

COURT FILE NO. 2003 07601

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

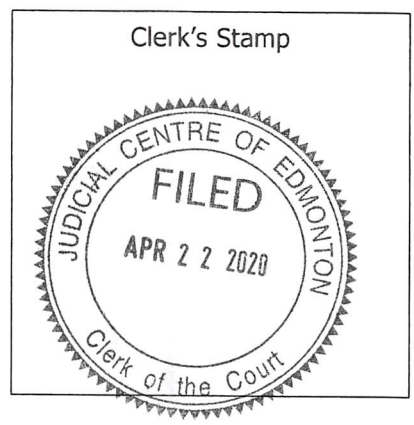
PLAINTIFF BUSINESS DEVELOPMENT BANK OF CANADA

DEFENDANT CHARITY DEVELOPMENTS LTD.

DOCUMENT **AFFIDAVIT**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
McLENNAN ROSS LLP
#600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, AB T5N 3Y4

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File No.: 20201461



AFFIDAVIT OF WHITNEY SMITH

AFFIRMED ON THE 21 DAY OF APRIL, 2020

I, WHITNEY SMITH, of the City of Edmonton, in the Province of Alberta, AFFIRM AND SAY THAT:

1. On the 20th day of April, 2020, the Defendant was served with a Notice of Intention to Enforce Security by emailing same to the solicitor for the Defendant, Trevor R. Lee, at his email address being legallee@leelawoffice.ca.
2. On the 21st day of April, 2020, counsel for the Defendant returned the Notice of Intention to Enforce Security, duly executed, and a copy of same is attached hereto and marked as **Exhibit "A"**.

AFFIRMED BEFORE ME at the
 City of Edmonton,
 in the Province of Alberta
 the 21st day of April, 2020

 A Commissioner for Oaths in and
 for the Province of Alberta



WHITNEY SMITH

ANDREA ALFEREZ
 A Commissioner for Oaths
 in and for Alberta
 My Commission Expires August 2, 2021

NOTICE OF INTENTION TO ENFORCE SECURITY

(subsection 244(1) of the Bankruptcy and Insolvency Act)

Handwritten initials and "✓ LTD. /"

TO: CHARITY DEVELOPMENTS INC.

insolvent person

TAKE NOTICE that:

1. Business Development Bank of Canada, a secured creditor, intends to enforce its security on the personal and real property charged by the insolvent person pursuant to the Security.
2. The Security that is to be enforced is:
 - (a) Mortgage in the principal amount of \$6,000,000 dated September 30, 2015 over lands legally described as Plan 1424093, Block 1, Lot 9;
 - (b) Mortgage Amending Agreement dated May 16, 2018, increasing the principal amount of the said mortgage from \$6,000,000 to \$6,900,000;
 - (c) General Security Agreement dated September 30, 2015.
3. The total amount of the indebtedness secured by the Security is \$6,966,488.29, as at April 3, 2020, together with further interest and costs.
4. Business Development Bank of Canada will not have the right to enforce the Security until the expiration of 10 days from the date hereof.

DATED at Edmonton, Alberta this 20th day of April, 2020.

This is Exhibit "A" referred to in the Affidavit of

WHITNEY SMITH

Affirmed before me this 21 day

of APRIL A.D. 2020

A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

ANDREA ALFEREZ

A Commissioner for Oaths
in and for Alberta

My Commission Expires August 2, 2021

BUSINESS DEVELOPMENT BANK OF CANADA,
by its solicitors and agents MCLENNAN ROSS LLP



per _____

Charles P. Russell, Q.C.

Consent to immediate enforcement of the Security is hereby given this 21 day of April, 2020.

Handwritten initials and "LTD."

CHARITY DEVELOPMENTS INC., by its solicitors and agents TREVOR R. LEE LAW OFFICE

Per:

Handwritten signature of Trevor R. Lee

**TREVOR R. LEE
BARRISTER & SOLICITOR & NOTARY PUBLIC
IN AND FOR THE PROVINCE OF ALBERTA**