



Solicitor's Interim Report On Title
And Request For Funds

TO: CANADIAN WESTERN BANK

RE: Mortgage Loan No.: _____

Dear Sirs:

In accordance with your instructions dated the ___ day of _____, 20___, we report as follows:

DETAILS OF THE "MORTGAGE":

Date of Mortgage: _____

Mortgage Amount: _____

Mortgagor(s): _____ ("the Mortgagor(s)")

Address of Mortgagor(s): _____

Security Address: _____ ("the Lands")

Legal Description of Security: _____

Dower Consent: _____

REGISTRATION DETAILS AND TITLE:

The Mortgage was registered in the Land Registration Office for the County of _____, Nova Scotia, as Instrument Number _____ on the ___ day of _____, 20___.

We have investigated the title of the Mortgagor(s) to the Lands and confirm that, at the time the Mortgage was registered, the Mortgagor(s) was/were registered as owners of an estate in fee simple in the Lands and that you have a good and valid _____ first _____ Mortgage thereon, subject only to the following:

- a) The overriding interests, whether or not recorded or registered, addressed in Sections 73, 74, 75 and 76 of the Land Registration Act, such as:
i. an interest of Her Majesty in right of the Province that was reserved in or excepted from the original grant of the fee simple absolute from Her Majesty, or that has been vested in Her Majesty pursuant to an enactment;
ii. a lien in favour of a Municipality pursuant to an enactment, and a lien for assessments pursuant to the Workers' Compensation Act;
iii. a leasehold interest for a term of three years or less if there is actual possession under the lease;
iv. a "utility interest" being an easement or other right in or to use land (including a fee simple interest) in existence before the coming into force of the Act, in favour of a public utility or a municipality;

- v. an easement or right of way that is being used and enjoyed;
- vi. rights granted by or pursuant to an enactment of Canada or of the Province to enter, cross or do things on land for the purpose expressed in the enactment; to recover municipal taxes, duties, rates, assessments; or to control, regulate or restrict the use of land or subdivision of land; and
- vii. certain interests acquired by adverse possession or prescription by virtue of long user.

b) Any and all applicable Provincial legislation.

We confirm that after the Mortgage has been funded the following will be paid out and a discharge obtained in respect thereof:

- (a) _____
- (b) _____
- (c) _____

After payout and discharge of the encumbrances stipulated above, the Mortgage will constitute a first charge on title to the lands.

EXECUTIONS (LAND TITLES SYSTEM):

On the date of registration:

- (a) There were no judgments registered against title to the Lands; and
- (b) There were no judgments filed in the Land Registration Office for the County of _____, Nova Scotia against the Mortgagor(s).

REALTY TAXES:

All outstanding property taxes and local improvement charges to the date of advance have been paid in full or, in the alternative, will be paid from the mortgage proceeds. We enclose a clear Tax Certificate, or, in the alternative, undertake to forward one as soon as possible after the Mortgage has been funded. Realty taxes for the most recent year assessed totalled _____. The realty tax assessment roll number is _____.

SURVEY:

We enclose (the Statutory Declaration of _____, with attached) Location Certificate prepared by _____, Nova Scotia Land Surveyor, and dated the ___ day of _____, 20___, showing the buildings which form part of the mortgage security to be wholly within the limits of the Lands, with no encroachments, easements, or rights-of-way except the following:

- _____
- _____
- _____
- _____

INSURANCE:

The property is insured as follows, with loss payable to you as _____ mortgagee. The policy is subject to the standard mortgage clause of the Insurance Bureau of Canada. Other details of the policy are as follows:

Company: _____ Policy Number: _____

Amount: _____ Expiry Date: _____

Agent: _____

CONDOMINIUM:

There are no arrears of common expenses or liens claimed by the Condominium Corporation against the subject unit. We have reviewed an Estoppel Certificate provided by the Condominium Corporation and find it to be in order, disclosing no deficiencies as at the ___ day of _____, 20___. A certificate of insurance confirms that there is currently in force fire and extended coverage over the entire condominium (details given above).

ENCLOSURES:

We enclose the following for your records:

- 1. Duplicate Registered Copy of Mortgage;
- 2. Statement of Registered and Recorded Interests;
- 3. Tax certificate;
- 4. Copy of Insurance Binder;
- 5. Location Certificate;
- 6. Executed Direction to Pay;
- 7. Disclosure Statement; and
- 8. Other: _____

We confirm that the following will be provided as soon as possible following the advance of funds:

We require funds on the ___ day of _____, 20___. We would appreciate receipt of the funds prior to _____ o'clock _____, if possible. Please contact the writer as soon as the same are ready for pick-up and we will arrange to have a courier attend at your offices.

Yours truly,

LAW FIRM: _____

ADDRESS: _____

Per: _____
Solicitor:
