall not construct a duplex style building on this land.
10. The owner shall not construct an apartment building on this land.
11. Dwellings in Berry Hills Estates are intended to be "new construction". Pre-built, factory-built or ready to move homes will be allowed in Berry Hills Estates only with the consent of the developer, in writing, in advance.

PART FOUR: DESIGN OF BUILDINGS

12. Lots 1 to 24, inclusive, in Block 1, shall not be more than 1 storey in height.
13. Lots 1 to 24, inclusive, in Block 1, may have a low profile split level building, if permission is obtained from the developer, in advance, in writing.

14. Lots 25 to 28, inclusive, in Block 1, and Lots 1 to 3, inclusive, in Block 2, shall not be more than 2 storeys in height.
15. For the purpose of these Architectural Standards, a normal basement is not counted as a storey.
16. No single storey dwelling shall have less than 1200 square feet of floor space. No two storey dwelling shall have less than 1800 square feet of floor space.
17. Foundations, basements and retaining walls must be approved by a qualified engineer.
18. For the purpose of calculating floor space, basement areas are not included.
19. No land owner or other person shall construct, erect or move onto this land any building or structure that does not conform to these Architectural Standards.
20. Attached and detached garages are permitted on this land, if they conform to the District of Katepwa Zoning Bylaw.
21. All retaining walls constructed on this land must have the approval of the developer, in writing, in advance.
22. Prior to giving approval for the construction of any retaining wall, the developer has the right to require the owner to provide a satisfactory statement from an engineer indicating that the retaining wall is likely to be sound and durable.
23. The developer has the right to limit the height of a proposed roof in this development.

PART SIX: SUBSEQUENT OWNERS

23. In the event that this land is resold or transferred to any other party, then that subsequent owner is bound by these Architectural Standards.
24. The developer may register these Architectural Standards on the title to this land.

PART SEVEN: APPEARANCE OF PROPERTY

25. Other than signs advertising this land for sale, the owner shall not permit any commercial advertising signs to be placed on this land,
26. The owner shall keep this land clear of refuse, debris and unused construction material.
27. No more than 1 unlicensed vehicle (car, truck or van) shall be kept on this land where it will be visible from neighbouring properties. A vehicle that is covered by a tarp is deemed to be "visible".
28. The owner is responsible to prevent soil erosion on this land.
29. The owner shall not keep building materials, unused plumbing equipment and unused heating equipment outside of a building on this land if that equipment will be visible from neighbouring properties.
30. An owner is responsible to prevent any tree or other vegetation on the property from blocking the view of Katepwa Lake from adjacent parcels on land in the area.
31. No owner shall permit more than 1 yard sale to be held at this land in any single calendar month. Advertisements for that yard sale may not be displayed on this land more than 2 days before that yard sale begins, and must be removed no later than the day following that yard sale. That yard sale may be held only on a Saturday. An owner shall not regularly use this land for the purpose of selling used vehicles, used furniture, or used equipment.

I, _____,

(print name of purchasers)

acknowledge receipt of a copy of these architectural standards and controls.

date

signature

APPENDIX A

This Addendum forms part of the **Option to Purchase Agreement**

Berry Hills Estate is intended to be a community of low profile dwellings that do not interfere with the view of Katepwa Lake from other nearby properties.

Compliance with **Berry Hills Estates** architectural is mandatory in accordance with the Terms and Conditions of each Option to Purchase Agreement. Any deviation from the procedures and requirements detailed herein must be authorized in writing by **Berry Hills Developments**. The purchaser acknowledges that the purchaser is fully responsible for any costs associated with the same and the purchaser shall indemnify and save the Developer harmless of any costs or damages.

Conformity with these Guidelines does not supersede the required approval process, nor requirements in all applicable municipal or provincial building codes, by-laws and standards.

Notwithstanding any statement or drawing in these Guidelines, the Developer reserves the right of final approval of all design and site work of all houses in Berry Hills Estates and to alter these Guidelines without notice.

I Hereby Acknowledge receipt of a copy of the Berry Hills Estates Architectural Controls and agree to abide by them, and I hereby charge the herein described lands with the said Option to Purchase Agreement and these Guidelines. Also Acknowledge Caveats held by Sask. Community Planning and Berry Hills Developments Architectural controls.

APPROVAL PROCESS

Prior to construction, all projects in Berry Hills Estates must receive the approval of the Developer's Architectural Control Review Committee. All Builders/Owners must follow the submission requirements described below. The Committee, at its sole discretion, reserves the right to accept or reject a submission. Approved applications do not constitute a precedent for any subsequent application on other lots.

the Committee endorses or supports the design or construction methods proposed by the Builder/Owner.

The Developer reserves the right, at its sole and unfettered discretion to amend, modify, alter or waive any or all terms, conditions or requirements of these Architectural Control Guidelines, as they may apply to any lands within the Berry Hills Estates subdivision without liability and without notice to the Owner of any other lot within the Berry Hills subdivision. The committee reserves the right to accept or reject a submission based on its ability to meet with the intent of the Guidelines for Berry Hills Estates.

Any designs presented in this document are purely for illustration purposes only and may not represent actual conditions on the site.

Upon approval of the proposed design the Owner is responsible for applying for a building permit.

Any variations from the approved design must be corrected at the Owner's expense.

Architectural Controls Review Committee

The Architectural Control Review Committee is Berry Hills Developments
P.O. Box 2479
Fort Qu'Appelle, Sask.
S0G 1S0

ARCHITECTURAL CONTROLS

Owner shall submit a copy of the plot plan and house drawings including all dimensions and set backs.

House Styles

All houses are to be one storey in height excluding basement. Roof pitch to be approved the the committee on a plan by plan basis. No dwelling shall have less than 1200 square feet of main floor space. For the purpose of calculating floor space, basements areas are not included.

All houses are to be new construction only.

Low profile, split levels are allowable at the discretion of the committee.

Multi-modular homes must be approved.

No land owner or other person shall construct, erect or move onto this land any building or structure that does not conform to these Architectural Standards.

Lots 1 - 24 Blk 1 inclusive single storey only.

Lots 25 - 28 Blk 1 inclusive and Lots 1- 3 Blk 2 inclusive may be two storey structures.

Foundations, Basements and Retaining Walls

Geotechnical Engineers stamped approval is required.

All retaining walls constructed on this land must have the approval of the committee, in writing, in advance.

Landscaping

Vegetation must not exceed the sight lines in height established by the committee. Pruning and/or removal costs will be paid by the owner. No tree that is located on this land may exceed the elevation of the dwelling constructed.

General Information

The village does a good job of maintaining and cleaning the roads, but we still recommend a vehicle with good traction, such as an all-wheel or 4 wheel drive because of the winter driving on the hills of the valley. Our experience over the last 16 years has taught us that this is the safest way to enjoy the surroundings.