



FORM 35 (RULES 8-4(1), 13-1(3), 17-1(2) AND 25-9(2))

No. H-200039  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

PEOPLES TRUST COMPANY

Petitioner

AND:

CENSORIO GROUP (HASTINGS & CARLETON) HOLDINGS LTD.  
PETER CENSORIO also known as PETER ANTHONY CENSORIO  
and PETER ANTHONY CENSORIO  
STRADA 39 TRUST  
BANCORP GROWTH MORTGAGE FUND II LTD.  
BANCORP BALANCED MORTGAGE FUND II LTD.  
BANCORP FINANCIAL SERVICES INC.  
PK CAPITAL LTD.  
ALL CANADIAN INVESTMENT CORPORATION  
FBM CANADA GSD, INC.  
MEDINA CONCRETE SERVICES LTD.  
TUCUVAN CONSTRUCTION LTD.  
OMNI DRYWALL LTD.  
1223293 B.C. LTD.  
RAHUL GLASS LTD.  
SERIN INVESTMENTS LTD.  
CLARION PROPERTY CORPORATION  
G. I. H. PROPERTIES LTD.  
BARRY CHARLES HOLDINGS LTD.  
BECISON HOLDING CORPORATION  
SANDRA CHAPPELL  
CREST CAPITAL CORPORATION  
DURHAM CAPITAL MANAGEMENT INC.  
YORK VENTURES LTD.  
HI-GROVE HOLDINGS (1995) LTD.  
DIANE RAUCH  
JEFFREY RAUCH  
GERHARD RAUCH  
HELGA RAUCH  
PAVILION INVESTMENTS INC.  
RODNEY GRANT KENYON  
ALAN LONG  
MANDATE MANAGEMENT CORPORATION

Respondents

**ORDER MADE AFTER APPLICATION  
(ORDER APPROVING SALE)**

BEFORE ) MASTER ) THURSDAY, THE 17 DAY OF  
 ) ELWOOD ) DECEMBER, 2020  
 ) )

ON THE APPLICATION of D. MANNING & ASSOCIATES INC. (the "Receiver") coming on for hearing on this day at Vancouver, British Columbia, and on hearing HEATHER A. FRYDENLUND, counsel for the Receiver, by MS Teams, and no-one else appearing, although given notice in accordance with the Rules of the Court, and on reading the materials filed herein:

THIS COURT ORDERS THAT:

1. The sale of the following the lands and premises:

City of Burnaby

Parcel Identifier: 031-227-902

Strata Lot 29 District Lot 121 Group 1 NWD Strata Plan EPS5728

(the "Lands")

to S.J.M.A HOLDINGS LTD., Inc. No. C0404596, of 27514A Fraser Highway, Aldergrove BC, V4W 3N5, or if amended or assigned by the purchaser and agreed to by the Receiver, as set out in a letter from the solicitors for the Receiver, on the terms and conditions set out in the Contract of Purchase and Sale dated December 15, 2020 for the sum of \$3,225,000 is hereby approved.

2. Upon filing a certified copy of this Order in the New Westminster Land Title Office together with a letter from the Receiver's solicitor authorizing such registration and subject to the terms of this Order, the Lands be conveyed to and vest in the purchaser, S.J.M.A HOLDINGS LTD., in fee simple, free and clear of any estate, right, title, interest, equity of redemption, and other claims of the parties, except the reservations, provisos, exceptions, and conditions expressed in the original grant(s) thereof from the Crown.

3. The dates for completion, adjustment and possession be set at 14 days following the issuance of an Occupancy Permit or so soon before or so soon thereafter as the Receiver and the purchaser shall agree.

4. The net purchase price after adjustments shall be paid to OWEN BIRD LAW CORPORATION, in trust, and shall be paid out in accordance with the following priorities without further order:

- a) in payment of any outstanding property taxes, water and sewer rates;
- b) in payment of real estate commission and GST, if payable;
- c) to The Owners, Strata Plan EPS5728, the amount appropriately due pursuant to Section 116 of the *Strata Property Act*;
- d) GST, if payable;
- e) to the Receiver to the credit of this proceeding.

5. For the purpose of issuing title and in respect of the Lands, the following charges, liens, encumbrances, caveats, mortgages, and certificates of pending litigation be cancelled insofar as they apply to the Lands:

<b>RESPONDENTS/CHARGE HOLDERS</b>	<b>NATURE OF INTERESTS</b>	<b>REGISTRATION NUMBERS</b>
PEOPLES TRUST COMPANY	Mortgage	CA6245585
	Assignment of Rents	CA6245586
	Certificate of Pending Litigation	CA7994287
	Certificate of Pending Litigation	CA7996226
BANCORP GROWTH MORTGAGE FUND II LTD., BANCORP BALANCED MORTGAGE FUND II LTD. and BANCORP FINANCIAL SERVICES INC.	Mortgage	CA6245684 modified by CA7557828
	Assignment of Rents	CA6245685 modified by CA7557829
PK CAPITAL LTD.	Mortgage	CA7219414
	Assignment of Rents	CA7219415


ALL CANADIAN INVESTMENT CORPORATION	Certificate of Pending Litigation	CA7750158
FBM CANADA GSD, INC.	Claim of Builders Lien	CA7847746
MEDINA CONCRETE SERVICES LTD.	Claim of Builders Lien	CA7883860
TUCUVAN CONSTRUCTION LTD.	Claim of Builders Lien	CA7914853
OMNI DRYWALL LTD.	Claim of Builders Lien	CA7929493
1223293 B.C. LTD.	Claim of Builders Lien	CA7992704
RAHUL GLASS LTD.	Claim of Builders Lien	CA7995006

together with any other charges, liens, encumbrances, caveats, mortgages, or certificates of pending litigation registered against the Lands subsequent to 11:33 am on January 23, 2020 being the time and date of the registration of the Petitioner's Certificate of Pending Litigation No. CA7996226 which had been released to permit registration of the Strata Plan herein.

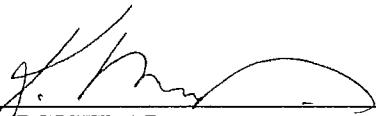
6. The parties may apply for such further direction as may be necessary to carry out this Order.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

APPROVED BY:

  
\_\_\_\_\_  
Signature of Heather A. Frydenlund  
lawyer for Receiver and Manager,  
D. MANNING & ASSOCIATES INC.

BY THE COURT

  
\_\_\_\_\_  
REGISTRAR

