

MORTGAGE Form 11.4

District of _____ Mortgage Encumbrance Mortgage of Mortgage/Encumbrance
 ESTATE AFFECTED Freehold Leasehold

1. **MORTGAGOR/GRANTOR OF ENCUMBRANCE (Encumbrancee)** *include address and postal code*

COVENANTOR (if any) *include address and postal code*

see schedule

2. **LAND DESCRIPTION**

TITLE NUMBERS(S)

MORTGAGE/ENCUMBRANCE NUMBER(S)

see schedule

3. **MORTGAGEE/ENCUMBRANCER** *include address and postal code*

Home Trust Company, 145 King Street West, Suite 2300, Toronto, ON, M5H 1J8

see schedule

4. **NAME AND ADDRESS OF MORTGAGEE/ENCUMBRANCER FOR SERVICE** *include postal code*
 SAME AS ABOVE

see schedule

5. **TERMS**

The following terms are incorporated herein:

(a) Standard Charge Mortgage Terms filed as Number 3596340 name Home Trust Company

(b) The terms attached hereto as schedule(s)

In this instrument unless otherwise specified, "herein" means this instrument, all schedules to this instrument and the terms referred to in Box 5.

Where there is insufficient space in this form for all signatures, one or more Mortgagor or Encumbrancee may sign the schedule identified in Box 7 and attached hereto and/or one or more Covenantor may sign the schedule identified in Box 9 and attached hereto, and such signature or signatures shall bind and obligate the person or persons so signing to the terms herein in the same manner as if such person or persons had signed this form.

6. **PAYMENT PROVISIONS**

see schedule

(a) Principal Amount \$		(b) Interest Rate % per annum		(c) Calculation Period monthly	
(d) Interest Adjustment Date	Y xxxx	M xx	D xx	(e) Payment Date and Period on demand	(f) First Payment Date
(g) Last Payment Date	Y xxxx	M xx	D xx	(h) Amount of Each Payment Dollars \$xxxxxxxxxxxxxxxxxxxxxxxx	Y xxx
(i) Balance Due Date	Y xxxx	M xx	D xx	Guarantee Mortgage <input type="checkbox"/>	M xx
					D xx

Additional Provisions

see schedule

LTO USE ONLY

FEES CHECKED	REFUND AMOUNT
Certificate of Registration	
Registered this date _____	
as No. _____	
I certify that the within instrument was registered in the _____ Land Titles Office and entered	
on Title No. _____	
_____ For District Registrar	
MORTGAGE	

IMPORTANT NOTICE: The Mortgage Act provides that the Mortgagor can obtain free of charge, from the mortgagee, a statement of the debts secured by this mortgage once every twelve months, or as needed for pay off or sale.

IMPORTANT NOTICE: By virtue of Section 194 of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to The Manitoba Evidence Act.

NOTE: SINGULAR INCLUDES PLURAL AND VICE VERSA WHERE APPLICABLE. "I" to be read as including all Mortgagor(s) whether individual or corporate.

7. SIGNATURE OF MORTGAGOR/ENCUMBRANCEE see schedule

Strike out inappropriate statement(s) and initial

1. I am/entitled to be an/the owner of the Land/Mortgage/Encumbrance of the land.
2. As security for performance of all my obligations herein, I hereby mortgage/encumber to the Mortgagee/Encumbrancer my interest in the Land/Mortgage/Encumbrance of the land.
3. I promise to pay the principal amount and interest and all other charges and money hereby secured and to be bound by all the terms herein.
4. I acknowledge receipt of a copy of this instrument and all of the terms herein.
5. I am of the full age of majority.
6. The registration of this instrument does not contravene the provisions of The Farm Lands Ownership Act because:
 - a) the within land is not farm land as defined in The Farm Lands Ownership Act.
 - b) the interest in farm land is being mortgaged/encumbered pursuant to a bona fide debt obligation.
 - c) other (specify section of the Farm Lands Ownership Act):
Particulars:
7. My co-mortgagor is my spouse or common-law partner and has Homestead rights in the within land.
8. The person consenting to this disposition is my spouse or common-law partner and has Homestead rights in the within land.
- 9.
- 10.

DATE		
Y	M	D

Witness	Name	Signature
Witness	Name	Signature
Witness	Name	Signature

Attach affidavit of subscribing witness if the witness is other than an officer as defined in subsection 72(4) of The Real Property Act

8. **TYPE OF PROPERTY** Residential Farm Commercial

9. SIGNATURE OF COVENANTOR see schedule

I acknowledge receipt of a copy of this instrument and all of the terms herein and I agree to perform my obligations herein.

DATE		
Y	M	D

Witness	Name	Signature
Witness	Name	Signature

10/11. HOMESTEADS ACT CONSENT TO DISPOSITION AND ACKNOWLEDGEMENT

NOTE: For consent by widow(er) or surviving common-law partner, see section 22 of The Homesteads Act.

I, the spouse or common-law partner of the Mortgagor/Encumbrancee, consent to the disposition of the homestead effected by this instrument and acknowledge that:

1. I am the first spouse or common-law partner to acquire homestead rights in the property; or
 A previous spouse or common-law partner of the Mortgagor/Encumbrancee acquired homestead rights in the property but those rights have been released or terminated in accordance with The Homesteads Act.
2. I am aware that The Homesteads Act gives me a life estate in the homestead and that I have the right to prevent this disposition of the homestead by withholding my consent.
3. I am aware that the effect of this consent is to give up my life estate in the homestead to the extent necessary to give effect to this disposition.
4. I execute this consent apart from my spouse or common-law partner freely and voluntarily without any compulsion on the part of my spouse or common-law partner.

DATE		
Y	M	D

Name of Spouse or Common-Law Partner	Signature of Spouse or Common-Law Partner
Name of Witness	Signature of Witness

A Notary Public in and for the Province of Manitoba
 A Commissioner for Oaths in and for the Province of Manitoba
 My commission expires:
 Or other person authorized to take affidavits under The Manitoba Evidence Act (Specify)

12. INSTRUMENT PREPARED BY *include address and postal code*

13. ENCUMBRANCES, LIENS, AND INTERESTS – The within document is subject to instrument number(s)

14. INSTRUMENT PRESENTED FOR REGISTRATION BY *include address, postal code, contact person and phone number*