

THE QUEEN'S BENCH
Winnipeg Centre

IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER
PURSUANT TO SECTION 243 OF THE
BANKRUPTCY AND INSOLVENCY ACT,
R.S.C., C.B-3, AS AMENDED, AND SECTION 55
OF THE COURT OF QUEEN'S BENCH ACT,
C.C.S.M., C. C280, AS AMENDED

BETWEEN:

WHITE OAK COMMERCIAL FINANCE, LLC,

Applicant,

- and -

NYGARD HOLDINGS (USA) LIMITED, NYGARD INC., FASHION
VENTURES, INC., NYGARD NY RETAIL, LLC., NYGARD
ENTERPRISES LTD., NYGARD PROPERTIES LTD., 4093879
CANADA LTD., 4093887 CANADA LTD., and NYGARD
INTERNATIONAL PARTNERSHIP,

Respondents.

AFFIDAVIT OF PETER NYGARD
AFFIRMED this 12th day of November, 2020

LEVENE TADMAN GOLUB LAW CORPORATION

Barristers and Solicitors
700 - 330 St. Mary Avenue
Winnipeg, MB R3C 3Z5

WAYNE M. ONCHULENKO
Telephone No. (204) 957-6402
Fax No. (204) 957-1696
File No. 113885/WMO

QB BOX 105

THE QUEEN'S BENCH
Winnipeg Centre

IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER
PURSUANT TO SECTION 243 OF THE
BANKRUPTCY AND INSOLVENCY ACT,
R.S.C., C.B-3, AS AMENDED, AND SECTION 55
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BETWEEN:

WHITE OAK COMMERCIAL FINANCE, LLC,

Applicant,

- and -

NYGARD HOLDINGS (USA) LIMITED, NYGARD INC., FASHION
VENTURES, INC., NYGARD NY RETAIL, LLC., NYGARD
ENTERPRISES LTD., NYGARD PROPERTIES LTD., 4093879
CANADA LTD., 4093887 CANADA LTD., and NYGARD
INTERNATIONAL PARTNERSHIP,

Respondents.

AFFIDAVIT OF PETER NYGARD

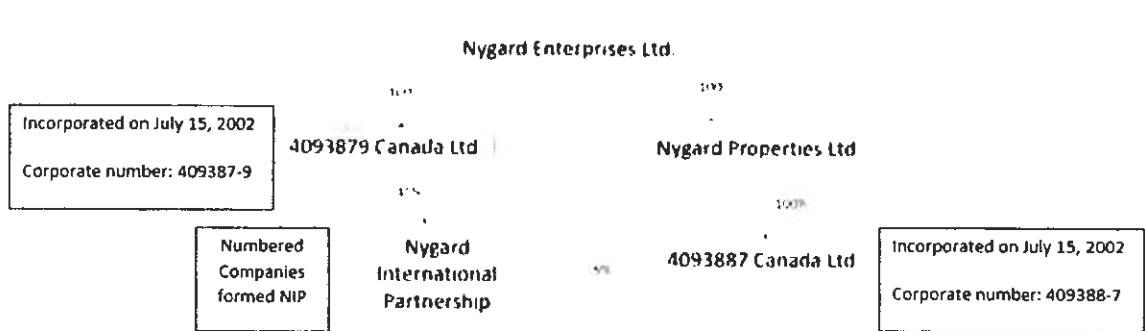
I, PETER NYGARD, of the Town of Falcon Lake, in the Province of
Manitoba, AFFIRM:

1. I am a consultant for the Nygard Group of Companies (hereinafter "Nygard") and the sole shareholder of Nygard Enterprises Ltd. ("NEL") and as such have personal knowledge of the facts and matters which are hereinafter deposed to by me except where same are stated to be based on information and belief, and which I believe to be true.

2. As I describe below, NIP (Nygard International Partnership) had no role in the purchase and renovation of the property located at 1771 Inkster Boulevard, Winnipeg, Manitoba (the "Inkster Property") prior to 2002.
3. The Inkster Property was purchased by Tan Jay International Ltd. ("Tan Jay") in 1976. Tan Jay renovated the property until 1982. In 1989, Tan Jay changed its name to Nygard International Ltd., which company became the title holder at that time. In 2008, Nygard International Ltd. was amalgamated into Nygard Properties Ltd., and the title registry was updated to reflect this. Attached hereto and marked as **Exhibits "A", "B", and "C"** are Winnipeg Land Titles Registry – Status of Titles evidencing same.
4. As with the Inkster Property, the Broadway property, the Notre Dame property and the Niagara Street property were all owned by Tan Jay and renovated in the 1980s. Attached hereto and marked as **Exhibit "D"** are true copies of Status of Title documents for the Broadway property. Attached hereto and marked as **Exhibit "E"** are true copies of Status of Title documents for the Notre Dame property. Attached hereto and marked as **Exhibit "F"** to this my Affidavit are true copies of Status of Title documents for 1 Niagara Street.
5. All of these properties were purchased and renovated more than 10 years *before* the incorporation of 4093879 Canada Ltd. and 4093887 Canada Ltd., the partners in NIP, and the beginning of NIP.
6. 4093879 Canada Ltd. and 4093887 Canada Ltd. were incorporated in 2002, and formed NIP. Attached hereto and marked as **Exhibit "G"**

and "H" are true copies of the Federal Incorporation Information for these companies establishing same.

7. The corporate structure of the Canadian Respondents, as set out in the First Pre-Filing Report of Albert Gelman Inc. is currently as follows (incorporation information added):



8. After 2002, the aforementioned properties, including Inkster, were leased to NIP, which paid for leasehold improvements and maintained the properties, as it was obliged to do.

9. I make this Affidavit *bona fide*.

AFFIRMED before me at the City of)
 Winnipeg, in the Province this 12th)
 day of November, 2020 through the)
 use of video conferencing as)
 permitted by Order under the)
 Emergency Measures Act)

 A Barrister-at-Law in and for the)
 Province of Manitoba.)



 PETER NYGARD

THIS IS EXHIBIT "A" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.



A Barrister-at-Law in and for the Province of Manitoba

A

STATUS OF TITLE

Title Number **1076284/1**
Title Status **Cancelled**
Client File **113885 Nygard/slf**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

PARCELS 2 AND 3 PLAN 11773 WLTO.
EXC.OUT OF SAID PARCEL 2. WLY 250 FEET PERP. AND EXC. OUT OF SAID
PARCEL 3. ALL MINES AND MINERALS, WHETHER SOLID, LIQUID OR GASEOUS
AND THE RIGHT TO WORK THE SAME.
IN OTM LOTS 2 AND 3 PARISH OF KILDONAN AND OF PART OF THE CLOSED
GOVERNMENT ROAD ALLOWANCE

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **228203/1**
Instrument Status: **Accepted**

Registration Date: **1973-10-26**
From/By: **THE CITY OF WINNIPEG**
To:

Amount:

Notes: **No notes**
Description: **No description**

Instrument Type: **Caveat**
Registration Number: **228344/1**
Instrument Status: **Accepted**

Registration Date: **1973-11-06**
From/By: **THE CITY OF WINNIPEG**
To:

Amount:
Notes: **No notes**
Description: **No description**

Instrument Type: **Plan**
Registration Number: **1396556/1**
Instrument Status: **Accepted**

Registration Date: **1991-03-06**
From/By: **WINNIPEG LAND TITLES OFFICE - DRAUGHTING SECTION**
To:

Amount:
Notes: **No notes**
Description: **SPECIAL PLOT PLAN 26533 DEPOSIT 238.91**

Instrument Type: **Request To Issue Title**
Registration Number: **1397125/1**
Instrument Status: **Accepted**

Registration Date: **1991-03-07**
From/By: **WLTO SURVEY OFFICE**
To:

Amount:
Notes: **No notes**
Description: **SP LOT 6 PLAN 26533 DEPOSIT 238.91**

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD.
1340 NOTRE DAME AVE.
WINNIPEG, MANITOBA
R3E 0P4

4. TITLE NOTES

REFER ALL DEALINGS TO MARV.GRANT

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

E98321/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	1119222/1
Registration Date:	1989-02-02
From/By:	TAN JAY INTERNATIONAL LTD.
To:	NYGARD INTERNATIONAL LTD.
Amount:	

10. LAND INDEX

Lot 2 Plan 11773

Lot 3 Plan 11773
EX M & M

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1076284/1**

THIS IS EXHIBIT "B" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.

A Barrister-at-Law in and for the Province of Manitoba

B

1197810

STATUS OF TITLE

Title Number **1197810/1**
Title Status **Cancelled**
Client File **113885 Nygard/slf**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

FIRSTLY: SP LOT 6 PLAN 26S33 WLTO
 IN OTM LOTS 2 AND 3 PARISH OF KILDONAN

SECONDLY: PARCEL 3 PLAN 11773 WLTO
 EXC OUT OF SAID PARCEL ALL MINES AND MINERALS WHETHER SOLID
 LIQUID OR GASEOUS AND THE RIGHT TO WORK THE SAME IN SAID
 PARISH

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **228203/1**
Instrument Status: **Accepted**

Registration Date: 1973-10-26
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Caveat**
Registration Number: **228344/1**
Instrument Status: **Accepted**

Registration Date: 1973-11-06
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Request To Issue Title**
Registration Number: **3586653/1**
Instrument Status: **Accepted**

Registration Date: 2008-03-12
From/By: NYGARD PROPERTIES LTD.
To:

Amount:
Notes: No notes
Description: CHANGE OF NAME BY ARTICLES OF AMENDMENT

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD.
1340 NOTRE DAME AVE.
WINNIPEG, MANITOBA
R3E 0P4

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1076284/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title**
Registration Number: **1397125/1**

Registration Date: **1991-03-07**
From/By: **WLTO SURVEY OFFICE**
To:
Amount:

10. LAND INDEX

Lot 3 Plan 11773
EXC RES

Lot 6 Plan 26533

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1197810/1**

THIS IS EXHIBIT "C" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.

A Barrister-at-Law in and for the Province of Manitoba

C

2286531

STATUS OF TITLE

Title Number **2286531/1**
Title Status **Accepted**
Client File **113885 Nygard/slf**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

FIRSTLY: SP LOT 6 PLAN 26S33 WLTO
IN OTM LOTS 2 AND 3 PARISH OF KILDONAN

SECONDLY: PARCEL 3 PLAN 11773 WLTO
EXC OUT OF SAID PARCEL ALL MINES AND MINERALS WHETHER SOLID LIQUID OR GASEOUS AND THE RIGHT TO WORK THE SAME IN SAID PARISH

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **228203/1**
Instrument Status: **Accepted**

Registration Date: 1973-10-26
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Caveat**
Registration Number: **228344/1**
Instrument Status: **Accepted**

Registration Date: 1973-11-06
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Mortgage**
Registration Number: **5140960/1**
Instrument Status: **Accepted**

Registration Date: 2019-12-30
From/By: Nygard Properties Ltd.
To: White Oak Commercial Finance LLC

Amount: \$50,000,000.00
Notes: No notes
Description: Debenture-US dollars

Instrument Type: **Notice Of Appt. Of A Receiver/Mgr**
Registration Number: **5166008/1**
Instrument Status: **Accepted**

Registration Date: 2020-04-07
From/By: White Oak Commercial Finance, LLC.
To:

Amount:
Notes: No notes
Description: App Richter Advisory Group Inc as receiver & manager

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD.
WINNIPEG, MANITOBA
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1197810/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title**

Registration Number: **3586653/1**

Registration Date: 2008-03-12

From/By: NYGARD PROPERTIES LTD.

To:

Amount:

10. LAND INDEX

Lot 3 Plan 11773

EXC RES

Lot 6 Plan 26533

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM OF TITLE NUMBER 2286531/1

THIS IS EXHIBIT "D" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.



A Barrister-at-Law in and for the Province of Manitoba

D

STATUS OF TITLE

Title Number **2337279/1**
Title Status **Accepted**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOT 1 PLAN 48063 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Mortgage**
Registration Number: **5140960/1**
Instrument Status: **Accepted**

Registration Date: **2019-12-30**
From/By: **Nygaard Properties Ltd.**
To: **White Oak Commercial Finance LLC**

Amount: **\$50,000,000.00**
Notes: **No notes**
Description: **Debenture-US dollars**

Instrument Type: **Notice Of Appt. Of A Receiver/Mgr**
Registration Number: **5166008/1**
Instrument Status: **Accepted**

Registration Date: **2020-04-07**
From/By: **White Oak Commercial Finance, LLC.**
To:

Amount:
Notes: **No notes**
Description: **App Richter Advisory Group Inc as receiver & manager**

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD.
WINNIPEG, MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

2280781/1	All
2337276/1	All
2337277/1	All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	3707440/1
Registration Date:	2008-11-24
From/By:	NYGARD PROPERTIES LTD.
To:	
Amount:	

10. LAND INDEX

Lot 1 Plan 48063

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2337279/1**

STATUS OF TITLE

Title Number **2280781/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON
IN THE FOLLOWING DESCRIBED LAND:

SP LOT 42 PLAN 33935 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	3707440/1
Instrument Status:	Accepted
Registration Date:	2008-11-24
From/By:	NYGARD PROPERTIES LTD.
To:	
Amount:	
Notes:	No notes
Description:	RE:SUBDIVISION PLAN 48063

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD
WINNIPEG MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1466971/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title**

Registration Number: **3S72954/1**

Registration Date: 2008-02-06

From/By: NYGARD PROPERTIES LTD.

To:

Amount:

10. LAND INDEX

Lot 42 Plan 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2280781/1**

STATUS OF TITLE

Title Number **2337276/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

SP LOT 40 PLAN 33935 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **3707439/1**
Instrument Status: **Accepted**

Registration Date: 2008-11-24
From/By: DEPOSIT NO. 1033/2008
To:

Amount:
Notes: ALL SUB BY PLAN 48063
Description: SUBDIVISION PLAN 48063

Instrument Type: **Request To Issue Title**
Registration Number: **3707440/1**
Instrument Status: **Accepted**

Registration Date: 2008-11-24
From/By: NYGARD PROPERTIES LTD.
To:

Amount:
Notes: No notes
Description: RE:SUBDIVISION PLAN 48063

3. ADDRESSES FOR SERVICE

NYGARD PROPERITES LTD.
WINNIPEG MB
1771 INKSTER BLVD.
WINNIPEG,MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1467516/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	3707438/1
Registration Date:	2008-11-24
From/By:	NYGARD PROPERTIES LTD.
To:	
Amount:	

10. LAND INDEX

Lot 40 Plan 33935
- SUB BY PLAN 48063

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2337276/1**

STATUS OF TITLE

Title Number **2337277/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

SP LOT 41 PLAN 33935 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **3707439/1**
Instrument Status: **Accepted**

Registration Date: **2008-11-24**
From/By: **DEPOSIT NO. 1033/2008**
To:

Amount:
Notes: **ALL SUB BY PLAN 48063**
Description: **SUBDIVISION PLAN 48063**

Instrument Type: **Request To Issue Title**
Registration Number: **3707440/1**
Instrument Status: **Accepted**

Registration Date: **2008-11-24**
From/By: **NYGARD PROPERTIES LTD.**
To:

Amount:
Notes: **No notes**
Description: **RE:SUBDIVISION PLAN 48063**

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD.
WINNIPEG, MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1467517/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	3707438/1
Registration Date:	2008-11-24
From/By:	NYGARD PROPERTIES LTD.
To:	
Amount:	

10. LAND INDEX

Lot 41 Plan 33935
- SUB BY PLAN 48063

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2337277/1**

STATUS OF TITLE

Title Number **1466971/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

VATOR ENTERPRISES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

SP LOT 42 PLAN 3393S WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type:	Request To Issue Title
Registration Number:	3S729S4/1
Instrument Status:	Accepted
Registration Date:	2008-02-06
From/By:	NYGARD PROPERTIES LTD.
To:	
Amount:	
Notes:	No notes
Description:	AMALGAMATION

3. ADDRESSES FOR SERVICE

VATOR ENTERPRISES LTD.
C/O 129 ALDRSHOT BLVD
WINNIPEG MB

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

E84818/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title - Internal**

Registration Number: **2063825/1**

Registration Date: 1996-09-24

From/By: WINNIPEG LAND TITLES OFFICE - SPECIAL PLOT PROGRAM

To:

Amount:

10. LAND INDEX

Lot 42 Plan 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1466971/1**

STATUS OF TITLE

Title Number **1467516/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

SP LOT 40 PLAN 33935 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Request To Issue Title**
Registration Number: **3707438/1**
Instrument Status: **Accepted**

Registration Date: 2008-11-24
From/By: NYGARD PROPERTIES LTD.
To:

Amount:

Notes: No notes
Description: CHANGE OF NAME

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD.
WINNIPEG MB

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate Produced for: **HOLD FOR PROD OF DUPL CT NO(S)**
 J69033

7. FROM TITLE NUMBERS

1027434/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title - Internal**

Registration Number: **2063823/1**

Registration Date: 1996-09-24

From/By: WINNIPEG LAND TITLES OFFICE - SPECIAL PLOT PROGRAM

To:

Amount:

10. LAND INDEX

Lot 40 Plan 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1467516/1**

STATUS OF TITLE

Title Number **1467517/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

SP LOT 41 PLAN 33935 WLTO
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Request To Issue Title**
Registration Number: **3707438/1**
Instrument Status: **Accepted**

Registration Date: 2008-11-24
From/By: NYGARD PROPERTIES LTD.
To:

Amount:
Notes: No notes
Description: CHANGE OF NAME

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD.
WINNIPEG MB

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate Produced for: **HOLD FOR PROD OF DUPL CT NO(S)**
 J69032

7. FROM TITLE NUMBERS

1027429/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title - Internal**

Registration Number: **2063824/1**

Registration Date: 1996-09-24

From/By: WINNIPEG LAND TITLES OFFICE - SPECIAL PLOT PROGRAM

To:

Amount:

10. LAND INDEX

Lot 41 Plan 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1467517/1**

STATUS OF TITLE

Title Number **1027429/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOT 251 AND WLY 7.5 FEET OF LOT 252 PLAN 49 WLTO (W DIV)
EXC OUT OF SAID LOT 251
FIRSTLY: WLY 0.9 FEET AND
SECONDLY: SLY 16 FEET
EXC OUT OF SAID LOT 252 SLY 16 FEET
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **2063362/1**
Instrument Status: **Accepted**

Registration Date: 1996-09-23
From/By: **SPECIAL PLOT PROGRAM**
To:

Amount:

Notes: **NOW SPECIAL PLOT PL 33935**

Description: **SPECIAL PLOT PLAN NO. 33935** **DEP 503.96**

Instrument Type: **Request To Issue Title - Internal**
Registration Number: **2063824/1**
Instrument Status: **Accepted**

Registration Date: 1996-09-24
From/By: WINNIPEG LAND TITLES OFFICE - SPECIAL PLOT PROGRAM
To:

Amount:
Notes: No notes
Description: SP LOT 41 PLAN 33935 DEPOSIT 503.96

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD
WINNIPEG
MANITOBA

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate Produced for: HOLD FOR PRODUCTION OF
DUPLICATE TITLE J69032

7. FROM TITLE NUMBERS

J69032/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request Electronic Title Conversion**
Registration Number: **1512264/1**

Registration Date: 1992-02-12
From/By: WLTO - CONVERSION
To:
Amount:

10. LAND INDEX

Lot 251 Plan 49
RL 79 JA -EX W0.9' EX S16' -NOW SP LOT 41 PL 33935

Lot 252 Plan 49
RL 79 JA -W7.5' EX S16' -NOW SP LOT 41 PL 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1027429/1**

STATUS OF TITLE

Title Number **1027434/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD INTERNATIONAL LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOT 39 AND WLY 0.9 FEET OF LOT 251 PLAN 49 WLTO (W DIV)
EXC OUT OF SAID LOT 39 ELY 8 FEET OF SLY 16 FEET
EXC OUT OF SAID LOT 251 SLY 16 FEET
IN RL 79 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **2063362/1**
Instrument Status: **Accepted**

Registration Date: 1996-09-23
From/By: SPECIAL PLOT PROGRAM
To:

Amount:
Notes: NOW SPECIAL PLOT PL 33935
Description: SPECIAL PLOT PLAN NO. 33935 DEP 503.96

Instrument Type: **Request To Issue Title - Internal**
Registration Number: **2063823/1**
Instrument Status: **Accepted**

Registration Date: 1996-09-24
From/By: WINNIPEG LAND TITLES OFFICE - SPECIAL PLOT PROGRAM
To:

Amount:
Notes: No notes
Description: SP LOT 40 PLAN 33935 DEPOSIT 503.96

3. ADDRESSES FOR SERVICE

NYGARD INTERNATIONAL LTD
WINNIPEG
MANITOBA

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate Produced for: **HOLD FOR PRODUCTION OF
DUPLICATE TITLE J69033**

7. FROM TITLE NUMBERS

J69033/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request Electronic Title Conversion**
Registration Number: **1512264/1**

Registration Date: 1992-02-12
From/By: WLTO - CONVERSION
To:
Amount:

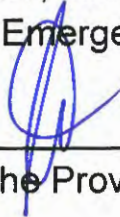
10. LAND INDEX

Lot 39 Plan 49
RL 79 JA EX E8' OF S16' -NOW SP LOT 40 PL 33935

Lot 251 Plan 49
RL 79 JA W0.9' EX S16' -NOW 5P LOT 40 PL 33935

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1027434/1**

THIS IS EXHIBIT "E" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.



A Barrister-at-Law in and for the Province of Manitoba

E

STATUS OF TITLE

Title Number **3073347/1**
 Title Status **Accepted**
 Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

1300 NOTRE DAME HOLDINGS INC.

IIS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

PARCELS A, B AND C PLAN 64026 WLTO
IN OTM LOTS 50 AND 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
 Registration Number: **190940/1**
 Instrument Status: **Accepted**

Registration Date: **1963-10-28**
 From/By: **THE CITY OF WINNIPEG**
 To:

Amount:
 Notes: **AFF: PARCEL A**
 Description: **No description**

Instrument Type: **Caveat**
 Registration Number: **191006/1**
 Instrument Status: **Accepted**

Registration Date: **1963-11-04**
 From/By: **METRO CORP. OF GREATER WINNIPEG**
 To:

Amount:
 Notes: **AFF: PARCEL A**
 Description: **No description**

Instrument Type: **Easement**
Registration Number: **5022170/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Nygard Properties Ltd.
To: The Manitoba Hydro-Electric Board

Amount:
Notes: No notes
Description: Statutory Easement

Instrument Type: **Mortgage**
Registration Number: **5196387/1**
Instrument Status: **Accepted**

Registration Date: 2020-07-31
From/By: 1300 NOTRE DAME HOLDINGS INC.
To: MIST HOLDINGS INC.

Amount: \$2,700,000.00
Notes: No notes
Description: Certificate of Status attached

3. ADDRESSES FOR SERVICE

1300 Notre Dame Holdings Inc.
2929 Bathurst Street
Suite 102
Toronto ON
M6B 3B1

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

2983434/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Transmission Of Land**

Registration Number: **5196386/1**

Registration Date: **2020-07-31**

From/By: **1300 Notre Dame Holdings Inc.**

To:

Amount:

10. LAND INDEX

Lot A Plan 64026

Lot B Plan 64026

Lot C Plan 64026

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 3073347/1**

STATUS OF TITLE

Title Number **2983434/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED
HEREON IN THE FOLLOWING DESCRIBED LAND:

PARCELS A, B AND C PLAN 64026 WLTO
IN OTM LOTS 50 AND 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **190940/1**
Instrument Status: **Accepted**

Registration Date: 1963-10-28
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: AFF: PARCEL A
Description: No description

Instrument Type: **Caveat**
Registration Number: **191006/1**
Instrument Status: **Accepted**

Registration Date: 1963-11-04
From/By: METRO CORP. OF GREATER WINNIPEG
To:

Amount:
Notes: AFF: PARCEL A
Description: No description

Instrument Type: Easement
Registration Number: 5022170/1
Instrument Status: Accepted

Registration Date: 2018-11-28
From/By: Nygard Properties Ltd.
To: The Manitoba Hydro-Electric Board

Amount:
Notes: No notes
Description: Statutory Easement

Instrument Type: Mortgage
Registration Number: 5140960/1
Instrument Status: Accepted

Registration Date: 2019-12-30
From/By: Nygard Properties Ltd.
To: White Oak Commercial Finance LLC

Amount: \$50,000,000.00
Notes: No notes
Description: Debenture-US dollars

Instrument Type: Notice Of Appt. Of A Receiver/Mgr
Registration Number: 5166008/1
Instrument Status: Accepted

Registration Date: 2020-04-07
From/By: White Oak Commercial Finance, LLC.
To:

Amount:
Notes: No notes
Description: App Richter Advisory Group Inc as receiver & manager

Instrument Type: **Transmission Of Land**
Registration Number: **5196386/1**
Instrument Status: **Accepted**

Registration Date: 2020-07-31
From/By: 1300 Notre Dame Holdings Inc.
To:

Amount:
Notes: No notes
Description: Vesting Order attached

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD
WINNIPEG MB
R2X 1R3

4. TITLE NOTES

By virtue of vesting order registered in the Winnipeg Land Titles Office as No. 5196386/1, Instruments No. 5140960/1 and 5166008/1 have been disposed of as they affect the within lands.

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1957478/1	All
1957513/1	All
2286292/1	All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title**
Registration Number: **5022168/1**

Registration Date: **2018-11-28**
From/By: **Nygaard Properties Ltd.**
To:
Amount:

10. LAND INDEX

Lot A Plan 64026

Lot B Plan 64026

Lot C Plan 64026

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2983434/1**

STATUS OF TITLE

Title Number **1957478/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOTS 122, 123 AND 124 BLOCK 1 PLAN 211 WLTO (W DIV)
IN RL 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **5022167/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Deposit no. 1036/17
To:

Amount:
Notes: All now Parcel B
Description: Survey Plan 64026

Instrument Type: **Request To Issue Title**
Registration Number: **5022168/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Nygard Properties Ltd.
To:

Amount:
Notes: No notes
Description: Re: Parcel Plan 64026

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLV
WINNIPEG, MANITOBA
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

16S6392/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Transfer Of Land
Registration Number:	2866379/1
Registration Date:	2003-07-08
From/By:	3637108 MANITOBA LTD.
To:	NYGARD PROPERTIES LTD.
Consideration:	\$105,000.00

10. LAND INDEX

Lot 122 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 123 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 124 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1957478/1**

STATUS OF TITLE

Title Number **1656392/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

3637108 MANITOBA LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOTS 122, 123 AND 124 BLOCK 1 PLAN 211 WLTO (W DIV)
IN RL S1 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type:	Transfer Of Land
Registration Number:	2866379/1
Instrument Status:	Accepted
Registration Date:	2003-07-08
From/By:	3637108 MANITOBA LTD.
To:	NYGARD PROPERTIES LTD.
Consideration:	\$105,000.00
Notes:	No notes
Description:	No description

3. ADDRESSES FOR SERVICE

3637108 MANITOBA LTD.
1440 CLIFTON STREET
WINNIPEG, MANITOBA
R3V 2E2

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1594785/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Transfer Of Land**
Registration Number: **2383736/1**

Registration Date: 1999-06-08
From/By: 0477061 MANITOBA LTD.
To: 3637108 MANITOBA LTD.
Consideration: \$105,000.00

10. LAND INDEX

Lot 122 Block 1 Plan 211
RL 51 JA W DIV

Lot 123 Block 1 Plan 211
RL 51 JA W DIV

Lot 124 Block 1 Plan 211
RL 51 JA W DIV

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1656392/1**

STATUS OF TITLE

Title Number **1957513/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOTS 1 TO 4 BLOCK 1 PLAN 211 WLTO (W DIV)
IN RL 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Plan**
Registration Number: **5022167/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Deposit no. 1036/17
To:

Amount:
Notes: All now Parcel C
Description: Survey Plan 64026

Instrument Type: **Request To Issue Title**
Registration Number: **5022168/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Nygaard Properties Ltd.
To:

Amount:
Notes: No notes
Description: Re: Parcel Plan 64026

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD.
1771 INKSTER BLVD
WINNIPEG MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1570490/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Transfer Of Land
Registration Number:	2866376/1
Registration Date:	2003-07-08
From/By:	3637108 MANITOBA LTD.
To:	NYGARD PROPERTIES LTD.
Consideration:	\$135,000.00

10. LAND INDEX

Lot 1 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 2 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 3 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 4 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1957513/1**

STATUS OF TITLE

Title Number **1570490/1**
Title Status **Cancelled**
Client File **113885/Nygard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

3637108 MANITOBA LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

LOTS 1 TO 4 BLOCK 1 PLAN 211 WLTO (W DIV)
IN RL 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Transfer Of Land**
Registration Number: **2866376/1**
Instrument Status: **Accepted**

Registration Date: 2003-07-08
From/By: 3637108 MANITOBA LTD.
To: NYGARD PROPERTIES LTD.

Consideration: \$135,000.00
Notes: No notes
Description: No description

3. ADDRESSES FOR SERVICE

3637108 MANITOBA LTD.
1300-1302 NOTRE DAME AVENUE
WINNIPEG MB
R3E 0P4

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1273858/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Transfer Of Land**
Registration Number: **2257140/1**

Registration Date: 1998-05-04
From/By: 67531 MANITOBA LTD.
To: 3637108 MANITOBA LTD.
Consideration: \$143,000.00

10. LAND INDEX

Lot 1 Block 1 Plan 211
RL 51 JA (W DIV)

Lot 2 Block 1 Plan 211
RL 51 JA (W DIV)

Lot 3 Block 1 Plan 211
RL 51 JA (W DIV)

Lot 4 Block 1 Plan 211
RL 51 JA (W DIV)

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM OF TITLE NUMBER 1570490/1

STATUS OF TITLE

Title Number **2286292/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

NYGARD PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED
HEREON IN THE FOLLOWING DESCRIBED LAND:

FIRSTLY: PARCEL A PLAN S012 WLTO
IN OTM LOT 50 PARISH OF ST JAMES

SECONDLY: LOTS 111 TO 121 BLOCK 1 PLAN 211 WLTO (W DIV)
EXC OUT OF SAID LOTS 111 AND 112 ALL THOSE PORTIONS CONTAINED WITHIN
THE LIMITS OF PARCEL C PLAN 5012 WLTO
IN OTM LOT 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **190940/1**
Instrument Status: **Accepted**

Registration Date: **1963-10-28**
From/By: **THE CITY OF WINNIPEG**
To:

Amount:
Notes: **No notes**
Description: **No description**

Instrument Type: **Caveat**
Registration Number: **191006/1**
Instrument Status: **Accepted**

Registration Date: 1963-11-04
From/By: METRO CORP. OF GREATER WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Plan**
Registration Number: **5022167/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Deposit no. 1036/17
To:

Amount:
Notes: All now Parcel A
Description: Survey Plan 64026

Instrument Type: **Request To Issue Title**
Registration Number: **5022168/1**
Instrument Status: **Accepted**

Registration Date: 2018-11-28
From/By: Nygard Properties Ltd.
To:

Amount:
Notes: No notes
Description: Re: Parcel Plan 64026

3. ADDRESSES FOR SERVICE

NYGARD PROPERTIES LTD
1771 INKSTER BLVD
WINNIPEG MB
R2X 1R3

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1337250/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request To Issue Title**
Registration Number: **3586644/1**

Registration Date: 2008-03-12
From/By: ALANDAR PROPERTIES LTD.
To: NYGARD PROPERTIES LTD.
Amount:

10. LAND INDEX

Lot 111 Block 1 Plan 211
OTM LOT 51 JA W DIV EXC PARCEL C PL 5012 - Now PI 64

Lot 112 Block 1 Plan 211
OTM LOT 51 JA W DIV EXC PARCEL C PL 5012 - now PI 6

Lot 113 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 114 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 115 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 116 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 117 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 118 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 119 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 120 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot 121 Block 1 Plan 211
OTM LOT 51 JA W DIV All Now Parcel Plan 64026

Lot A Plan 5012
OTM LOT 50 JA All Now Parcel Plan 64026

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2286292/1**

STATUS OF TITLE

Title Number **1337250/1**
Title Status **Cancelled**
Client File **113885/Nygaard/wmo**



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

ALANDAR PROPERTIES LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

FIRSTLY: PARCEL A PLAN 5012 WLTO
IN OTM LOT 50 PARISH OF ST JAMES
SECONDLY: LOTS 111 TO 121 BLOCK 1 PLAN 211 WLTO (W DIV)
EXC OUT OF SAID LOTS 111 AND 112 ALL THOSE PORTIONS CONTAINED WITHIN
THE LIMITS OF PARCEL C PLAN 5012 WLTO
IN OTM LOT 51 PARISH OF ST JAMES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **190940/1**
Instrument Status: **Accepted**

Registration Date: 1963-10-28
From/By: THE CITY OF WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Caveat**
Registration Number: **191006/1**
Instrument Status: **Accepted**

Registration Date: 1963-11-04
From/By: METRO CORP. OF GREATER WINNIPEG
To:

Amount:
Notes: No notes
Description: No description

Instrument Type: **Transmission Of Mortgage**
Registration Number: **2128864/1**
Instrument Status: **Accepted**

Registration Date: 1997-04-04
From/By: THE MANUFACTURERS LIFE INSURANCE COMPANY
To:

Amount:
Notes: No notes
Description: AMALGAMATION 1995211

Instrument Type: **Request To Issue Title**
Registration Number: **3586644/1**
Instrument Status: **Accepted**

Registration Date: 2008-03-12
From/By: ALANDAR PROPERTIES LTD.
To: NYGARD PROPERTIES LTD.

Amount:
Notes: No notes
Description: ARTICLES OF AMALGAMATION

3. ADDRESSES FOR SERVICE

ALANDAR PROPERTIES LTD.
1340 NOTRE DAME AVENUE
WINNIPEG MB
R3E 0P4

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

E58289/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type: **Request Electronic Title Conversion**
Registration Number: **1743566/1**

Registration Date: 1993-11-29
From/By: WINNIPEG LAND TITLES OFFICE
To:
Amount:

10. LAND INDEX

Lot 111 Block 1 Plan 211
OTM LOT 51 JA W DIV EXC PARCEL C PL 5012

Lot 112 Block 1 Plan 211
OTM LOT 51 JA W DIV EXC PARCEL C PL 5012

Lot 113 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 114 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 115 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 116 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 117 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 118 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 119 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 120 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot 121 Block 1 Plan 211
OTM LOT 51 JA W DIV

Lot A Plan 5012
OTM LOT 50 JA

**CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 1337250/1**

THIS IS EXHIBIT "F" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.



A Barrister-at-Law in and for the Province of Manitoba

60336 6 17

534764

This Indenture

made in duplicate the 30th day of June
one thousand nine hundred and eighty-three

In Pursuance of the Short Forms of Conveyances Act:

Between

1 NIAGARA STREET LIMITED, a Corporation
incorporated under the laws of the Province
of Ontario,

HEREINAFTER called the GRANTOR,

OF THE FIRST PART,

- and -

TAN JAY INTERNATIONAL LTD., a Company
incorporated under the laws of the Province of
Manitoba,

HEREINAFTER called the GRANTEE,

OF THE SECOND PART,

Witnesseth that in consideration of other good and valuable consideration
and the sum of TWO-----
----- (\$2.00) -----DOLLARS

now paid by the said Grantee to the said Grantor, the receipt whereof is hereby by him
acknowledged, he the said Grantor DOETH GRANT unto the said Grantee in fee simple

THOSE lands and premises located in the following municipality, namely,
in the City of Toronto, in the Municipality of Metropolitan
Toronto,
and being composed of Part of Lot Number 18, in Section "A" of the
Military Reserve described in Schedule "A" attached hereto.

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the Municipality of Metropolitan Toronto, composed of part of Lot Number 18 in Section "A" of the Military Reserve described as follows:

FIRSTLY:

COMMENCING at the intersection of the south side of Niagara Street with the west side of Portland Street;

THENCE SOUTHERLY along the west side of Portland Street, fifty (50') feet;

THENCE WESTERLY parallel with the south side of Niagara Street, one hundred feet (100') more or less to the easterly limit of a lane ten feet (10') wide;

THENCE NORTHERLY along the said easterly limit of lane, fifty feet (50') more or less to the southerly limit of Niagara Street;

THENCE EASTERLY along the southerly limit of Niagara Street, one hundred feet (100') more or less to the place of beginning;

SECONDLY:

COMMENCING at a point in the westerly limit of Portland Street distant fifty feet (50') measured southerly thereon from the southerly limit of Niagara Street;

THENCE SOUTHERLY along the westerly limit of Portland Street, twenty-five feet (25');

THENCE WESTERLY parallel to the southerly limit of Niagara Street one hundred feet (100') to a lane in the rear ten feet (10') wide;

THENCE NORTHERLY along the easterly limit of the said lane, twenty-five feet (25');

THENCE EASTERLY parallel to the said southerly limit of Niagara Street one hundred feet (100') to the point of commencement;

TOGETHER WITH A RIGHT to use the said lane in common with all other parties entitled to the use thereof, said lane being part of Lot Number 18 in Section "A" more particularly described as follows:

COMMENCING at a point in the southerly limit of Niagara Street distant one hundred (100') feet measured westerly thereon from the westerly limit of Portland Street;

THENCE WESTERLY along said southerly limit of Niagara Street ten (10') feet;

THENCE SOUTHERLY and parallel to the westerly limit of Portland Street seventy-five (75') feet;

THENCE EASTERLY parallel to the southerly limit of Niagara Street a distance of ten (10') feet;

THENCE NORTHERLY a distance of seventy-five (75') feet to the point of commencement;

PLANNING ACT AFFIDAVIT

IN THE MATTER OF THE PLANNING ACT (as amended)

AND IN THE MATTER OF THE TITLE TO Part Lot 18, Section A,
Military Reserve, in the City of Toronto, in the Municipality
of Metropolitan Toronto,

Deed, Transfer,
Mortgage, Charge,
etc.

AND IN THE MATTER OF A DEED
THEREOF, FROM 1 NIAGARA STREET LIMITED
TO TAN JAY INTERNATIONAL LTD.
DATED June 30 19 83.

I, DIMITRIOS JAMES BLIANGAS
of the City of Toronto in the
Municipality of Metropolitan Toronto

MAKE OATH AND SAY AS FOLLOWS:

1. I am the Secretary of 1 Niagara Street Limited,
named in the above mentioned Instrument, and have knowledge of the matters hereinafter sworn.

To be made by
one of the parties
or by his solicitor

2. A consent under section 29 of the Planning Act, as amended, in respect of the said Instrument
is not required because

Delete (a)
if not applicable

(a) *the person conveying or otherwise dealing with land in the said Instrument does not retain the
fee or the equity of redemption in, or a power or right to grant, assign or exercise a power of
appointment with respect to any land abutting the land that is being conveyed or otherwise
dealt with.*

State other
reason if any

SWORN before me

at the City of Toronto,
in the Municipality of Metropolitan
Toronto
this 28th
day of June 19 83.


DIMITRIOS JAMES BLIANGAS


A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

DECLARATION OF RESIDENCE

CANADA)
PROVINCE OF ONTARIO)
JUDICIAL DISTRICT OF)
YORK)

IN THE MATTER OF a Sale by 1 Niagara Street Limited to Tan Jay International Ltd. of the lands and premises municipally known as 1 Niagara Street, in the City of Toronto, in the Municipality of Metropolitan Toronto, and composed of Part of Lot Number 18, in Section "A" of the Military Reserve, Toronto.

I, IOANNIS ELIANGAS,
of the City of Toronto, in the Municipality of Metropolitan Toronto,

DO SOLEMNLY DECLARE THAT:

1. I am the President of 1 Niagara Street Limited, and as such have knowledge of all matters herein deposed to.

2. 1 Niagara Street Limited is and will be at the time of the above sale a resident Corporation of Canada within the meaning of Section 116 of the Income Tax Act, R.S.C. 1970, and amendments thereto.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Toronto, in the)
Municipality of Metropolitan)
Toronto, this 28th day of)
June, 1983.)

A COMMISSIONER, ETC.)
)
)
)
)
)


IOANNIS ELIANGAS

TO HAVE AND TO HOLD unto the said Grantee, his heirs, executors, administrators, successors and assigns to and for their sole and only use forever;
SUBJECT NEVERTHELESS to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown.

The said Grantor COVENANTS with the said Grantee that he has the right to convey the said lands to the said Grantee notwithstanding any act of the said Grantor.

AND that the said Grantee shall have quiet possession of the said lands free from all encumbrances.

AND the said Grantor COVENANTS with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

AND the said Grantor COVENANTS with the said Grantee that he has done no act to encumber the said lands.

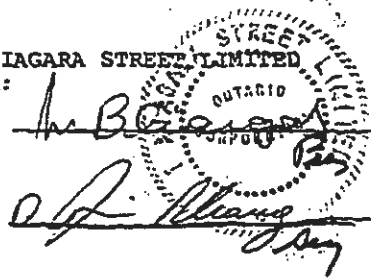
AND the said Grantor RELEASES to the said Grantee ALL his claims upon the said lands.

PROVIDED that in construing these presents the words "Grantor" and "Grantee" and the pronouns "he", "his" or "him" relating thereto and used therewith shall be read and construed as "Grantor" or "Grantors", "Grantee" or "Grantees", and "he", "she", "it" or "they", "his", "her", "its" or "their", or "him", "her", "it" or "them", respectively, as the number and gender of the party or parties referred to in each case require, and the number of the verb agreeing therewith shall be construed as agreeing with the said word or pronoun so substituted.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED
In the Presence of

1 NIAGARA STREET LIMITED
PER:



[Handwritten Signature]
[Handwritten Signature]
JUL 10 2011

Form 1 - Land Transfer Tax Act
AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) ... Part. Lot. 18, Section A, Military Reserve
BY (print names of all transferors in full) ... I. NIAGARA STREET LIMITED
TO (see instruction 1 and print names of all transferees in full) ... TAN JAY INTERNATIONAL LTD.
I, (see instruction 2 and print name(s) in full) ... Court Joel of the City of Winnipeg, Executive

MAKE OATH AND SAY THAT:

- 1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s); (see instruction 2))
(a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
(b) A trustee named in the above-described conveyance to whom the land is being conveyed;
(c) A transferee named in the above-described conveyance;
(d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s))
(e) The Plaintiff, Vice-President, Manager, Secretary, Director or Treasurer authorized to act for (insert name(s) of corporation(s))
Tan Jay International Ltd.
(f) A transferee described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse)
who is my spouse described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable)
and as such, I have personal knowledge of the facts herein deposed to.
2. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1 (1)(f) and (g) of the Act. (see instruction 2).
3. The following persons to whom or in trust for whom the land conveyed in the above-described conveyance is being conveyed are non-resident persons within the meaning of the Act. (see instruction 4) ... N/A NONE

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$ 150,182.54	
(b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price)	\$ 286,317.46	
(ii) Given back to vendor	\$ 143,500.00	
(c) Property transferred in exchange (detail below)	\$ nil	
(d) Securities transferred to the value of (detail below)	\$ nil	
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ nil	
(f) Other valuable consideration subject to land transfer tax (detail below)	\$ nil	
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (TOTAL OF (a) to (f))	\$ 540,000.00	\$ 540,000.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.42, as amended)	\$ nil	
(i) Other consideration for transaction not included in (g) or (h) above	\$ nil	
(j) TOTAL CONSIDERATION	\$ 540,000.00	\$ 540,000.00

ALL BLANKS
MUST BE
FILLED IN,
INSERT "NIL"
WHERE
APPLICABLE.

- 5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 5) ... N/A
6. If the consideration is nominal, is the land subject to any encumbrance? ... NONE
7. Other remarks and explanations, if necessary ... NONE

SWORN before me at the City of Winnipeg
in the Province of Manitoba
this 28th day of June, 19 83.

A NOTARY PUBLIC IN AND FOR THE PROVINCE OF MANITOBA

PROPERTY INFORMATION RECORD

- A. Describe nature of instrument: ... Deed
B. (i) Address of property being conveyed (if available) ... I. Niagara Street, Toronto
(ii) Assessment Roll No. (if available) ... N/A
C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 6) ... 1340 Notre Dame Avenue, Winnipeg, Manitoba R3E 0P4
D. (i) Registration number for last conveyance of property being conveyed (if available) ... N/A
(ii) Legal description of property conveyed: Same as in D.(i) above. Yes [X] No [] Not Known []

E. Name(s) and address(es) of each transferee's solicitor
Messrs. Weir & Foulds
1600-2 First Canadian Place
Toronto, Ontario M5X 1J5
(LAB)

For Land Registry Office use only

REGISTRATION NO.
Land Registry Office No.
Registration Date

60336 6
REGISTRY DIVISION OF
TORONTO (No. 63)

I CERTIFY THAT THIS INSTRUMENT IS REGISTERED
AS OF 12.19 P.M.
30 JUN 1983 IN THE

Land Registry Office
at Toronto,
Ontario.

J. L. Haughey
LAND REGISTRAR

THIS SPACE TO BE RESERVED FOR CERTIFICATE OF REGISTRATION

18.
Section A.
Mil. Res.

L.L. Vol. 112A

PROPERTY OF THE
REGISTRY OFFICE CW

REGISTRATION FEE	\$ 15
LAND TRANSFER TAX	\$ 4140.
RETAIL SALES TAX	—

Dated June 30 1983
~~60336 6~~

1 NIAGARA STREET LIMITED
\$ 540,000
TO
TAN JAY INTERNATIONAL LTD.

Address: Suite 703, 121 Richmond
St. West, Toronto, Ontario
M5H 2L6

Deed of Land
SITUATE

Pt. Lot. 18, Section A,
Military Reserve, Toronto
DYE & DURHAM CO. LIMITED

60336 149
ASSESSMENT ROLL NO. _____
ADDRESS OF PROPERTY: 1 Niagara Street,
Toronto, Ontario

Messrs. Shifrin, White, Michela
& Gord
Barristers and Solicitors
Suite 703
121 Richmond Street West
Toronto, Ontario
M5H 2L6
Wm & Foulds
2 First Cdn Pl Tor

* Where a party is unable to read the instrument or where a party signs by making his mark or by being a witness and the instrument has been read to him and he agrees to be bound by its contents, the Registrar may, if satisfied that the person whose signature is required is the person who executed the instrument, make such a statement as aforesaid.

A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

I, _____
of the _____
in the _____

I am a subscribing witness to the attached instrument and I was present and saw it executed
at _____
by _____

I verify before me that each person whose signature I witnessed is the party of the same name referred to in
the instrument.

SWORN before me at the
this _____ day of _____ 19 _____

AFFIDAVIT OF SUBSCRIBING WITNESS

make oath and say:

1853 4712



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #66

21210-0094 (LT)

PAGE 1 OF 3
PREPARED FOR MINDY
ON 2020/11/09 AT 14:25:17

teranet express

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 18 SEC A PL MILITARY RESERVE TORONTO AS IN CT603366, EXCEPT THE EASEMENT THEREIN; CITY OF TORONTO

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

FIN CREATION DATE:
2003/05/26

OWNERS' NAMES:
1 NIAGARA GP INC.
1 NIAGARA STREET LIMITED PARTNERSHIP

CAPACITY SHARE:
GPAR
FIRM

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHRD
<p>** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2003/05/26 **</p> <p>**SUBJCT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO</p> <p>** SUBSECTION 44 (1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN.</p> <p>** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION.</p> <p>** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</p> <p>**DATE OF CONVERSION TO LAND TITLES: 2003/05/26 **</p>						
CT603366	1983/06/30	TRANSFER		*** COMPLETELY DELETED ***	TAN JAY INTERNATIONAL LTD.	
CT618430	1983/09/12	CONSTRUCTION LIEN		*** COMPLETELY DELETED ***		
CT669565	1984/06/27	AGREEMENT			CITY OF TORONTO	C
REMARKS: ENCROACHMENT						
CT728591	1985/07/08	AGREEMENT			CITY OF TORONTO	C
REMARKS: DEVELOPMENT						
CT728592	1985/07/08	AGREEMENT			CITY OF TORONTO	C
REMARKS: COLLATERAL						
CT752468	1985/11/08	CONSTRUCTION LIEN		*** COMPLETELY DELETED ***		
REMARKS: DELETED BY CT948855 ON 2007 12 10 BY MW						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
CT760770	1985/12/20	CERT A CONST LIEN		*** COMPLETELY DELETED ***		
		REMARKS: CT752468				
CT770031	1986/02/14	CONSTRUCTION LIEN		*** COMPLETELY DELETED ***		
CT362028	1987/04/15	AGREEMENT			CITY OF TORONTO	C
		REMARKS: AMENDING DEVELOPMENT				
CT932110	1987/09/29	AGREEMENT			CITY OF TORONTO	C
		REMARKS: ENCROACHMENT				
CT948855	1988/05/16	COURT ORDER		*** COMPLETELY DELETED ***		
		REMARKS: CT752468, CT752469 DOCUMENT DELETED BY D.HAUBENIUK DECEMBER 16-2019				
CA112232	1996/06/26	CHARGE		*** COMPLETELY DELETED ***		
					THE BANK OF NOVA SCOTIA	
A:1720669	2008/02/28	APL CH NAME OWNER		*** COMPLETELY DELETED ***		
				JAN JAY INTERNATIONAL LTD.	NYGARD PROPERTIES LTD.	
A:3459858	2013/11/22	DIS CONSTRUC LIEN		*** COMPLETELY DELETED ***		
		REMARKS: CT618430.		NYGARD PROPERTIES LTD.		
A:3459859	2013/11/22	DIS CONSTRUC LIEN		*** COMPLETELY DELETED ***		
		REMARKS: CT770031.		NYGARD PROPERTIES LTD.		
A:4557641	2017/05/05	CHARGE		*** COMPLETELY DELETED ***		
				NYGARD PROPERTIES LTD.	BANK OF MONTREAL	
A:4558937	2017/05/08	DISCH OF CHARGE		*** COMPLETELY DELETED ***		
		REMARKS: CA112232.		THE BANK OF NOVA SCOTIA		
A:5236465	2019/09/13	NOTICE		*** COMPLETELY DELETED ***		
		REMARKS: A74557641		NYGARD PROPERTIES LTD.	BANK OF MONTREAL	

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



LAND
REGISTRY
OFFICE #66

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

21240-0094 (LT)

PAGE 3 OF 3
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ON 2020/11/09 AT 14:25:17

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* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
AT5331325	2019/12/30	CHARGE		*** COMPLETELY DELETED *** NYGARD PROPERTIES LTD.	WHITE OAK COMMERCIAL FINANCE, LLC	
AT5334304	2020/01/06	DISCH OF CHARGE		*** COMPLETELY DELETED *** BANK OF MONTREAL		
		REMARKS: AT550641.				
AT5391584	2020/03/19	APL COURT ORDER		*** COMPLETELY DELETED *** THE COURT OF QUEEN'S BENCH	RICHTER ADVISORY GROUP INC.	
AT5506741	2020/08/28	APL VESTING ORDER	\$17,000,000	THE COURT OF QUEEN'S BENCH	1 NIAGARA GP INC. 1 NIAGARA STREET LIMITED PARTNERSHIP	C
AT5506742	2020/08/28	CHARGE PARTNERSHIP	\$20,000,000	1 NIAGARA GP INC. 1 NIAGARA STREET LIMITED PARTNERSHIP	CANADIAN IMPERIAL BANK OF COMMERCE	C
AT5506818	2020/08/28	NO ASSGN RENT GEN		1 NIAGARA GP INC. 1 NIAGARA STREET LIMITED PARTNERSHIP	CANADIAN IMPERIAL BANK OF COMMERCE	C
		REMARKS: AT5506742.				

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

THIS IS EXHIBIT "G" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.

A Barrister-at-Law in and for the Province of Manitoba

CANADA'S
BUSINESS REGISTRIES

G

All locations

4093879 Canada Ltd.

 Active businesses Active and inactive businesses

1 result

Sort by Relevance

Results 1-1

1

4093879 CANADA LTD.**Business Number (BN):** 860804053**Registry ID:** 4093879**Registered Office Location:** WINNIPEG, Manitoba**Status:** Active**Status Notes:** -**Business Type:** Business Corporation**Created:** -**For the complete profile, go to the official registry source:** [Search for a Federal Corporation – Corporations Canada](#)▼ We also found extra-provincial registration information from:**Alberta****Registry ID:** 2110054646**Registration Date:** 2002-08-30**For the complete profile, go to the official registry source:** [Alberta Corporate Registry](#) s**British Columbia****Registry ID:** A0057615**Registration Date:** 2002-09-09**For the complete profile, go to the official registry source:** [BC Registry Services](#) s**Manitoba****Registry ID:** 4607831**Registration Date:** 2002-08-29**For the complete profile, go to the official registry source:** [Companies Office](#) s

**Corporate Name
History**

2002-07-15 to 4093879 CANADA LTD.
Present

A
4093879

Certificates and Filings

Certificate of Incorporation 2002-07-15

Order copies of corporate documents

Start New Search

Date Modified:
2020-10-27

Ontario

Registry ID: 1538928

Registration Date: 2002-07-15

For the complete profile, go to the official registry source: [ServiceOntario](#) s

Québec

Registry ID: 1161000246

Registration Date: 2002-07-15

For the complete profile, go to the official registry source: [Registraire des entreprises](#)

Report a problem on this page

Results 1-1

1

THIS IS EXHIBIT "H" TO THE AFFIDAVIT OF PETER NYGARD
AFFIRMED before me at the City of Winnipeg, in the Province of Manitoba,
this 12th day of November, 2020, through the use of video conferencing as
permitted by Order under the Emergency Measures Act.



A Barrister-at-Law in and for the Province of Manitoba



Government of Canada

Gouvernement du Canada

Handwritten signature and number 4093887

Canada.ca → [Innovation, Science and Economic Development Canada](#) → [Corporations Canada](#)
→ [Search for a Federal Corporation](#)

Federal Corporation Information - 409388-7

[Order copies of corporate documents](#)

Note
This information is available to the public in accordance with legislation (see [Public disclosure of corporate information](#)).

Corporation Number	409388-7
Business Number (BN)	860682269RC0001
Corporate Name	4093887 CANADA LTD.
Status	Active
Governing Legislation	Canada Business Corporations Act - 2002-07-15

[Order a Corporate Profile](#) [[View PDF Sample](#)] [[View HTML Sample](#)].
[PDF Readers](#)

Registered Office Address

Care of: Nygard International Partnership
1771 Inkster Boulevard
WINNIPEG MB R2X 1R3
Canada

Note
Active CBCA corporations are required to update this information within 15 days of any change. A corporation key is required. If you are not authorized to update this information, you can either contact the corporation or contact [Corporations Canada](#).

We will inform the corporation of its reporting obligations.

Directors

Minimum 1 **Maximum** 10

Gregory Alvin Fenske
369 River Road
Winnipeg MB R2M 4A1
Canada

Note

Active CBCA corporations are required to update director information (names, addresses, etc.) within 15 days of any change. A corporation key is required. If you are not authorized to update this information, you can either contact the corporation or contact Corporations Canada. We will inform the corporation of its reporting obligations.

Annual Filings

Anniversary Date (MM-DD)	07-15
Date of Last Annual Meeting	2020-09-10
Annual Filing Period (MM-DD)	07-15 to 09-13
Type of Corporation	Non-distributing corporation with 50 or fewer shareholders
Status of Annual Filings	2020 - Filed 2019 - Filed 2018 - Filed

Corporate History

**Corporate Name
History**

2002-07-15 to 4093887 CANADA LTD.
Present

Certificates and Filings

**Certificate of
Incorporation** 2002-07-15

[Order copies of corporate documents](#)

[Start New Search](#)

[Return to Search Results](#)

Date Modified:
2020-10-27

CANADA'S BUSINESS REGISTRIES

All locations

4093887 Canada Ltd.

 Active businesses Active and inactive businesses

1 result

Sort by Relevance

Results 1-1

1

4093887 CANADA LTD.

Business Number (BN): 860682269**Registry ID:** 4093887**Registered Office Location:** WINNIPEG, Manitoba**Status:** Active**Status Notes:** -**Business Type:** Business Corporation**Created:** -**For the complete profile, go to the official registry source:** [Search for a Federal Corporation – Corporations Canada](#)

▼ We also found extra-provincial registration information from:

Alberta

Registry ID: 2110054687**Registration Date:** 2002-08-30**For the complete profile, go to the official registry source:** [Alberta Corporate Registry](#) s

British Columbia

Registry ID: A0057611**Registration Date:** 2002-09-06**For the complete profile, go to the official registry source:** [BC Registry Services](#) s

Manitoba

Registry ID: 4607849**Registration Date:** 2002-08-29**For the complete profile, go to the official registry source:** [Companies Office](#) s