

Dear Landowner:

The Essex County ATV Club Inc. and its Chatham Kent Chapter would like to take this opportunity to thank you for taking the time to consider our proposal. We realize the idea of allowing our organization to use your property as a part of our trail system may not be in line with anything you may have considered in the past. We acknowledge that this voluntary use is a privilege, which we would continuously strive to earn through our care and respect of your land.

Organized ATV riding, through the efforts of volunteers and Clubs is experiencing unprecedented enthusiasm and growth. Your support of our Clubs efforts to develop and maintain a designated and insured trail system would be greatly appreciated.

Should you have questions, comments or concerns, please feel free to contact us and let us know.

Thank-You

Jim O'Neill President
Essex County ATV Club
519-726-5207 jim@ec-atv.com

The Trail Development Process & the Steps we follow:

- The club's trail committee members initially identify a potential route based on terrain, access, maintenance requirement and prior approval on adjacent properties
- Landowners are then approached and asked to consider supporting the club by allowing a designated section of their property to be used for trail development
- Once given verbal permission by a landowner, the club will walk and mark the proposed route as per the landowner's direction or request
- The club will then set up a date to walk the trail with the landowner to verify that the route is suitable and meets with the landowner's approval and consent
- Once the landowner has given the club permission for the route, they are asked to sign the land use agreement and can denote any special requests or site specific instructions on the back of the form. The signed form will be copied and sent to the OFATV to initiate the trail liability insurance coverage. Copies will also be made for and returned to the Landowner and the club's trail committee
- The club will organize trail work dates for trail development and maintenance which may include clearing, grading, bridge building, signage and all aspects of developing and maintaining the trail

When a land use permission form is signed between you and your local ATV club:

- An exclusive route across your land is designated for ATV use
- An opportunity is provided for you and the club to discuss and agree upon the conditions of your land use permission
- The obligations of our club are outlined
- Physical evidence is available to the OFATV insurer that an agreement exists between you, the landowner and the club
- The OFATV insurer agrees to recognize you as insured by the OFATV's Third Party General Liability Policy
- The ATV trail on your property is monitored and maintained by club volunteers
- Your permission to the club remains in place until you or the club terminate it
- Neither your ownership or any of your property rights are changed by allowing an ATV trail across your land, no matter for how long or how much it may have been improved
- Allowing an ATV trail is not forever, nor does it set any precedent that will threaten any future ownership or give permission to any other user group
- Bill 316/03 governing ATV use on roads, has no direct effect on you or your land, because it does not deal with, or have any authority over OFATV trails on private land
- The presence of OFATV trail signs, in no way assumes any rights, authority or control over your land, they simply indicate where an OFATV trail permit is required

Trail insurance

In addition to our members personal ATV insurance, the insurance policy with the OFATV provides third party liability insurance for the landowner, OFATV, member clubs, members and volunteers. The policy provides a \$5 million Commercial General Liability, \$5 million Non owned Automobile and \$250,000 tenants Legal Liability. The policy deductible is \$1,000 paid by the club when a claim is reported (non refundable). Land owner's having completed land use agreements have protection up to the \$5 million limit and must have their own insurance policy as well. This policy was developed for and is limited to an OFATV club. All riders or participants using OFATV trails must be a member of the OFATV.

Many people appreciate trails and have only the best of intentions. They may say that they accept responsibility and would never sue in the event of a mishap. What they do not realize however, is that it is not their decision alone. Their insurance company will likely pay the bills to get them better and then seek to recoup their losses. The OFATV 3rd party liability insurance is in place to protect the land owners and any volunteers acting on behalf of the club, from being held liable for these expenses.

The above is provided as a matter of information only. The insurance afforded is subject to the term, conditions and exclusions of the appropriate policy.



#730-800 West Pender Street, Vancouver, BC, V6C 2V6 Telephone: (604)685-0050, Fax: (604)669-1007

CERTIFICATE OF INSURANCE

Name of Insured: Ontario Federation of All Terrain Vehicle Clubs

Address: 8166 Hwy 26 RR#2, Staynor, ON, L0M 1S0

THIS CERTIFICATE IS ISSUED AT THE REQUEST OF

Name: Essex County ATV Club

Name of Insurer: Lloyds Underwriters through Sports-Can Insurance Consultants Ltd.

Policy No: LL02662

Policy Period: 12:01am June 05, 2006 to 12:01am June 05, 2007

LIMITS OF LIABILITY

\$5,000,000.00 INCLUSIVE LIMIT

\$5,000,000.00 AGGREGATE

BODILY INJURY AND

PROPERTY DAMAGE COMBINED

Reimbursement Clause: \$1,000.00

OPERATIONS AND LOCATIONS TO WHICH THIS CERTIFICATE APPLIES:

Activities usual to the operations of the Ontario Federation of All Terrain Vehicle Clubs a/o Essex County ATV Club

ADDITIONAL INSURED(S): It is hereby understood and agreed that the following is added as an additional insured, but only with respect to liability arising out of the operations of the named insured. The policy limits are not increased by the addition of such Additional Insured(s) and remain as stated in this Certificate:

No additional insureds

The insurance afforded is subject to terms, conditions, and exclusions of the applicable policy. The Insurer will mail to the holder of this Certificate 30 (thirty) days written notice of any material change in or cancellation of these policies

SPORTS-CAN INSURANCE CONSULTANTS LTD.

July 6 2006/ks

Date


Authorized Representative



OFATV

Ontario Federation of All Terrain Vehicle Clubs
8166 Hwy #26, RR#2, Stayner, Ontario L0M 1S0
Phone: 705-422-1408 Fax: 519-485-6934
E-Mail: Info@ofatv.org Website: www.ofatv.org

Cooperating with our local landowners

Landowners just like you have made it possible for trails to be developed throughout Ontario

Allowing your local OFATV club access to a portion of your land will ensure that our goal of a linked ATV trail system across Ontario can become a reality

Not-For-Profit and Volunteer driven, we depend on the generosity of Landowners across Ontario to ensure that the OFATV will continue to grow and ensure the rights of Private Property owners by making sure that ATVers have an approved, organized, signed and wardened trail to ride on – reducing the risk of trespass.

Dependable OFATV volunteers will provide you with a Land Owner Agreement Form and also provide you with a copy of our insurance certificate assuring you that the OFATV has what is probably the most comprehensive motorized third party insurance package available in Ontario providing protection for the OFATV, our clubs and our landowners

Organization is what will make the difference. Giving the ATVers in Ontario a place to ride is imperative if we are to provide a solution to riders inadvertently crossing onto private property or perhaps even onto sensitive environmental areas. That is why the OFATV volunteers and members are proud to make a difference!

With a signed Land Use Permission form you are allowing an OFATV club to monitor, sign and insure your trail.

Neighbours and friends are also joining our cause. These trails and the benefits they generate will have a positive impact on everyone in your community.

Entire communities will benefit by the substantial new opportunities generated by the ATV Trails Community, in fact today the powerful economic impact is second only to that of the snowmobile industry.

Respecting your land will be the prime goal of our volunteers. In fact, our wardens will help to ensure that any rider accessing the trail on your land is an OFATV member and therefore bound by the rules and regulations of the OFATV such as our Zero Tolerance Alcohol policy etc.

Supplying a trail system for the already existing ATVers in your municipality just makes sense and it takes the ongoing partnership between local OFATV Clubs and Private Property Owners to ensure community spirit and respect for private property.