

**LETTER OF UNDERTAKING REGARDING COMPLIANCE WITH THE *ENGINEERS AND
GEOLOGISTS ACT*, RSBC 1996, c.116 AS AMENDED**

WHEREAS:

1. It is the mandate of the Association of Professional Engineers and Geoscientists of British Columbia (the "Association") under the provisions of the *Engineers and Geoscientists Act* (the "Act") to protect the public interest in the practice of professional engineering, including restricting its practice to members and licensees of the Association;
2. Information and documentation has been received by the Association relating to the provision of professional engineering services by Bud Edgar, ~~ASCT~~ ("Mr. Edgar") PE personally and through his business, Edgar's Mini Backhoe Services; specifically the design and construction of a stacked rock retaining wall, substantial portions of which exceed 1.5m (5ft) in height, in contravention of the Regional District of Central Kootenay bylaw 21.1;
3. Mr. Edgar's actions constitutes a breach of the *Act*;
4. The Association and Mr. Edgar wish to resolve this matter without resort to legal action; and
5. Mr. Edgar has had an opportunity to seek independent legal advice regarding the complaint filed and pending, the Association's enforcement procedure, the *Act*, and this Letter of Undertaking.

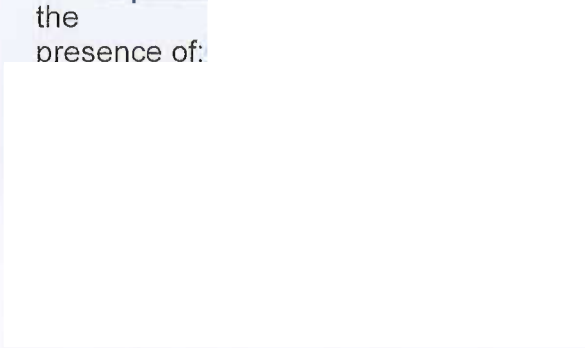
THEREFORE:

In recognition of the time, effort and expense involved for Mr. Edgar to go through the enforcement procedure and the risk of an injunction and up to \$25,000 in exemplary damages being granted to the Association and the Association's mandate to protect the public, Mr. Edgar agrees to this Letter of Undertaking and the following terms in consideration of the Association not proceeding with the complaint filed and pending:

1. I, Bud Edgar, will hereafter cease engaging in the practice of professional engineering, unless and until I am duly registered as a member or licensee of the Association;
2. I understand and accept that this Letter of Undertaking may be published in *Innovation* and such other places and in such manner as the Association deems appropriate;
3. I understand and accept that a breach of this Letter of Undertaking constitutes a breach of the *Act* and agree that the Association may refer to this Letter of Undertaking and the activities that resulted in this Undertaking in any legal proceedings it may take against me in the event of a breach of this Letter of Undertaking; and

4. If the Association takes legal action against me for breach of the Act I will not argue delay as a result of this Letter of Undertaking.

AGREED and ACCEPTED by)
BUD EDGAR)
this 13 day of June, 2014 in)
the)
presence of:)



Bud Edgar

) BUD EDGAR
)
)
)

ACCEPTED by the Association this 27
day of June, 2014

Ann English, P. Eng.

Ann English, P. Eng.
CEO and Registrar of the
Association