

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

PEOPLES TRUST COMPANY

Petitioner

AND:

CENSORIO GROUP (HASTINGS & CARLETON)
HOLDINGS LTD. ET AL

Respondents

**ORDER MADE AFTER APPLICATION
(VESTING ORDER)**

BEFORE) THE HONOURABLE MADAM) FRIDAY, THE 20 DAY OF
))) NOVEMBER, 2020
) JUSTICE DOUGLAS))

ON THE APPLICATION of D. MANNING & ASSOCIATES INC. (the "Receiver") made this day at Vancouver, British Columbia, and on reading the Order of Madam Justice Douglas pronounced November 20, 2020, and on reading the Receiver's Certificate dated December 23, 2020:

THIS COURT ORDERS THAT:

1. The sale of the following lands and premises:

City of Burnaby
Parcel Identifier: 031-227-686
Strata Lot 7 District Lot 121 Group 1 NWD Strata Plan EPS5728

(the "Lands")

to Adam Mark Janeda Keserich, Longshoreman, of 3990 Edinburgh Street, Burnaby, BC V5C 1R7 or if amended or assigned by the purchasers 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 November 22, 2020 and accepted November 23, 2020 for the sum of \$534,905.00 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, Adam Mark Janeda Keserich, 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 12 business days following the issuance of an Occupancy Permit or so soon before or so soon thereafter as the Receiver and the purchasers 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.

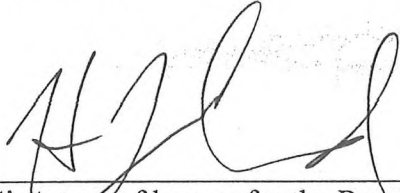
5. For the purpose of issuing title in respect of the Lands, the following charges, liens, encumbrances, caveats, mortgages, and certificates of pending litigation be cancelled insofar as they apply to the Lands:

| RESPONDENTS/CHARGE HOLDERS | NATURE OF INTERESTS | REGISTRATION NUMBERS |
|--|-----------------------------------|---------------------------------|
| 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.

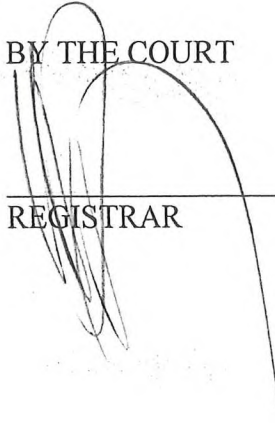
6. The parties may apply for such further direction as may be necessary to carry out this Order.

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:



Signature of lawyer for the Receiver,
Heather A. Frydenlund

BY THE COURT



REGISTRAR

No. H-200039
Vancouver Registry

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OWEN BIRD LAW CORPORATION
P.O. Box 49130
Three Bentall Centre
2900 - 595 Burrard Street
Vancouver, BC V7X 1J5
Attention: Alan A. Frydenlund, Q.C.
File No. 23024-0093