

[add the following if NHA mortgage]
IN PURSUANCE OF THE NATIONAL HOUSING ACT

Form 15.1

COLLATERAL MORTGAGE

Land Titles Act, S.N.B. 1981, c. L-1.1, s.25
Standard Forms of Conveyances Act, S.N.B. 1980, c. S-12.2, s.2

PARCEL IDENTIFIER:

_____ [Insert PID]

MORTGAGOR:

_____ [Insert full name of mortgagor]

_____ [Insert address of mortgagor]

MORTGAGOR:

_____ [Insert full name of mortgagor]

_____ [Insert address of mortgagor]

SPOUSE OF:

_____ [Insert name of mortgagor]
[Delete if not applicable]

_____ [Insert full name of spouse of mortgagor]

_____ [Insert address of spouse of mortgagor]

MORTGAGEE:

_____ [Insert name of Mortgagee]

_____ [Insert address of applicable Branch]

MANNER OF TENURE:

NOT APPLICABLE

LIMITATION OF RIGHT, TITLE OR INTEREST MORTGAGED:

[Delete if not applicable.]

_____ (Specify – e.g. leasehold interest)

PARTICULARS OF SECURITY:

Complete principal sum

Complete interest rate

This mortgage is collateral security and continuing collateral security for the performance by the Mortgagor of the Mortgagor's Promises (as defined in the mortgage) under the mortgage and the due payment of: (a) the Customer Liabilities (as defined in the mortgage) to a maximum amount of \$ _____ (the "Principal Sum"); and (b) Costs (as defined in the mortgage); together with interest thereon calculated as follows:

PRIME INTEREST RATE

interest at a rate equal to the Prime Rate (as defined in the mortgage) per annum in effect from time to time plus _____ per centum (_____ %) per annum, calculated monthly, not in advance and payable on demand, before and after Default (as defined in the mortgage) and judgment. Interest will be charged on overdue interest at the same rate as on the Principal Sum.

Statutory Covenants and Conditions Excluded: **All**

Optional Covenants and Conditions Included: **RBC-1322**

The recitals, affidavits, statutory declarations or other documents attached hereto as Schedule "D" form part of this Collateral Mortgage.

The Mortgagor mortgages (subject to the specified limitation) [Delete if not applicable.] to the Mortgagee in the specified manner of tenure the specified parcel as collateral security, the particulars of which are specified.

The Mortgagor acknowledges receipt of the text of the covenants and conditions which are contained in this Mortgage by reference to a distinguishing number or by virtue of subsection 25(4) of the *Land Titles Act*, and agrees to be bound by them to the same extent as if set out at length herein.

The spouse of the Mortgagor joins in this instrument and consents to this disposition for the purpose of complying with section 19 of the *Marital Property Act*. [Delete if not applicable.]

Date: _____

Witness: Mortgagor: _____

Witness: Mortgagor: _____

Witness: Spouse of _____

: _____
[Insert name of Mortgagor.
Delete if not applicable.]

SCHEDULE "D"

Recitals

WHEREAS:

- A. The mortgagor is the owner of the specified parcel(s), subject to the limitation indicated on the face page hereof (if any);
- B. _____ (the "Customer") is a customer of the mortgagee;
[Insert name of each Customer.]
- C. The mortgagor has agreed to provide this collateral mortgage as security for, among other things, the Customer Liabilities (as defined in the mortgage);

Form 55
AFFIDAVIT OF MARITAL STATUS
Land Titles Act, S.N.B. 1981, c.L-1.1, s.81

DEPONENT:

_____)
[Insert name of Deponent.]

_____)
[Insert address of Deponent.]

SPOUSE OF DEPONENT:

[Delete if not applicable]

_____)
[Insert name of Spouse of Deponent]

DATE OF DOMESTIC CONTRACT:

[Delete if not applicable.]

_____)

DATE OF COURT ORDER:

[Delete if not applicable.]

_____)

I, the deponent, make oath and say:

1. That I am a person conveying an interest in the attached instrument and have personal knowledge of the matters hereinafter deposed to;
2. That I am not married;
OR **[DELETE INAPPLICABLE CLAUSE]**
That the name of my spouse is as specified above;
3. That I have no former spouse with a right under the *Marital Property Act* to any interest in or possession of the subject land;
4. That the subject land has/has not *[Delete inapplicable clause.]* been occupied by me and my spouse as our marital home;
5. That my spouse has joined in this instrument and has consented to the disposition for the purpose of complying with section 19 of the *Marital Property Act*;
OR **[DELETE INAPPLICABLE CLAUSE]**
The signature of my spouse is not required because

my spouse has released all rights to the marital home by reason of a domestic contract dated as specified above.

OR

the marital home has been released by order of The Court of Queen’s Bench of New Brunswick dated as specified above, pursuant to paragraph 23(1)(b) of the *Marital Property Act*.

OR

this disposition has been authorized by The Court of Queen’s Bench of New Brunswick by order dated as specified above.
6. That I am the full age of nineteen years and upwards and not a non “non-resident” for any purposes of the *Income Tax Act* (Canada).

SWORN to at _____,)
 _____ on _____)
 _____ before me:)
 _____)
 _____)
 _____)
 A Commissioner of Oaths)
 Being a Solicitor)

Form 45

AFFIDAVIT OF CORPORATE EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

DEPONENT:

_____ [Insert name of Deponent.]

_____ [Insert address of Deponent.]

OFFICE HELD BY DEPONENT:

CORPORATION:

_____ [Insert name of Corporation]

OTHER OFFICER WHO EXECUTED THE INSTRUMENT:

[Delete if not applicable]

_____ [Insert name of other officer]

_____ [Insert address of other officer]

OFFICE HELD BY OTHER OFFICER WHO EXECUTED THE INSTRUMENT:

[Delete if not applicable]

_____ [Insert office held by other officer]

PLACE OF EXECUTION:

DATE OF EXECUTION:

I, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
- 2. That the attached instrument was executed by me (and the other officer(s) specified above) as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
- 3. That the seal of the corporation was affixed to the instrument by order of the Board of Directors of the corporation;

OR **DELETE INAPPLICABLE CLAUSE**

That the corporation has no seal;

- 4. That the instrument was executed at the place and on the date specified above;
- 5. That the ownership of a share of the corporation does/does not *[Delete inapplicable clause.]* entitle the owner thereof to occupy the parcel described in the attached instrument as a marital home.

SWORN to at _____,)
 _____ on _____)
 _____ before me:)
 _____)
 _____)
 _____)
 A Commissioner of Oaths)
 Being a Solicitor)

Form 44

CERTIFICATE OF EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

NOTARY PUBLIC:

_____ [Insert name]

_____ [Insert address]

JURISDICTION:

**PLACE OF RESIDENCE
OF NOTARY PUBLIC:**

**PERSON WHO
EXECUTED THE
INSTRUMENT:**

_____ [Insert name(s)]

PLACE OF EXECUTION:

DATE OF EXECUTION:

I, the notary public, a Notary Public in and for the jurisdiction specified above and residing at the place of residence specified above, do hereby certify:

1. That the person(s) who executed the attached instrument personally appeared before me;
2. That the person(s) is (are) known to me or the person's (s') identity(ies) has(have) been proved to my satisfaction;
3. That I explained to the person(s) the contents of the attached instrument to the best of my professional abilities;
4. That, after receiving the explanation, the person(s) executed the attached instrument voluntarily at the place and on the date specified above;
5. That the person(s) acknowledged that he or she is (they are) of the age of majority;
6. That I have ascertained that the name(s) by which the person(s) is (are) identified in the attached instrument is (are) the person's (s') name in accordance with the *Naming Conventions Regulation* under the *Land Titles Act*; and
7. That I have signed the attached instrument next to the signature of the person(s) for whom this Certificate of Execution has been prepared, with my name printed legibly underneath my signature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal.

Place: _____

Date: _____

Notary Public: _____
[Signature]