

Form 15

MORTGAGE

LAND TITLES ACT, S.N.B. 1981, c.L-1.1, s.25

STANDARD FORMS OF CONVEYANCES ACT, S.N.B. 1980, c. S-12.2, s.2

NEW BRUNSWICK

Parcel Identifier: _____

Mortgagor: _____

**Spouse of Mortgagor
(if not an owner)** _____

Mortgagee: **Computershare Trust Company of Canada**
c/o First National Financial LP
100 University Avenue, North Tower, Suite 700
Toronto, Ontario M5J 1V6
having an address for service in New Brunswick at 644 Main
Street, Blue Cross Centre, Suite 601, Moncton, New Brunswick,
E1C 9N4 Attention: John Eric Pollabauer

Guarantor: _____

Matter of Tenure: _____
(eg: joint tenants, tenants in common, or description of variable interests as applicable)

Nature of Title: Fee Simple Leasehold

[Place an X in the Appropriate Box]

Principal Sum: _____ of lawful money of Canada
advanced to the mortgagor on this mortgage.

Interest Rate: The interest rate will be fixed or variable as indicated.
[Place an X in the Appropriate Box and complete fixed rate if applicable]

Fixed: _____% per annum

Variable: See Optional Covenants and Conditions included herein.

How Interest Calculated: Semi-annually, not in advance

Interest Adjustment Date: _____

Term: _____ years. Commencing on the Interest Adjustment Date and
ending on the Maturity Date.

Payments:

Interest at the aforesaid rate on the amounts from time to time advanced, computed from the respective dates of such advances, to and including the day preceding the interest adjustment date shall become due and be paid on the interest adjustment date or, at the option of the mortgagee in monthly instalments prior to the interest adjustment date with the balance of such interest if any being due and payable on the interest adjustment date; and at the option of the mortgagee interest so due and payable may be deducted from the advance; and thereafter the said principal sum together with interest thereon at the aforesaid rate, computed from the interest adjustment date, shall become due and be paid by regular instalments of principal and interest on the monthly payment dates herein set out to the Maturity Date and the balance of the said principal sum then remaining unpaid and all accrued and unpaid interest and other moneys (if any) then owing under this mortgage shall become due and payable on the Maturity Date.

Payment Dates:

commencing on the _____ day of _____, 20____ and continuing on the _____ day of each and every following month during the term.

Monthly Payment Amount:

(a) Fixed Rate Mortgage: if this mortgage has a fixed interest rate, the regular monthly payment will be \$_____

(b) Variable Interest Rate: if this mortgage has a variable interest rate, the monthly payment amount will be calculated in accordance with the Optional Covenants and Conditions included herein.

Maturity Date:

_____, 20_____.

Amortization Period:

_____ years.

Place of Payment:

To the mortgagee at such place as the mortgagee may designate from time to time.

Statutory Covenants and Conditions Excluded:

All

Optional Covenants and Conditions Included:

[Complete as per Solicitor Instructions]

The mortgagor mortgages to the mortgagee in the specified manner of tenure the specified parcel to secure repayment of the principal sum with interest as well after as before maturity as specified, and to secure performance of all covenants of the mortgagor hereunder.

The mortgagor acknowledges receipt of the text of the covenants and conditions which are contained in the mortgage by reference to a distinguishing number or by virtue of subsection 25(4) of the Land Titles Act, and agrees to be bound by them to the same extent as if set out at length herein.

The spouse of the mortgagor joins in this instrument and consents to this disposition for the purpose of complying with Section 19 of the Marital Property Act.

Date: _____, 20_____.

Witness: _____

Mortgagor: _____

Guarantor: _____

Spouse of
Mortgagor _____

Form 44
CERTIFICATE OF EXECUTION
Land Titles Act, S.N.B. 1981, c.L - 1.1, s.55

Notary Public: _____
(Name)

(Address)

Jurisdiction: Province of New Brunswick

Place of Residence of Notary Public: _____

Person(s) who executed the instrument: _____
(Name)

(Name)

(Name)

Place of Execution: _____

Date of Execution: _____

I, _____, a Notary Public in and for the jurisdiction specified above and
Residing at the place of residence specified above, do hereby certify:

1. THAT the person who executed the attached instrument personally appeared before me;
2. THAT the person is known to me or the person's identity has been proved to my satisfaction;
3. THAT I explained to the person the contents of the attached instrument to the best of my professional abilities;
4. THAT, after receiving the explanation, the person executed the attached instrument voluntarily at the place and on the date specified above;
5. THAT the person acknowledged that he or she is of the age of majority;
6. THAT I have ascertained that the name by which the person is identified in the attached instrument is the person's name in accordance with the *Naming Conventions Regulation* under the *Land Titles Act*; and
7. THAT I have signed the attached instrument next to the signature of the person for whom this Certificate of Execution has been prepared, with my name printed legibly underneath my signature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal.

Place: _____, New Brunswick

Date: _____ 20____.

Notary Public: _____

(Affix Notarial Seal)

FORM 45
AFFIDAVIT OF CORPORATE EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: _____
(Name)

(Address)

Office Held by Deponent: _____

Corporation: _____
(Name)

Place of Execution: _____

Date of Execution: _____

I, _____ the deponent, make oath and say:

1. that I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. that the attached instrument was executed by by me as the officer duly authorized to execute the instrument on behalf of the corporation;
3. that the seal of the corporation was affixed to the instrument by order of the Board of Directors of the corporation;
4. that the instrument was executed at the place and on the date specified above; and
5. that the ownership of a share of the corporation does not entitle the owner thereof to occupy the parcel described in the attached instrument as a marital home.

SWORN TO at)
)
in the province of New Brunswick)
)
on _____, 20____)
)
A Commissioner of Oaths)
Being a Solicitor)

FORM 55
AFFIDAVIT OF MARITAL STATUS
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55
NEW BRUNSWICK

Deponent: _____
(Name)

(Address)

(Spouse of Deponent: _____)
(Name)

(Date of Domestic Contract _____)

(Date of Court Order _____)

I, _____ make oath and say:

1. That I am the person conveying an interest in the attached instrument and have personal knowledge of the matters hereinafter deposed to;

DELETE INAPPLICABLE CLAUSES

2. That I am not married;
OR
That the name of my spouse is as specified above;
3. That I have no former spouses with a right under the *Marital Property Act* to any interest in or possession of the subject land;
4. That the subject land has/has not been occupied by me and my spouse as our matrimonial home;
5. That my spouse has joined in this instrument and has consented to the disposition for the purpose of complying with section 19 of the *Marital Property Act*;

OR

The signature of my spouse is not required because:

my spouse has released all rights to the marital home by reason of domestic contract dated as specified above;

OR

the marital home has been released by order of The Court of Queen's Bench of New Brunswick dated as specified above, pursuant to paragraph 23(1)(b) of the *Marital Property Act*;

OR

this disposition has been authorized by The Court of Queen's Bench of New Brunswick by order dated as specified above.

SWORN TO at)
)
in the province of)
)
on _____, 20 _____)
)
BEFORE ME:)
)
_____) _____

A Commissioner of Oaths
Being a Solicitor or
*A Notary Public in and for the province of _____

*** Where Affidavit of Marital Status is sworn outside of New Brunswick, it must be sworn before a Notary Public in and for the place where sworn and he or she must impress his or her official seal here.**