

Supreme Court of Nova Scotia
In Bankruptcy and Insolvency

IN THE MATTER OF: THE RECEIVERSHIP OF MERIDIEN ATLANTIC FISHING LTD., ROCKY
COAST SEAFOODS LTD. AND 9514228 CANADA INC.

Between:

THE TORONTO-DOMINION BANK

Applicant

and

**MERIDIEN ATLANTIC FISHING LTD.,
ROCKY COAST SEAFOODS LTD. and 9514228 CANADA INC.**

Respondents

Solicitor's Affidavit

I, David Wedlake, make oath and give evidence as follows:

1. I am an associate at Stewart McKelvey in Halifax, Nova Scotia. Stewart McKelvey is counsel for Deloitte Restructuring Inc. ("**Deloitte**"), the court appointed Receiver of all of the assets, undertakings and properties of Meridien Atlantic Fishing Ltd., Rocky Coast Seafoods Ltd. ("**RCS**") and 9514228 Canada Inc. (collectively, the "**Companies**") acquired for, or used in relation to a business carried on by the Companies.
2. I have personal knowledge of the evidence sworn in this affidavit except where otherwise stated to be based on information or belief.
3. I state, in this affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief of the source.
4. I swear this affidavit in relation to Deloitte's motion seeking approval of the sale of real property owned by the Companies, located at 1431 Highway 1, Church Point, Nova Scotia, identified by PID Nos. 30034789 and 30274658 (together, the "**Property**").

Search Results

5. On July 17, 2023, I caused to be conducted searches of the records maintained by the Land Registration Office in the Property Online database pursuant to the *Land Registration Act*, S.N.S. 2001, c 6 (the "**LRA**"), for properties registered in all counties of Nova Scotia for RCS. The search results contained five properties, including the Property.

- 6. Attached as **Exhibit "A"** is a copy of the search results and parcel registers for the Property, which contain a list of all recorded or registered instruments effecting the Property as of July 17, 2023.
- 7. Attached as **Exhibit "B"** is the Certificate of this deponent, dated July 17, 2023, containing particulars of all instruments shown in Exhibit "A".
- 8. I am advised by Gavin MacDonald, counsel for the Applicant, Toronto-Dominion Bank, and do verily believe that the Receivership Order issued in this application on April 14, 2023 is in the process of being registered with the Land Registration office against the Property.
- 9. On July 17, 2023, I caused to be conducted searches of the records maintained by the Land Registration Office in the Property Online database pursuant to the LRA for documents registered in the judgment roll for Digby County against RCS. There are no judgments registered in the judgment roll for Digby County against RCS as of July 17, 2023.
- 10. Attached as Exhibit "C" are Tax Certificates from the Municipality of the District of Clare for the Property, which reveal no property tax arrears.

SWORN before me at Halifax, Nova Scotia,)
 this 17th day of July, 2023.)



 A Barrister of the Supreme Court of Nova Scotia



David Wedlake

SARA L. SCOTT
 A Barrister of the Supreme Court of Nova Scotia

TAB A

2023

Hfx No. 521470

This is Exhibit "A" to the affidavit of David Wedlake, sworn to before me at Halifax, Nova Scotia, this 17th day of July, 2023



A Barrister of the Supreme Court of Nova Scotia

SARA L. SCOTT
A Barrister of the Supreme
Court of Nova Scotia

Property Search Results

5 Properties found, displaying 1 to 5

PID	Owner	Property Address	Assessment Info	Options
PID: 30034789 Type: STANDARD PARCEL Status: ACTIVE LR Status: LAND REGISTRATION	Owner: ROCKY COAST SEAFOODS LTD. Mailing Address: POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	Civic Address: 1431 HIGHWAY 1 CHURCH POINT Area: 19.13 ACRE(S) County: DIGBY COUNTY	AAN: 04575458 Value: \$88,800 (2023 RESOURCE TAXABLE)	Details Map
PID: 30043871 Type: STANDARD PARCEL Status: ACTIVE LR Status: LAND REGISTRATION	Owner: ROCKY COAST SEAFOODS LTD. Mailing Address: POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	Civic Address: HIGHWAY 1 COMEAUVILLE Area: 0.84 ACRE(S) County: DIGBY COUNTY	AAN: 00870137 Value: \$231,800 (2023 RESIDENTIAL TAXABLE)	Details Map
PID: 30043939 Type: STANDARD PARCEL Status: ACTIVE LR Status: LAND REGISTRATION	Owner: ROCKY COAST SEAFOODS LTD Mailing Address: POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	Civic Address: 735 HIGHWAY 1 COMEAUVILLE LOT 1 Area: 2.47 ACRE(S) County: DIGBY COUNTY	AAN: 00880604 Value: \$6,000 (2023 RESIDENTIAL TAXABLE) \$45,000 (2023 COMMERCIAL TAXABLE)	Details Map
PID: 30206874 Type: STANDARD PARCEL Status: ACTIVE LR Status: LAND REGISTRATION	Owner: ROCKY COAST SEAFOODS LTD Mailing Address: POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	Civic Address: 739 HIGHWAY 1 COMEAUVILLE Area: 17500.0 SQUARE FEET County: DIGBY COUNTY	AAN: 00880531 Value: \$138,300 (2023 COMMERCIAL TAXABLE)	Details Map
PID: 30274658 Type: STANDARD PARCEL Status: ACTIVE LR Status: LAND REGISTRATION	Owner: ROCKY COAST SEAFOODS LTD. Mailing Address: POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	Civic Address: NO 1 HIGHWAY CHURCH POINT Area: 8866.29 SQUARE FEET County: DIGBY COUNTY	AAN: 10517443 Value: \$600 (2023 RESOURCE TAXABLE)	Details Map

5 Properties found, displaying 1 to 5

Ownership and all information in this report pertaining to Non-Land Registration Parcels is believed to be an accurate reflection of registered documents affecting the lot, parcel or area of land to which it relates, however, it is not intended to be relied upon by the reader as advice on the current state of any title to land. A search of the records at the appropriate Registry of Deeds office may be required to determine the current owner(s) of the lot, parcel or area of land under consideration. THIS IS NOT AN OFFICIAL RECORD.

Land Registration View

* Indicates interests inherited on subdivision or re-configuration of parcel

PID	30034789	Parcel Type	STANDARD PARCEL	Status	ACTIVE
Area	19.13 ACRE(S)	Parcel Access	RIGHT OF WAY/DRIVEWAY	Manag. Unit	MU0606
Lot		Created	Oct 11, 2006 03:07:39PM		
PDCA Status	APPROVED	Municipal Unit	MUNICIPALITY OF THE DISTRICT OF CLARE	Manner of Tenure	NOT APPLICABLE
LR Status	LAND REGISTRATION	LR Date	Aug 28, 2006 01:31:56PM		

Location	County	Primary Location	Source
1431 HIGHWAY 1 CHURCH POINT	DIGBY COUNTY	Yes	Assigned by Municipality

Comments
MAP:0244320066100
MAP:1044300066100

Assessment Account	Value	Tax District	Tax Ward	Tax Sub
04575458	\$88,800 (2023 RESOURCE TAXABLE)	030	000	

[Back to Results](#) [Details View](#) [Parcel Archive View](#) [Map View](#)

Registered Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date	NS Non-Res?
ROCKY COAST SEAFOODS LTD.	FEE SIMPLE	POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	DEED	2019	115637606 View Form View Doc		Dec 16, 2019	No

Farm Loan Board - Occupants & Mailing Addresses

Name	Interest Holder Type	Mailing Address
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No Records Found

Benefits to the Registered Interests

Benefit Details	Interest Holder Type	Type	Year	Doc #	Book/Page/Plan	Registration Date
30034516	SERVIENT TENEMENT PID	DEED	1999	280 View Doc	Book 566 Page 163	Feb 16, 1999
30034755	SERVIENT TENEMENT PID	DEED	1999	280 View Doc	Book 566 Page 163	Feb 16, 1999
TOGETHER WITH AN EASEMENT / RIGHT OF WAY	EASEMENT / RIGHT OF WAY HOLDER (BENEFIT)	DEED	1999	280 View Doc	Book 566 Page 163	Feb 16, 1999

Burdens on the Registered Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
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No Records Found

Textual Qualifications on Title

Qualifications Text

Tenants in Common not registered pursuant to the Land Registration Act

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
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No Records Found

Recorded Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
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No Records Found

Parcel Description

All that certain lot, piece or parcel of land and premises situate, lying and being at Church Point, in the County of Digby and Province of Nova Scotia, and more particularly bounded and described as follows:

Northwesterly by St. Mary's Bay;
 Northeasterly by land formerly owned by the late Alphonse LeBlanc, at an iron post there set;
 Southeasterly by the Seraphin Lake, so-called, and
 Southwesterly by land formerly owned by the late Jean M. Doucet.

Including a right-of-way on both ends to have access to the above described lot.

The Grantors also convey and release to the Grantee, their heirs, successors and assigns, any and all proprietary and possessory interest they may have in a certain causeway leading from the Main Post Road and Lot #1 to Lot #2 above described, and crossing Lac a Seraphin or Lac a Isaac, so-called.

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Non-Enabling Documents

Inst Type	Inst No	Year	Type	Book/Page	Registration System	Registration Date
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No Non Enabling Documents Found

Non-Enabling Plans

Inst Type	Inst No	Year	Type	Plan Name	Drawer Number	Registration Date
	95307006					
Plan	View Plan	2010	RETRACEMENT PLAN	PLAN OF SURVEY OF CERTAIN LANDS LYING LANDWARD FROM THE MEAN HIGH WATER MARK OF CHURCH POINT BEACH DIGBY COUNTY, NOVA SCOTIA		Feb 12, 2010

AFR Bundles

Inst Type	Inst No	Year	Type	Filing Reference	Instrument Date
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No AFR Bundles Found

Parcel Relationships

Related PID	Type of Relationship
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No Related PIDs Found

[Back to Results](#) [Details View](#) [Parcel Archive View](#) [Map View](#)

This parcel IS REGISTERED PURSUANT TO THE *Land Registration Act*. The registered owner of the registered interest owns the interest defined in this register in respect of the parcel described in the register, subject to any discrepancy in the location, boundaries or extent of the parcel and subject to the overriding interests [*Land Registration Act* subsection 20(1)].

No representations whatsoever are made as to the validity or effect of recorded documents listed in this parcel register. The description of the parcel is not conclusive as to the location, boundaries or extent of the parcel [*Land Registration Act* subsection 21(1)].

[Boundary/Area Problem](#) [General Problem](#) [Municipal Tax Query](#)

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Compression: Off

Land Registration View

* Indicates Interests inherited on subdivision or re-configuration of parcel

PID	30274658	Parcel Type	STANDARD PARCEL	Status	ACTIVE
Area	8866.29 SQUARE FEET	Parcel Access	PUBLIC	Manag. Unit	MU0606
Lat		Created	Mar 21, 1996 12:00:00AM		
PCCA Status	APPROVED	Municipal Unit	MUNICIPALITY OF THE DISTRICT OF CLARE	Manner of Tenure	NOT APPLICABLE
LR Status	LAND REGISTRATION	LR Date	Aug 28, 2006 01:33:19PM		

Location	County	Primary Location	Source
NO 1 HIGHWAY CHURCH POINT	DIGBY COUNTY	Yes	Not Assigned by Municipality

Comments
 MAP:0244320066100

Assessment Account	Value	Tax District	Tax Ward	Tax Sub
10517443	\$600 (2023 RESOURCE TAXABLE)	030	000	

- [Back to Results](#)
- [Details View](#)
- [Parcel Archive View](#)
- [Map View](#)

Registered Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date	NS Non-Res?
ROCKY COAST SEAFOODS LTD.	FEE SIMPLE	POST OFFICE BOX 217 SAULNIERVILLE NS CA B0W 2Z0	DEED	2019	115637630 View Form View Doc		Dec 16, 2019	No

Farm Loan Board - Occupants & Mailing Addresses

Name	Interest Holder Type	Mailing Address
No Records Found		

Benefits to the Registered Interests

Benefit Details	Interest Holder Type	Type	Year	Doc #	Book/Page/Plan	Registration Date
No Records Found						

Burdens on the Registered Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
30034581	EASEMENT/ROW HOLDER (BURDEN) - DOMINANT PID	UNKNOWN	EASEMENT/RIGHT OF WAY	1998	685 View Doc	Book 556 Page 1057	Apr 24, 1998

Textual Qualifications on Title

Qualifications Text

Tenants in Common not registered pursuant to the Land Registration Act

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
No Records Found							

Recorded Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
No Records Found							

Parcel Description

All that certain lot, piece or parcel of land situate, lying and being at Church Point, in the County of Digby and Province of Nova Scotia, and being more particularly bounded and described as follows:

- Northwesterly by the Lac a Seraphin or Lac a Issac, so-called;
- Northeasterly by lands of Herman Gaudet and Louise Gaudet;
- Southeasterly by the Main Post Road, Route No. 1, and;
- Southwesterly by lands of Edmund LeBlanc.

The Southeastern boundary along the Main Post Road is 40 feet wide and the lot of land is 40 feet throughout from the Main Post Road to the Lake.

Subject to, however, a Right-of-Way Agreement between Toffee Trawling Limited and Rapure Acadienne Limited dated April 2, 1998 and recorded on April 24, 1998 as Document #685 in Book 556 at Page 1057, more particularly described as the Grantee, its successors and assigns, tenants and agents, shall be allowed to use the road crossing Lac a Isaie in order to gain access to its lands and septic sewer system. The parties agree that the right-of-way created herein allows the Grantee to use a portion of the road but not the portion that crosses the lake.

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Non-Enabling Documents

Inst Type	Inst No	Year	Type	Book/Page	Registration System	Registration Date
No Non Enabling Documents Found						

Non-Enabling Plans

Inst Type	Inst No	Year	Type	Plan Name	Drawer Number	Registration Date
No Non Enabling Plans Found						

AFR Bundles

Inst Type	Inst No	Year	Type	Filing Reference	Instrument Date
No AFR Bundles Found					

Parcel Relationships

Related PID	Type of Relationship
30034581	PARENT PARCEL NUMBER

[Back to Results](#)[Details View](#)[Parcel Archive View](#)[Map View](#)

This parcel IS REGISTERED PURSUANT TO THE *Land Registration Act*. The registered owner of the registered interest owns the interest defined in this register in respect of the parcel described in the register, subject to any discrepancy in the location, boundaries or extent of the parcel and subject to the overriding interests [*Land Registration Act* subsection 20(1)].

No representations whatsoever are made as to the validity or effect of recorded documents listed in this parcel register. The description of the parcel is not conclusive as to the location, boundaries or extent of the parcel [*Land Registration Act* subsection 21(1)].

[Boundary/Area Problem](#)[General Problem](#)[Municipal Tax Query](#)

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Compression: Off

TAB B

2023

Hfx No. 521470

This is Exhibit "B" to the affidavit of David Wedlake, sworn to before me at Halifax, Nova Scotia, this 17th day of July, 2023

A handwritten signature in blue ink, appearing to read "Sara Koff".

A Barrister of the Supreme Court of Nova Scotia

EXHIBIT "B"
CERTIFICATE REGARDING LAND REGISTRATION ACT

I **CERTIFY** that listed below are the particulars of all registered and recorded instruments shown on the parcel register attached to my accompanying affidavit as Exhibit "A", together with particulars of judgments registered in the Judgment Roll.

Signature

Signed at Halifax, Nova Scotia the 17th day of July, 2023.



David Wedlake
Stewart McKelvey
600-1741 Lower Water Street
Halifax, NS B3J 0J2

PARTICULARS – PID No. 30034789

Warranty Deed	3326403 Canada Inc.
Dated December 12, 2019	to
Registered December 16, 2019	Rocky Coast Seafoods Ltd.
Document No. 115637606	

Conveys the property to Rocky Coast Seafoods Ltd.

Easement / Right of Way Holder (Benefit)	Toffee Trawling Limited
Warranty Deed	to
Dated January 29, 1999	Fairway Fisheries Incorporated
Registered February 16, 1999	
Document No. 280	
Book 566 Page 163	

Conveys a neighbouring parcel, subject to a right-of-way in favour of the subject parcel.

PARTICULARS – PID No. 30274658

Warranty Deed	3326403 Canada Inc.
Dated December 12, 2019	to
Registered December 16, 2019	Rocky Coast Seafoods Ltd.
Document No. 115637630	

Conveys the property to Rocky Coast Seafoods Ltd.

Easement/ROW Holder (Burden)
Right of Way Agreement
Dated April 2, 1998
Registered April 24, 1998
Document No. 685
Book 556 Page 1057

Toffee Trawling Limited
and
Rapure Acadienne Limited

Right-of-way between in favour of Rapure Acadienne Limited, its successors and assigns, tenants and agents, to use the road crossing Lac a Isaie in order to gain access to its lands and septic sewer system.

TAB C

2023

Hfx No. 521470

This is Exhibit "C" to the affidavit of David Wedlake, sworn to before me at Halifax, Nova Scotia, this 17th day of July, 2023



A Barrister of the Supreme Court of Nova Scotia

SARA L. SCOTT
A Barrister of the Supreme
Court of Nova Scotia

THE MUNICIPALITY OF THE DISTRICT OF CLARE
1185 Highway 1
Little Brook, N.S. B0W 1M0

TAX CERTIFICATE

ISSUE DATE: 17 Jul 2023

PROPERTY #: 10517443

Certificate No: 678

LEGAL DESCRIPTION:

Owner: ROCKY002

Name: ROCKY COAST SEAFOODS LTD

Addr.:

LAND

PO BOX 217
SAULNIERVILLE NS B0W 2Z0

BILLING AMOUNT \$ 6.90

Taxes paid up to March 31, 2024

Assessment Codes and Values

Taxable

Resource	\$	600.00
Fire Protection		0.00
Fire Truck Purchase		0.00

Year	Principal	Interest	Total
2023/2024	6.90	0.00	6.90
2022/2023	0.00	0.00	0.00
Prior	0.00	0.00	0.00

TOTAL: 6.90

This Certificate certifies that the information hereon contained is a true record of all outstanding taxes and other charges against the hereon described property as of the issue date.

The total due includes interest to July 17, 2023


AUTHORIZED SIGNATURE

PLEASE NOTE AMOUNT DUE: 6.90

THE MUNICIPALITY OF THE DISTRICT OF CLARE
1185 Highway 1
Little Brook, N.S. B0W 1M0

TAX CERTIFICATE

ISSUE DATE: 17 Jul 2023

PROPERTY #: 04575458

Certificate No: 679

LEGAL DESCRIPTION:

Owner: ROCKY002

Name: ROCKY COAST SEAFOODS LTD

Addr.:

LAND

PO BOX 217
SAULNIERVILLE NS B0W 2Z0

BILLING AMOUNT \$ 1,021.20

Taxes paid up to March 31, 2024

Assessment Codes and Values

Taxable

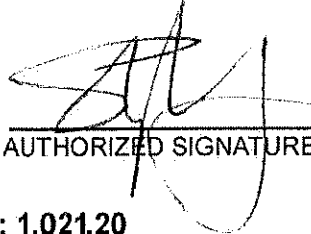
Resource	\$ 88,800.00
Fire Protection	0.00
Fire Truck Purchase	0.00

Year	Principal	Interest	Total
2023/2024	1,021.20	0.00	1,021.20
2022/2023	0.00	0.00	0.00
Prior	0.00	0.00	0.00

TOTAL: 1,021.20

This Certificate certifies that the information hereon contained is a true record of all outstanding taxes and other charges against the hereon described property as of the issue date.

The total due includes interest to July 17, 2023



AUTHORIZED SIGNATURE

PLEASE NOTE AMOUNT DUE: 1,021.20