

Builders Lien Declaration

Canada) In the Matter of Title to:
)
)
British Columbia) And in the Matter of a mortgage
) thereof to Home Trust Company
)
) From:
To Wit:)

I/We,
of the) of
in the) of

(Severally) Solemnly Declare, that:

1. I am/We are the mortgagor(s) herein and as such have knowledge of the matters deposed to herein.
2. I/We have had the relevant provisions of the *Builders Lien Act*, explained to me/us by my/our solicitor prior to signing this Declaration.
3. This mortgage is not a building mortgage, within the meaning of the *Builders Lien Act*, and the funds to be advanced by Home Trust Company are not being used to repay a building mortgage.
4. This mortgage is not being given with the intention to use the proceeds thereof to finance any alterations, additions or repairs to, or any construction, erection, demolition or installation on the land described in the mortgage or any structure thereon and no materials or services have been supplied to alter, add to, repair, construct on, erect on, install on or demolish the mortgaged premises or any part thereof, nor have contracts been signed for such purposes nor any negotiations taken place or estimates been given or tenders made for those purposes at any time within the last twelve months and any such alterations, additions, repairs, construction, erection, installation or demolitions prior to that date have been paid for in full and valid receipts as evidence of payment in full have been received and all work has been received and all work has been certified as fully completed.
5. No liens have arisen within the meaning of the *Builders Lien Act*, to this date and none will arise for at least 55 days after the funding of the above mentioned mortgage by the mortgagee.
- 6.*** The funds used as the downpayment for the purchase of the property are from my/our own resources and is not secured by any other loans or mortgages.
- 7.*** I am/We are aware that Home Trust Company is relying upon this Declaration and the facts stated herein in advancing funds under this mortgage loan and I am/we are further aware that said Home Trust Company has agreed to make the above mentioned mortgage loan based, in part, in reliance upon the truth and complete accuracy of the foregoing.

And I/We make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

(Severally) Declared before me/us at the)
)
District of in the) _____
)
Province of)
)
this day of 20) _____
)

A Commissioner, etc.

*** Delete if not applicable