

## CHARGE/MORTGAGE OF LAND LAND TITLES ACT

<b>(1) Mortgagor(s)</b>									
<b>(2) Address of Mortgagor(s)</b>									
<b>(3) How Property Held – Tenancy</b>									
<b>(4) Mortgagee</b> <span style="float: right;">AGF TRUST COMPANY</span>									
<b>(5) Address and Postal Code of Mortgagee</b> <span style="float: right;">66 Wellington Street West, Suite 3100, Toronto, ON M5K 1E9</span>									
<b>(6) Legal Description of Mortgaged Land</b>									
<b>(7) Principal Amount</b> <span style="float: right;">\$</span>									
<b>(8) Interest/Estate Charged</b>									
<b>(9) Payment Provisions</b> (a) Principal Amount \$				(b) Interest Rate % per annum			(c) Calculation Period		
(d) Interest Adjustment Date	M	D	Y	(e) Payment Date and Period	(f) First Payment Date	M	D	Y	
(g) Last Payment Date				(h) Amount of Each Payment	Dollars \$				
(i) Balance Due Date				(j) Insurance	Dollars \$				
<b>(10) Standard Form Mortgage</b>									
<p>The Mortgagor(s) acknowledges that this charge/mortgage of land consists of the terms contained herein and is subject to the terms contained in the Standard Form Mortgage that was filed with the Registrar under the Land Titles Act as number _____. The Mortgagor(s) acknowledge that he/she understand the nature of the foregoing statement and that the mortgage consists of the terms set out herein and the terms set out in the Standard Form Mortgage referred to herein.</p>									
<b>(11) Acknowledgments</b>									
<p>The Mortgagor(s) acknowledge</p> <p>(a) that the Mortgagor(s) understands the nature of the statements set out in box 10 hereof,          (b) that the Mortgagor(s) have been given a copy of the Standard Form Mortgage referred to in box 10 hereof,          (c) that the Mortgagor(s) are the registered owner(s) of the land being mortgaged, and          (d) that the Mortgagor(s) mortgage all of the Mortgagor(s) estate and interest in the lands described in box 6 hereof for the purposes of securing the payment of the principal amount, interest and all other amounts secured by this charge/mortgage.          (e) any Schedules attached hereto form part of this mortgage.          (f) [delete if not a high ratio insured loan] this mortgage is a high ratio mortgage to which ss. 43(4.1) and (4.2) and 44(4.1) and (4.2) of the Law of Property Act apply. You and anyone who, expressly or impliedly, assumes this mortgage from you, could be sued for any obligations under this mortgage if there is a default by you or by a person who assumes this mortgage.</p>									
<b>(12) Execution</b>									
<p>The Mortgagor has signed this Mortgage on _____, _____.</p> <p>_____          Witness</p> <p>_____          Witness</p>									
<b>(13) DOWER - CONSENT OF SPOUSE</b>									
<p>I, _____, being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this</p>									

instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by The Dower Act to the extent necessary to give effect to the said disposition.

\_\_\_\_\_

**(14) CERTIFICATE OF ACKNOWLEDGEMENT**

\*Strike out  
whichever  
is inapplicable.

1. This document was acknowledged before me by \_\_\_\_\_ apart from \*her husband/his wife.
2. \_\_\_\_\_ acknowledged to me that \*she/he:
  - (a) Is aware of the nature of the disposition;
  - (b) Is aware that The Dower Act gives \*her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
  - (c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to \*her/him by The Dower Act to the extent necessary to give effect to the said disposition;
  - (d) is executing the document freely and voluntarily without any compulsion on the part of \*her husband/his wife.

DATED at \_\_\_\_\_ in the Province of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Sworn before me at \_\_\_\_\_ )  
In the Province of \_\_\_\_\_ )

\_\_\_\_\_  
Signature of Solicitor

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

A Commissioner for Oaths In and For the Province of Alberta  
A Notary Public In and For the \_\_\_\_\_ of \_\_\_\_\_.

**(15) DOWER AFFIDAVIT**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_ (occupation) make oath and say:

1. I am the mortgagor (or the agent acting under power of attorney in my favour registered in the Land Titles Office on \_\_\_\_\_, \_\_\_\_\_ as instrument number \_\_\_\_\_ granted by the mortgagor) named in the within instrument.
2. I am (or My principal is) not married.

OR

Neither myself nor my spouse (or my principal nor his/her spouse) have resided on the within mentioned land at any time since our (or their) marriage.

OR

I am (or My principal is) married to \_\_\_\_\_ being the person who executed the release of dower rights registered in the Land Titles Office on \_\_\_\_\_, \_\_\_\_\_ as instrument number \_\_\_\_\_.

OR

A judgment for damages was obtained against me by my spouse (or my principal by his/her spouse) and registered in the Land Titles Office on \_\_\_\_\_, \_\_\_\_\_ as instrument number \_\_\_\_\_.

Sworn before me at \_\_\_\_\_ )  
in the Province of \_\_\_\_\_ )  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ )

A Commissioner for Oaths In and For the Province of Alberta  
A Notary Public In and For the \_\_\_\_\_ of \_\_\_\_\_.

**(16) AFFIDAVIT OF EXECUTION**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_ (occupation) make oath and say:

- (1) THAT I was personally present and did see \_\_\_\_\_ and \_\_\_\_\_ named in the within instrument, who \_\_\_\_\_ personally known to me to be the person(s) named therein, duly sign, seal and execute the same for the purposes named therein.
- (2) THAT the same was executed at the \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_ and that I am a subscribing witness thereto.
- (3) THAT I know the said \_\_\_\_\_ and \_\_\_\_\_ and he/she/they is/are in my belief of the full age of eighteen years.

Sworn before me at \_\_\_\_\_ )  
in the Province of \_\_\_\_\_ )  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ )

A Commissioner for Oaths In and For the Province of Alberta  
A Notary Public In and For the \_\_\_\_\_ of \_\_\_\_\_.

