

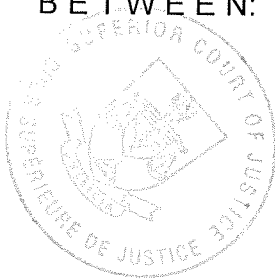
ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE
JUSTICE NEWBOULD

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TUESDAY, THE 6th
DAY OF SEPTEMBER, 2016

BETWEEN:



EMMANUEL VILLAGE RESIDENCE INC.

Applicant

- and -

ATTORNEY GENERAL OF ONTARIO

Applicant

- and -

**1250 WEBER STREET EAST, KITCHENER, ONTARIO OR THE PROCEEDS OF THE
SALE THEREOF (IN REM)**

Respondent

AMENDING APPROVAL AND VESTING ORDER

THIS MOTION, made by Emmanuel Village Residence Inc. (the "**Company**") for an order amending the Order of Justice Hainey, dated August 26, 2016 (the "**Approval and Vesting Order**"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the confidential supplement to the third report of BDO Canada Limited, in its capacity as the Court-appointed receiver (the "**Receiver**") of the undertaking, property and assets of the Company, dated August 19, 2016 (the


"Report"), and on hearing the submissions of counsel for the Company and the Receiver, no other party taking a position on the motion,

1. **THIS COURT ORDERS** that Schedule "D" attached to the Approval and Vesting Order shall be and shall be deemed to be replaced by the schedule attached hereto *nunc pro tunc* to the initial date of the Approval and Vesting Order.



ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

SEP 06 2016

PER / PAR: 

**Schedule D – Permitted Encumbrances, Easements and Restrictive Covenants
related to the Real Property (unaffected by the Vesting Order)**

1. Instrument No. 533133, registered November 28, 1974 being a By-law;
2. Instrument No. 534010, registered December 11, 1974 being a By-law;
3. Instrument No. 1385324, registered June 30, 1998 being a Section 41 Development Agreement;
4. Instrument No. 1404828, registered December 16, 1998 being a transfer of easement in favour of Rogers Cablesystems Limited;
5. Instrument No. 1412382, registered March 18, 1999 being a Supplementary Section 41 Development Agreement;
6. Instrument No. 1559347, registered October 1, 2002 being a transfer of easement in favour of Rogers Cable Inc.;
7. Instrument No. 1563157, registered November 4, 2002 being a transfer of easement in favour of The Regional Municipality of Waterloo;
8. Instrument No. 1566343, registered December 3, 2002 being a transfer containing the reservation of easements;
9. Instrument No. 1566344, registered December 3, 2002 being a Joint Maintenance of Rights-of-Way and Easement Agreement;
10. Instrument No. WR123879, registered May 12, 2005 being an Application (General) relating to Instrument Nos. 1385324 and 1412382;
11. Instrument No. WR459096, registered May 4, 2009 being a notice of airport zoning regulations; and
12. Instrument No. WR606752, registered April 7, 2011 being a land registrar's order.

Applicant

Applicant

Respondent

**SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

**AMENDED APPROVAL AND VESTING ORDER
(Sale to Revera Inc.)**

DLA PIPER (CANADA) LLP

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