



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

No. KEL-S-S-127397
Kelowna Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

ALBERT WEISSTOCK

PETITIONER

AND:

**WALTER WEISSTOCK, ANTONY WEISSTOCK, SILVIA RITA
GERARD, WITMAR HOLDINGS LTD., DONALD JAMES
RAMSAY (ADMINISTRATOR OF THE ESTATE OF MARIA
CONCETTA WEISSTOCK), 1100748 B.C. LTD., ANTONY
WEISSTOCK (TRUSTEE OF THE WILLY AND MARIA
CONCETTA WEISSTOCK TRUST), and ISLANDVIEW
COUNTRY ESTATES LTD.**

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE

ASSOCIATE JUDGE SCHWARTZ

WEDNESDAY, THE 23rd
DAY OF SEPTEMBER, 2026

ON THE APPLICATION of C. Cheveldave & Associates Ltd., (the "**Liquidator**") as Liquidator of Witmar Holdings Ltd. coming on for hearing at Kelowna, British Columbia on September 23, 2026 and on hearing Hal Hicks as counsel for the Liquidator; and no one else appearing;

THIS COURT ORDERS that:

1. The sale of the lands and premises, which are the subject matter of this action, more particularly known and described as:

Parcel Identifier: 003-826-465

LOT 1 SECTION 20 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN
30909

Civic Address: 1891 Parkinson Way, Kelowna, British Columbia
(**"Parkinson Way"**)

Parcel Identifier: 001-864-076

LOT 1 SECTION 20 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN
23634 EXCEPT PLAN KAP89971

Civic Address: 1864 Harvey Avenue, Kelowna, British Columbia (**"Harvey Ave"**)

(hereinafter referred together to as the "**Lands**")

Parkinson Way be sold to Parkinson Way Apartments Kelowna Ltd. for the sum of \$6,355,000.00 and Harvey Ave be sold to Harvey Ave Commercial Kelowna Ltd. for \$3,400,000.00 with the date for adjustment, possession and completion to be thirty (30) days after court approval on the terms and conditions of the Offer to Purchase and Contract of Purchase and Sale Agreements dated March 12, 2026. The Liquidator is at liberty to extend the dates for adjustment, possession and completion for up to thirty (30) days without further order of the Court.

2. The Respondents and any other person who may be in the actual possession of the Lands be directed to deliver up vacant possession to the Lands to the proposed purchaser on the completion date. If any person fails to deliver vacant possession, the Liquidator shall be at liberty to apply for a Writ of Possession under Rule 13-2(13) by desk order and without further Order.
3. Upon filing a certified copy of the Order made herein with the Registrar of Titles, Kamloops Land Title Office, the Lands legally described as Parcel Identifiers: 003-826-465, LOT 1 SECTION 20 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 30909 and 001-864-076, LOT 1 SECTION 20 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 23634 EXCEPT PLAN KAP89971 and all right, title, interest and equity of redemption of the Liquidator and the Respondents, and their respective heirs, executors, administrators and assigns and all other persons claiming by, through or under them, shall be conveyed to and do vest in fee simple in the said purchaser but subject to the reservations, provisos, exceptions and conditions expressed in the original grant therefore from the Crown, without further instrument of transfer free and clear of all encumbrances except:

Parkinson Way:

- (a) Statutory Right of Way T42354;

Harvey Ave:

- (b) NIL.

4. The solicitor for the applicant do approve any Vendor's Statement of Adjustments including adjustments for taxes, water and sewer to the date of adjustment and that the purchasers obtain title to the Lands free and clear of all charges, liens and encumbrances except those set out in paragraph 4 hereof.
5. The solicitor for the proposed purchasers herein pay from the proceeds of sale the amount owing for taxes, penalties, arrears of taxes and interest on arrears of taxes, utilities, arrears of utilities and interest on arrears of utilities in respect of the Lands, and the amount owing for real estate commission, and that the solicitor for the purchasers then pay to Fulton & Company LLP, solicitors for the Liquidator, the net proceeds of sale.
6. Fulton & Company LLP pay the net sale proceeds to the Liquidator.

7. 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 Hal Hicks

☐ party ☒ lawyer for the Liquidator

Digitally signed by
Jaque, Laurel

By the Court

Registrar

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MARIA CONCETTA WEISSTOCK TRUST), and
ISLANDVIEW COUNTRY ESTATES LTD.**

RESPONDENTS

**ORDER APPROVING SALE
(PARKINSON WAY AND HARVEY)**

FILE NO. 077284-0002

HRH/dns

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