



Legal Services
Parks Canada Agency

August 27, 2019

Re: Sunshine Village Corporation and Parks Canada – deed of surrender

Dear Mr. Van Vliet,

Thank you for taking time from your family vacation last week to help toward concluding this lease transaction. Your assistance is appreciated.

The deed of surrender has been with Sunshine since Wednesday, just after Sunshine proposed a revision and Parks Canada agreed with it, in good faith and in an effort to conclude this matter imminently. Parks Canada deviated from its practice and inserted a “facsimile” clause in the deed of surrender so that it could be conveniently signed remotely and returned via email. We expressed a preference that the surrender be signed and returned to us at the earliest opportunity. The expectation of the parties, evidenced by the wording of the deed of surrender and the revisions to the lease, was that the surrender would be received and the transaction completed the next day, Thursday, August 22.

Almost a week has passed and Parks Canada has not received the signed and executed deed of surrender. Even allowing for what we are told have been logistical challenges (travel to Denver, being on a boat, lost cellular service), more than enough time has passed to simply print, sign, scan, and email the deed of surrender, a process that might altogether take 15 minutes.

I am instructed that if the deed of surrender is not received by Parks Canada by 4pm MDT today, duly signed and executed in the last form shared by you with us on Wednesday past, then, with regret, but resolve, Parks Canada will move toward the only available next step, publicly launching the RFP process to ~~identify~~ a new operator for the hill.