

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***

Parcel Identifier: \_\_\_\_\_  
(PID)

Mortgagor: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

Mortgagor : \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

Spouse of \_\_\_\_\_  
(if not an owner) (Name)

\_\_\_\_\_  
(Address)

Mortgagee: HOME TRUST COMPANY  
145 King St. West Suite 2300  
Toronto, ON M5H 1J8

Guarantor : \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

Manner of Tenure: \_\_\_\_\_  
(NOT APPLICABLE, or joint tenants, tenants in common,  
nothing specified or description of variable interests)

Limitation of Right

Principal Sum: \$ \_\_\_\_\_ in lawful money  
of Canada advanced by the Mortgagee to the Mortgagor.

Interest Rate:: \_\_\_\_\_ %

How Interest Calculated: \_\_\_\_\_

Interest Adjustment Date: \_\_\_\_\_

Term: \_\_\_\_\_

Payments: \_\_\_\_\_ which includes principal & interest.

Payment Dates : Commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Maturity Date : \_\_\_\_\_

Place of Payment : At such place as may be designated, in writing, by the Mortgagee to the Mortgagor.

Statutory Covenants and Conditions Excluded: All

Optional Covenants and Conditions Included: HTC 1590

The mortgagor mortgages (subject to the specified limitation) 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.

The mortgagor acknowledges receipt of the text of the covenants and conditions which are contained in this 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: \_\_\_\_\_

Witness: Mortgagor:

\_\_\_\_\_  
(Signature)

Witness : Mortgagor :

\_\_\_\_\_  
(Signature)

Witness : Spouse of \_\_\_\_\_  
Name of Mortgagor

\_\_\_\_\_  
(Signature)

Witness : Guarantor:

\_\_\_\_\_  
(Signature)

Form 43

AFFIDAVIT OF EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Subscribing Witness: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

\_\_\_\_\_

\_\_\_\_\_

Person Who Executed  
the Instrument: \_\_\_\_\_

Place of Execution: \_\_\_\_\_

Date of Execution: \_\_\_\_\_, 20\_\_

I, \_\_\_\_\_, the subscribing witness, make oath and  
say:

1. That I was personally present and saw the attached instrument duly executed by the party specified and that I am the subscribing witness;
2. That the person who executed the instrument is known to me / the person's identity has been proved to my satisfaction;
3. That the instrument was executed at the place and on the date specified above;
4. That at the time of execution of the instrument I was of the full age of sixteen years; and
5. That the person who executed the instrument is, in my belief, of the age of majority.

DECLARED TO at \_\_\_\_\_, in the )  
County of \_\_\_\_\_ and Province)  
Of New Brunswick, on the \_\_\_ )  
day of \_\_\_\_\_ 20\_\_.

)  
BEFORE ME: )  
)  
)  
)

\_\_\_\_\_) \_\_\_\_\_ )  
Commissioner of Oaths, )  
)

Form 43.1

AFFIDAVIT OF EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Signatory: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

\_\_\_\_\_

\_\_\_\_\_

Position Held by Signatory: \_\_\_\_\_

Other Signatory: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

\_\_\_\_\_

Position Held by Other  
Signatory: \_\_\_\_\_

Organization: \_\_\_\_\_  
(name)

Place of Execution: \_\_\_\_\_

Date of Execution: \_\_\_\_\_

I, \_\_\_\_\_, the signatory, make oath and say:

1. That I hold the position specified above in the organization 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 me / and , the other signatory, as the person(s) duly authorized to execute the instrument on behalf of the organization specified above;
3. That the instrument was executed at the place and on the date specified above.

DECLARED TO at \_\_\_\_\_  
in the County of \_\_\_\_\_ )  
and Province of New Brunswick, on \_\_\_\_\_ )  
the day of \_\_\_\_\_, 20\_\_\_\_. )  
)

BEFORE ME: \_\_\_\_\_ )

)  
)  
)  
)  
)

\_\_\_\_\_) \_\_\_\_\_ )  
Commissioner of Oaths, \_\_\_\_\_ )  
Being a Solicitor \_\_\_\_\_ )

CERTIFICATE OF EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Notary Public: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

\_\_\_\_\_

\_\_\_\_\_

Jurisdiction : \_\_\_\_\_

Place of Residence  
of Notary Public: \_\_\_\_\_

Person(s) Who Executed  
the Instrument: \_\_\_\_\_  
\_\_\_\_\_

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 names by which the person is identified in the attached instrument are 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: \_\_\_\_\_

Date: \_\_\_\_\_

Notary Public: \_\_\_\_\_  
(signature)

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: \_\_\_\_\_

Other Officer Who Executed the Instrument: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

Office Held by Other Officer Who Executed the Instrument: \_\_\_\_\_  
(name)

Place of Execution: \_\_\_\_\_

Date of Execution: \_\_\_\_\_, 20\_\_.

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 me / and \_\_\_\_\_, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;

***DELETE INAPPLICABLE CLAUSE***

3. That the seal of the corporation was affixed to the instrument by order of the Board of Directors of the corporation;

OR

That the corporation has no seal;

4. That the instrument was executed at the place and on the date specified above;

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.

DECLARED TO at Bathurst, )  
in the County of Gloucester and )  
Province of New Brunswick, on )  
The \_\_\_\_\_ day of 2000. )

BEFORE ME: )

)

\_\_\_\_\_) \_\_\_\_\_

Commissioner of Oaths, )

Being a Solicitor )

