

Land Titles Act Mortgage

Mortgage [Yukon Territory] Tangerine – Form 1

1. MORTGAGEE NAME AND ADDRESS [including postal code]:

Tangerine Bank, 3389 Steeles Ave E, Toronto, ON M2H 0A1

2. MORTGAGOR(S) NAME(S) AND ADDRESS(ES) [including postal code]: [as described on title to the Lands]

3. GUARANTOR(S) NAME(S) AND ADDRESS(ES) [including postal code]:

4. LEGAL DESCRIPTION OF THE MORTGAGED LAND (the “Lands”):

5. PRINCIPAL, INTEREST, REPAYMENT PROVISIONS, ESTATE MORTGAGED & MORTGAGE TYPE:

a) Principal Amount: \$ _____ (herein the “Principal Sum”)	b) Interest Rate per annum: <u>Tangerine Prime + 10%</u> (herein the “Interest Rate”)	c) Interest Adjustment Date: _____	Date (MM/DD/YYYY): _____
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d) Regular Payment Amount: \$ _____	e) Regular Payment Date: _____	f) First Payment Date: _____	Date (MM/DD/YYYY): _____
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g) Amortization Period: _____	h) Estate Mortgaged: Fee Simple Leasehold	i) Maturity Date: _____	Date (MM/DD/YYYY): _____
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j) Place of Payments: address in (1) above OR the following: _____	k) Mortgage Type: Fixed Rate Closed Variable Rate
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6. MORTGAGOR(S)' COVENANTS AND ACKNOWLEDGEMENTS:

The Mortgagor(s), being the registered owner of the herein described estate in the Lands, subject, however, to such encumbrances, liens and interest notified by memorandum underwritten, in consideration of the principal sum loaned to the Mortgagor by the Mortgagee (the receipt of which is hereby acknowledged) covenants with and acknowledges that:

- (a) the Mortgagor will pay to the Mortgagee the principal sum and interest and all other amounts as and when required under this Mortgage;
- (b) this Mortgage consists of this Mortgage Form, any Schedule(s) attached hereto and the set of standard charge terms attached hereto;
- (c) the Mortgagor(s) fully understand(s) the nature of the foregoing statement and understand(s) all of the terms set out herein, in any Schedule(s) attached hereto and in the set of standard charge terms attached hereto;
- (d) a copy of this Mortgage has been given to the Mortgagor(s);
- (e) and for the better securing to the Mortgagee the repayment in the manner described of the principal sum and interest and other amounts, the Mortgagor(s) mortgage(s) to the Mortgagee all the Mortgagor's estate and interest in the Lands.

7. MORTGAGOR(S) EXECUTION:

In witness whereof, the Mortgagor(s) hereunto execute(s) this Mortgage on _____, 20____
at _____, _____.

SIGNATURE OF WITNESS
 Name of Witness: _____
 Address of Witness: _____

 Occupation of Witness: _____

SIGNATURE OF MORTGAGOR
 Print Name Of Mortgagor: _____

SIGNATURE OF WITNESS
 Name of Witness: _____
 Address of Witness: _____

 Occupation of Witness: _____

SIGNATURE OF MORTGAGOR
 Print Name Of Mortgagor: _____

8. GUARANTOR(S) EXECUTION:

In witness whereof, the Guarantor(s) hereunto execute(s) this Mortgage on _____, 20____
at _____, in the Province/Territory of _____.

SIGNATURE OF WITNESS

Name of Witness: _____

Address of Witness: _____

Occupation of Witness: _____

SIGNATURE OF GUARANTOR

Print Name Of Guarantor: _____

SIGNATURE OF WITNESS

Name of Witness: _____

Address of Witness: _____

Occupation of Witness: _____

SIGNATURE OF GUARANTOR

Print Name Of Guarantor: _____

9. ENCUMBRANCES:

**In the Matter of the *Family Property and Support Act*
AFFIDAVIT OF CONSENT OF SPOUSE**

I, _____, of _____, in the Province/Territory of _____, hereby make oath and state as follows:

1. I am the spouse of _____.
2. I hereby give my full consent to the transaction evidenced by the within Mortgage.
3. I make this Affidavit pursuant to the provisions of the *Family Property and Support Act* of the Yukon Territory.

SWORN before me at

_____, in the _____,
this _____ day of _____, 20_____.

A Notary Public in and for the: _____

AFFIDAVIT OF EXECUTION

I, _____, of _____, in the Province/Territory of _____, _____ (Occupation) make oath and say that:

1. My name, occupation and address are correctly set forth above.
2. I was personally present and did see _____ the party(ies) to the attached Mortgage, who identified _____ to me to be the person(s) named therein, execute the Mortgage for the purposes named therein.
3. The said Mortgage was executed at _____ in the _____, and I am the subscribing witness thereto.
4. The said _____ is/are in my belief of the full age of nineteen years.

SWORN before me at

_____, in the _____,
this _____ day of _____, 20_____.

A Notary Public in and for the: _____

AFFIDAVIT

I/We, _____, of _____,
in the _____, hereby (severally) make oath and say that:

1. I/We am/are the person(s) making the disposition or encumbrance evidenced by the Mortgage attached hereto.
2. The word "property" as used herein means the property described in the attached Mortgage.
3. The words "spouse" and "family home" as used herein are defined in Section 1 and Section 21 respectively of the *Family Property and Support Act* (the "Act").
4. When I/we executed the attached Mortgage:
 - a) I was a spouse and _____ was my spouse.
 - b) I was not a spouse.
 - c) We were spouses of one another.
5.
 - a) the property has never been occupied by myself and my spouse as our family home;
 - b) the property has never been occupied by myself and my spouse as our family home since the cancellation of its designation as our family home under Section 24 or 27 of the Act;
 - c) the property is not designated as a family home under Section 24 of the Act, and an instrument designating another property as a family home of myself and my spouse is registered under Section 24 of the Act;
 - d) my spouse has released all rights under Part II of the Act by a Separation Agreement between myself and my spouse;
 - e) the Mortgage to which this affidavit is attached is authorized by a Court Order (or an Order has been made releasing the property as a family home) and such Order has not been appealed, the time for appeal has expired and no application for leave to appeal or to extend the time to appeal has been made.
6. I do not have/neither of us have a spouse or former spouse who has any right to possession of the property including a right by reason of an Order of the Court or a Separation Agreement, as contemplated in Section 22(2) of the Act.

SWORN before me at

_____, in the _____,
this _____ day of _____, 20_____.

A Notary Public in and for the: _____