

Nisga'a Land Title Act
Form B
(Section 146)

MORTGAGE – PART 1

1. PERSON SUBMITTING APPLICATION TO NISGA'A LAND TITLE OFFICE

Full
(a) Name _____

Mailing
(b) Address _____

(c) Telephone number or email address _____

- (d) Status**
- applicant (lender [mortgagee])
 - agent of applicant (lender [mortgagee])
 - solicitor for applicant (lender [mortgagee])

Authorized Signatory

Print Name

[Under the Nisga'a Land Title Act, the "applicant" is the person who is entitled to be the registered owner of the mortgage.]

2. LAND

(a) Parcel identification number (PIN): _____

(b) Legal description _____

3. BORROWER(S) [MORTGAGOR(S)]

[full name(s), as reproduced from the register of the Nisga'a land title office, mailing address, Nisga'a land title identification number, and, if applicable, undivided fractional or joint tenancy interest(s)]

4. LENDER(S) [MORTGAGEE(S)]

[full name(s), mailing address(es), Nisga'a land title identification number, and, if applicable, undivided fractional or joint tenancy interest(s)]

5. PAYMENT PROVISIONS

| | | | Y | M | D |
|--|--|-------------------------------------|----------|----------|----------|
| (a) Principal Amount | (b) Interest Rate | (c) Interest Adjustment Date | | | |
| (d) Interest Calculation Period | (e) Payment Dates | (f) First Payment Date | | | |
| (g) Amount of Each Periodic Payment | (h) <i>Interest Act</i> (Canada) Statement The equivalent rate of interest calculated half yearly not in advance is % per annum. | (i) Last Payment Date | | | |
| (j) Assignment of Rents which Applicant Wants Registered YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, page and paragraph number | (k) Place of Payment | (l) Balance Due Date | | | |

6. MORTGAGE SECURES CURRENT OR RUNNING ACCOUNT

YES NO

7. INTEREST MORTGAGED

- estate in fee simple
- lease _____ [registration number]
- Nisga'a Nation entitlement _____ [registration number]
- Nisga'a Village entitlement _____ [registration number]

8. MORTGAGE TERMS

Part 2 of this mortgage consists of

- prescribed standard mortgage terms
- filed standard mortgage terms _____ [filing number]
- express mortgage terms annexed to this mortgage as Part 2

[A selection of prescribed standard mortgage terms or filed standard mortgage terms includes any additional or modified terms set out in Item 9 or in a schedule in Form E attached to this Form B.]

9. ADDITIONAL OR MODIFIED TERMS (IF ANY)

[Item 9 may be completed only if Part 2 of the mortgage consists of prescribed standard mortgage terms or filed standard mortgage terms.]

10. PRIOR ENCUMBRANCES PERMITTED BY LENDER(S) [MORTGAGEE(S)] (IF ANY)

11. CERTIFICATE OF OUTSTANDING TAXES *

- The borrower(s) [mortgagor(s)] has obtained a certificate of outstanding taxes in respect of the land from the Nisga’a Tax Administrator and provided the certificate to the lender(s) [mortgagee(s)].

12. EXECUTION(S)**

This mortgage charges the interest of the borrower(s) [mortgagor(s)] in the land mortgaged as security for payment of all money due and performance of all obligations in accordance with the mortgage terms referred to in Item 8 and the borrower(s) [mortgagor(s)] and every other signatory agree to be bound by, and acknowledge receipt of a true copy of, those terms.

The borrower(s) [mortgagor(s)] declares(s) that the lender(s) [mortgagee(s)] has confirmed receipt of the certificate of outstanding taxes referred to in Item 11.

| Officer Signature(s) | Execution Date | | | Borrower(s) [Mortgagor(s)] Signature(s) |
|----------------------|----------------|---|---|--|
| _____ | Y | M | D | _____ |
| | | | | _____ |
| | | | | _____ |

Officer Certification:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act* (British Columbia) to take affidavits for use in British Columbia and certifies the matters set out in Part Four of the *Nisga'a Land Title Act* as they pertain to the execution of this instrument.

NOTES TO FORM B

If space insufficient to complete items 1 through 10, enter "SEE SCHEDULE" and attach schedule in Form E.

** The borrower(s) [mortgagor(s)] may obtain a certificate of outstanding taxes in respect of the land from the Nisga'a Tax Administrator under section 32 of the Nisga'a Real Property Tax Act.*

*** If space insufficient, continue executions on additional page(s) in Form D.*