



No. H 200252
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

VANCOUVER CITY SAVINGS CREDIT UNION

Petitioner

AND:

**371392 B.C. LTD.
371392 B.C. LTD. doing business as DIAMOND HEAD MOTOR INN
and DIAMOND HEAD MOTEL
1134365 B.C. LTD.
H.D.P. HOLDINGS INC.
FARHEEN RAWJI
DIPTI PANCHAL
HITESH PANCHAL
ALL TENANTS AND OCCUPIERS OF THE SUBJECT
LANDS**

Respondents

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

**BEFORE)) FRIDAY, THE 15TH DAY OF
)) MASTER VOS)) JANUARY, 2021
))))**

ON THE APPLICATION of D. MANNING & ASSOCIATES INC. (the "Receiver") coming on for hearing on this day at Vancouver, British Columbia, and on hearing ALAN A. FRYDENLUND, QC, counsel for the Receiver, and Mr. Paul Kent-Snowsall appearing on behalf of 1134365 B.C. Ltd. and Farheen Rawji, and Mr. Hitesh Panchal appearing on behalf of himself and H.D.P Holdings Inc., 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:**

District of Mission

Parcel Identifier: 003-439-411

Lot 114 Except: Part Road on Plan 87258, District Lot 165 Group 3

New Westminster District Plan 64278

(the "Lands")

To 1284012 B.C. LTD., Inc. No. BC1284012, of Suite 2300, Bentall 5, 550 Burrard Street, Vancouver BC, V6C 2B5, 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 January 13, 2021 for the sum of \$4,050,000.00 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, 1284012 B.C. 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 February 2, 2021 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) **GST, if payable;**
- d) **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:

RESPONDENTS	NATURE OF INTERESTS	REGISTRATION NUMBERS
VANCOUVER CITY	Mortgage	CA7036289
SAVINGS CREDIT UNION	Assignment of Rents Certificate of Pending Litigation	CA7036290 CA8261858

together with any other charges, liens, encumbrances, caveats, mortgages, or certificates of pending litigation registered against the Lands subsequent to the petitioner's certificate of pending litigation Nos. CA8261858.

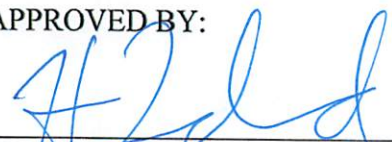
6. The parties may apply for such further direction as may be necessary to carry out this Order.

7. Endorsement of this Order by Mr. Hitesh Panchal appearing on this application is dispensed with.

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:

BY THE COURT

for 

Signature of Alan A. Frydenlund, QC
lawyer for Receiver and Manager,
D. MANNING & ASSOCIATES INC.

REGISTRAR



Signature of Paul Kent-Snowsell
lawyer for 1134865 B.C. LTD. and
Farheen Rawji

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**OWEN BIRD LAW CORPORATION
P.O. Box 49130
Three Bentall Centre
2900 - 595 Burrard Street
Vancouver, BC V7X 1J5
Attention: Heather A. Frydenlund
File No. 23024-0095**