

Pontiac Airpark

Introduction

The Pontiac Airpark is a private fly in community including 2 runways, a seaplane base, about 60 residential lots and one (1) non residential lot. The 175 acre project is located along 3400 feet of the majestic Ottawa River in the municipality of Pontiac, Quebec, Canada.

The purpose of the project is to offer lot owners the perfect location and installation to practise their favourite activity: FLYING!

An Architectural Control Comity (ACC) controls the quality and the appearance of the project including, but not limited to, its buildings and amenities.

The project is governed by some covenants, conditions and restrictions (CCR). All persons found within the perimeter of the project are subject to the CCR and must respect them.

The airpark includes common parts (runway, taxiway and seaplane base) and privative parts (private residential lots). Common parts are jointly owned by the owners of the private lots. The owners and their guests have access to the common parts.

The airpark also includes one (1) non residential lot owned by 3 764 729 Canada Inc, the developer. On this lot the company will build a model home and a hangar. A tennis court, a swimming pool and an aviation fuel tank will also be built on this lot. The residential lot owners and their guests have access to the tennis court, the swimming pool and the meeting room, as well as the gym and the sauna located in the model home. Residential lot owners and their guests may buy fuel.

The maintenance and repairs of the common parts (runways, taxiways and seaplane base) and the tennis court, swimming pool, fuel tank, meeting room, gym and sauna is finance by monthly residential lot owner's fees. The details of those fees are available to the residential lot owners.

The airpark is governed by an Association. The association is formed by the residential lot owners. The majority of the vote is needed to make any change to the project.

As long as one (1) of the owners wants the project to maintain its vocation, the project shall continue to be an airpark, a fly in community.

X _____
Pontiac Airpark
3 764 729 Canada Inc.

Vendor

X _____
Buyer :

X _____
Buyer:

ACC (Architectural Control Committee)

An ACC is created in order to control the quality and appearance of the Pontiac Airpark.

Each owner of a residential lot must send, by recommended post, to the ACC, two (2) copies of the implantation plan and two (2) copies of the architectural plan (showing the type of materials for the exterior siding as well as their color).

The ACC can study and approve the said plans. The ACC will have a delay of fifteen (15) open business days following the reception of the plans to approve or request changes, in writing, to the applicant. A copy of the approved plans will be signed by the ACC and handed to the owner.

A request will be considered approved by the ACC if the applicant has had no response after the given delay period has expired.

PONTIAC AIRPARK ASSOCIATION (4 403 207 Canada Inc.)

The project is developed by 3 764 729 Canada Inc. company. The said company is owner of all the project lots.

3 764 729 Canada Inc. transfers the common parts of the project (landing strip, circulation area and hydro-base) to 4 403 207 Canada Inc. In counterpart, 4 403 207 Canada Inc. emits 90 shares to 3 764 729 Canada Inc.

When purchasing a residential lot from 3 764 729 Canada Inc, the purchaser will obtain in addition to his lot one (1) share of 4 403 207 Canada Inc. (Pontiac Airpark Association), which owns all common parts (runway, circulation area and hydro-base).

The Association is formed by a group of the owners of the residential lots. Each residential lot owns one (1) and only one right to vote.

The Association handles the common parts and common use privative parts (maintenance, management etc...)

The Association collects the monthly common fees from the owners of the residential lots.

CCR (Covenants, Conditions and Restrictions)

In addition to applicable municipal, provincial and federal laws and regulations, the sale of the residential lots is subject to the CCR hereinafter described. The CCR shall be respected by all persons found within the Pontiac Airpark project.

The Association may modify the CCR by a majority of votes.

1- Residential lot.

On a residential lot, the first building that can be built is a house OR a hangarhome. It is not permitted to live in a building other than a house or a hangarhome. There is no time limit to build the first building.

On a residential lot it is permitted to build a maximum of:

One house OR a hangarhome AND
One hangar OR an aircraft port AND
One garage OR a carport AND
One shed AND
One pool AND
One spa AND
One gazebo.

2- Buildings.

All implantation plans (houses, hangarhomes, hangars, garages, pools, sheds, etc.) and their architectural plan, including the type of material and colors, for each building and construction will be presented in 2 copies by certified mail to the Architectural Control Comity (ACC) for study and approval. Those plans are the same that will be used in the application for a building permit from the municipality.

All construction shall be build with good taste (shape and colors) in harmony with the project. The ACC will study and approve each construction.

The building roofs must be earth tone colors. No bright red, orange, blue or similar bright color is permitted.

The maximum height for each building is 39 feet 4 inches (12 meters). The maximum height shall be approved by the ACC.

The exterior of the building shall be completed within one (1) year of the building permit issuance date.

The maximum total permitted area for all buildings is 17% of the lot. For example: a one (1) acre lot= 43 560 square feet= 7 405 square feet maximum for all buildings on this lot. The building's area is calculated with the exterior walls.

There is no minimum liveable area.

The buildings shall never be built in a right of way or inside the non construction limits.

2.1- Main building: house and hangarhome.

The exterior finish of the front for the main building shall be of stones, bricks or wood in the earth's colors. The front is all walls visible from a runway or a taxiway.

In-law suite is allowed in a main building.

2.2 Secondary building: hangar and garage.

****ZONE A** (lots 1, 2, 3, 4, 5, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28).

A-1) House.

The minimum area (on the ground) for a house of one (1) story is 915 square feet.

The minimum area (on the ground) for a house of two (2) stories is 485 square feet.

A-2) Hangarhome.

A hangarhome is a hangar with a residence inside. From the exterior a hangarhome looks like a home. It shall not look like a hangar.

The minimum area for a hangarhome is 1200 square feet.

A-3) Hangar (building for aircraft(s)).

The minimum area for a hangar is 1200 square feet.

A-4) Garage (building for car(s)).

The minimum area for a garage is 300 square feet.

****ZONE B** (lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47).

B-1) House.

The minimum area (on the ground) for a house of one (1) story is 1050 square feet.

The minimum area (on the ground) for a house of two (2) stories is 600 square feet.

B-2) Hangarhome.

A hangarhome is a hangar with a residence inside. From the exterior a hangarhome looks like a home. It shall not look like a hangar.

The minimum area (on the ground) for a hangarhome is 1600 square feet.

B-3) Hangar (building for aircraft(s)).

The minimum area for a hangar is 1600 square feet.

B-4) Garage (building for car(s)).

The minimum area for a garage is 400 square feet.

****ZONE C** (lots 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61).

C-1) House.

The minimum area (on the ground) for a house of one (1) story is 1300 square feet.

The minimum area (on the ground) for a house of two (2) stories is 800 square feet.

C-2) Hangarhome.

A hangarhome is a hangar with a residence inside. From the exterior a hangarhome looks like a home. It shall not look like a hangar.

The minimum area (on the ground) for a hangarhome is 2000 square feet.

C-3) Hangar (building for aircraft(s)).

The minimum area for a hangar is 2000 square feet.

C-4) Garage (building for car(s)).

The minimum area for a garage is 500 square feet.

Definitions.

- 1- Access. See entrance.
- 2- Animals. Animal(s) will be kept in captivity or on a leash. No breeding of stock is allowed.
- 3- Antenna. All antennas are prohibited except satellite dishes of two (2) feet or less in diameter.
- 4- Business. No business is allowed on a residential lot except those businesses allowed by the municipality. Except on the non residential lot, no business is allowed on the lots located south of the East-West runway. No business related to aviation (flying school, aircraft maintenance, etc.) is allowed on a residential lot. See competition.

- 5- Car's entrance. If the residential lot is located between the East-West runway and the East-West taxiway, the car's entrance shall be located on the East-West taxiway.

If the residential lot is located between the East-West-runway and the Ottawa River, the car's entrance shall be located on the East-West runway. Any movement, other than with an aircraft, shall be done on the South side of the runway preferably on an Eastbound oneway. The use of the center of the runway is prohibited.

If the residential lot is located between the Mohr road and the North-South taxiway, the car's entrance shall be located on the North-South taxiway.

Lots facing the North-South runway.

Lots 6 and 18. Car's entrance on River road or on the North-South runway.

Lots 7 and 17. Car's entrance on the East-West taxiway or on the North-South runway as close as possible from River road.

Lots 8, 9 and 16. Car's entrance on the East-West taxiway.

Lots 15 and 59. Car's entrance on the North-South runway.

- 6- Cement bloc. No visible cement bloc structure is permitted.
- 7- Cleanliness. The lots as well as all objects on the lot must be kept clean. No unlicensed motorised vehicle or non functional vehicle can be kept on the lot.
- 8- Clotheslines. Clotheslines are not permitted, unless they are not visible from the taxiways or the runways.
- 9- Common fee. Each owner of each residential lot shall pay, each 1st of the month and in advance, the common fee for the maintenance of the common part (runways, taxiways and seaplane base) and the use of the gym, sauna, meeting room, swimming pool, tennis court and fuel tank. In these fees, shall be included, long term expenses like asphalt, gymnasium roof, meeting room renovation, etc.
- 10- Common parts (runways, taxiways and seaplane base). Only the owners of lots inside the project, their families and their guests may use the common parts. The common parts cannot be used for exclusive personal use.
- 11- Competition. Businesses on residential lots may not provide aviation products or services competing with those provided or that may be provided by the non residential lot of the Pontiac Airpark (sell fuel, rent parking, etc).
- 12- Construction. While building on a residential lot, as well as any other time, every effort shall be made to maintain the good condition of taxiways and runways.

Should any damage occur to the taxiways or runways, they shall promptly be returned to their original state (clean and clear of obstacles such as holes and bumps). The repairs are the responsibility of the residential lot owner. See damage.

- 13- Culvert. If a culvert is needed to access a residential lot, the culvert, the labour and the maintenance are to be paid by the owner of the residential lot. ACC shall approve the position, the type and the size of culvert and the work to be done. ACC will decide if a culvert is needed.
- 14- Damage. Any damage done to the common parts and to the privative parts with common use will be fixed by the offender (contractor) or by the owner responsible for this person.
- 15- Ditches, creeks. The ditches and creeks located on a residential lot shall be maintained by the owner of the lot. The owner of the residential lot will not block the ditches and the creeks. Nobody can change their position (shape, width, depth) except the Association. See drainage.
- 16- Drainage. All residential lots shall respect the drainage scheme as planned by the developer. Any modification shall be approved by the Association. The owner of each lot shall maintain the ditches and brooks located on his lot. Water must flow freely. See ditches.
- 17- Entrance. If the entrance (car and aircraft) of a residential lot is adjacent to an asphalted runway or an asphalted taxiway, the entrance shall be asphalted for at least 30 feet in length by the owner of the residential lot to avoid contamination of the asphalted surface.
- 18- Exception. Exceptions are possible with the consent of the Association.
- 19- Excessive noise. Excessive noise is not allowed. The sound produced by aircrafts is not considered excessive noise.
- 20- Fences. The fences, if they are built, will be of a maximum of six (6) feet (1,85 meter) high over the ground. They shall be of wood, vinyl imitating wood or any other material approved by the ACC. The colors shall match the colors on the fenced residential lot. No fences will be built inside right of way and the non construction boundaries. See sharing of costs.
- 21- Garbage. All garbage should be in a container resistant to animals and wind, away from the public eye and in an area and on the day designated to the collection of garbage.
- 22- Heavy vehicles. No heavy vehicle is permitted within the limits of the airpark during the thaw period witch is to be determined each year.

- 23- Helicopter. Helicopters shall use runways for take-off and landing but not the taxiways or the residential lots. Helicopters may taxi from runways to one (1) residential lot adjacent to the runway and they cannot use the taxiways for taxi and they cannot taxi from one (1) residential lot to another residential lot.
- 24- Landscape. Landscaping of a residential lot will be executed and paid for by the said owner at the time of the construction of each dwelling on the corresponding lot or prior to the said construction if the said lot causes any drainage problems to the neighbouring lots. The owner of each lot is bound and responsible for the maintenance of his landscape. The landscaping must be completed in a maximum delay period of eighteen (18) months following the date issued on the building permit. The landscaping must be approved by the ACC.
- 25- Lighting. Lights (exterior or interior) and other similar illuminating devices are not permitted if they are a nuisance for aircraft operation.
- 26- Maintenance. Residential lots, vacant or built, shall be kept clean. Also see: servitude of non construction.
- 27- Major work. Major work of any kind other than constructions remaining on the property (house, hangar etc...), is strictly prohibited.
- 28- Mechanic. It is prohibited to do major mechanical repair on a motor vehicles on a residential lot except if it is inside a building.
- 29- Non construction servitude. In the bases of the non construction servitudes, the owners must keep free of all obstacles (mounds, holes, etc...) and not modify the landscape:
- a. 100 feet from each side of the 150 feet wide East-West runway;
 - b. 25 feet from each side of the 50 feet wide North-South circulation area;
 - c. 100 feet from each side of the 50 feet wide North-South runway;
 - d. 25 feet from each side of the 50 feet wide East-West taxiway.

The Association can dig (modify, bring down trees, develop, etc...) within the base of the non construction servitude.

Vegetation can be at a maximum height of two (2) feet.

- 30- Non residential lot. There is one (1) non residential lot for the whole project (about 60 residential lots). Outdoor and indoor parking, commercial mechanical maintenance, storage, fuel sale etc...are permitted on the non residential lot.
- 31- Nuisance. Activities inside the Pontiac Airpark limits that could disturb the peace and tranquility of the occupants are not accepted. The Association will determine whether there is nuisance or not.

- 32- Owner's responsibilities. Each and every owner of a lot in the Pontiac Airpark as well as their representative must inform their guest(s) of the CCR (Covenants, Conditions and Restrictions) which apply to them before they enter the perimeter of the said airpark and each and every owner as well as their representative must ensure that their guest(s) have understood the said CCR.
- 33- Pilot licence. A pilot license is required to use the runways, taxiways and the seaplane base with and aircraft. A student pilot licence is not considered a pilot licence. A student licence is not sufficient to operate an aircraft on the Pontiac Airpark.
- 34- Privative parts with common use: gym, sauna, meeting room, tennis court, swimming pool. Only the owners of lots inside the project, their families and their guests may use the privative parts with common use. The privative parts with common use cannot be used for exclusive personal use.
- 35- Reconstruction. In the event that a building should be **partially** destroyed, the said dwelling(s) will have to be completely destroyed or rebuilt. The complete **destruction** must be done in a maximum delay of one (1) month for a shed and three (3) months for all other buildings. The total **reconstruction** must be done in a maximum delay of one (1) month for a shed and twelve (12) months for all other buildings. The cleanup must be done as soon as possible once the work is complete. In the event that a building should be **totally** destroyed, the said dwelling(s) will have to be completely cleaned up or completely rebuilt. The **clean up** of the lot must be done in a maximum delay of one (1) month for a shed and three (3) months for all other buildings. There is no limit on the delay to **rebuild** a building. The landscape of the lot must be in conformity with the projects' landscaping plan as soon as possible once the work is complete.
- 36- Restrictions regarding the aircrafts. Aircraft width is limited to a maximum of 50 feet.
- 37- Right of way. Any right of way that the developer needs for the project shall be granted to him at no charge. No right of way shall be granted from a residential lot to another residential lot. Games are not permitted on right of ways, runways and taxiways. Right of way will be kept clear of all obstacles. The owner of a lot on which resides a right of way will cut all trees and remove obstacles to enable the proper use of that right of way.
- 38- Runways. See taxiways.
- 39- Sanctions. If a CCR or any other relative regulation of the airpark is not respected (in whole or in part), the developer, the association and/or any owner of part of the said airpark or their representative have the right to pursue the guilty party in order to have him respect the said CCR. If the culprit is declared guilty either by

the Association or by a court of law, he will be responsible for all legal fees. Furthermore, as long as justice has not been served, the guilty party will be denied access to all common space and common use space and will also be denied the right to vote. The developer and/or Association could block and forbid all access to common space and common use space to the guilty party. These sanctions also apply if there is fault to pay the monthly common fees.

40- Scope of application. CCR applies to all residential lots located within the Pontiac Airpark project.

41- Severing. The owner of a residential lot cannot sale, transfer, donate, exchange, rent, etc a part of his (her) lot to the owner of a neighbouring lot, except where that owner is the developer. Residential lot may not be divided. Two (2) or more residential lots may become one (1) lot with the authorisation of the Association. The monthly fees for the assembled lot will be calculated as the sum of the monthly fees for the individual lots it contains. The total number of vote will remain the same as it was before the assembled lot. 3 lots assembled in 1 lot= 3 votes.

42- Sharing of costs. Owner(s) of residential lot can not oblige the developer of the project to contribute for the cost of fences, common wall, ditch or legal survey (bornage).

43- Storage. Outside storage of motor vehicles in non working condition is prohibited. Parking of heavy vehicles like 10 wheelers truck, backhoe, etc is prohibited. Fuel storage is limited to 100 litres for the personal use of the lot's owner. No RV, similar device or temporary living place is accepted on the residential lot except for the time of construction of the house, the hangarhome.

44- Taxiway and runway.

-Aircrafts have priority on the taxiways and runways. They must be equipped with a two way VHF radio and be able to communicate their intention and listen to the traffic communication on the assigned frequency for the airport.

-Motor vehicles, other than aircrafts, have access to the taxiways and to the North-South runway but must, at all times while in these areas, listen to the appropriate frequency, monitor traffic and give way to aircrafts.

-Users, other than aircrafts and motor vehicles, have access to the taxiways and to the North-South runway. This use has to be done with great care, caution and respect for right of ways to aircrafts.

- Only owners, and their guests, of lots located south of the East-West runway can use the East-West runway by another means than an aircraft. Any movement, other than with an aircraft, shall be done on the South side of the runway

preferably on a Eastbound oneway. The use of the center of the runway is prohibited. See CAR'S ENTRANCE.

-When runways must be crossed, this shall be done at right angle or by the shortest path possible.

-Before and when using the taxiways and runways users will continuously check for traffic and be prepared to give way to aircraft.

-Games are prohibited on taxiways and runways.

-It is prohibited to wear iPod, personal media players or similar devices that could be a nuisance to listening to the exterior sounds like aircrafts and cars on the taxiways or runways.

-Also, during the night (period between the sunset and the sunrise) the motor vehicles shall be equipped and will use their hazard light signals.

-During the night, people using the taxiways and runways other than motor vehicles will wear light reflecting clothes that shall be visible from motor vehicles and aircrafts or shall use a flashlight or any similar devices for the purpose to be seen.

-Children less than 12 years old using the runways shall be accompanied by adult.

45- Touch and go. Touch and go are not permitted at the Airpark.

46- Training flight. No training flight (touch and go, etc...) is permitted at the airpark (runway and river).

47- Trees. The least possible amount of trees shall be cut on a residential lot. Trees of 4 inches or more in diameter taken at 2 feet from the ground shall not be cut except on the immediate site of buildings to allow for construction and entrances.

48- Visitors. Visitors must request permission to the host (owner or tenant of one of the residential lots) to access the project. For visitors arriving by ground, the host is responsible for and must ensure that all runways and/or taxiways are free of any aircrafts and that the visitor's travel will be secure. For visitors arriving by air, this responsibility falls to the visiting pilot, which is responsible for and must ensure that the runways and/or taxiways are free of any aircrafts and that the visitor's travel will be secure. The airport is of PPR (Prior Permission Required) type. Permission to use the airport must be requested in advance.

MAJ : Dec 21st, 2011.