Form 49 [Rule 13.19]

CLERK OF THE COURT

FILED

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Clerk's Stamp

COURT FILE NUMBER

1501-00955

COURT

COURT OF QUEEN'S BENCH

OF ALBERTA

IN BANKRUPTCY AND INSOLVENC

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE COMPANIE

ARRANGEMENT ACT,

R.S.C. 1985, c. C-36, as amended

APPLICANTS

LUTHERAN CHURCH - CANADA, THE ALBERTA -

BRITISH COLUMBIA DISTRICT, ENCHARIS

COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.

DOCUMENT

AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS

DOCUMENT

Bishop & McKenzie LLP Barristers & Solicitors 1700, 530 - 8th Avenue SW Calgary, Alberta T2P 3S8

Attention: Francis N. J. Taman /Ksena J. Court

Telephone: 403-237-5550

Fax: 403-243-3623

File No.: 103,007-003

AFFIDAVIT OF KURTIS ROBINSON Sworn on September 4, 2015

I, KURTIS ROBINSON, of Lake Country, British Columbia, SWEAR AND SAY THAT:

1. I am an Officer of the Applicants and I am authorized by all of the Applicants to depose this Affidavit and do so on their behalf. I have personal knowledge of the matters hereinafter deposed, except where stated to be based on information and belief, and where so stated, I verily believe them to be true. All capitalized terms used in this Affidavit shall have the meaning ascribed to them in the prior Affidavits sworn by myself and filed in these proceedings unless otherwise indicated in this Affidavit.

RELIEF REQUESTED

- 3. I make this Affidavit in support of the Application for the following relief:
 - (a) an Order vacating the Approval and Vesting Order (Revelstoke Property) granted on August 28, 2015 and approving the sale of the following lands:

LOT 1 SECTION 23 TOWNSHIP 23 RANGE 2 WEST OF THE 6^{TH} MERIDIAN KOOTENAY DISTRICT PLAN 16318

(the "Revelstoke Property");

- (b) an Order sealing the Confidential Affidavit of Kurtis Robinson sworn September 4, 2015;
- (c) such further and other relief as this Honourable Court may allow.

REVELSTOKE PROPERTY

- 4. The District is the owner of the Revelstoke Property.
- On August 28, 2015, the Court granted an Approval and Vesting Order (Revelstoke Property) approving the sale of the Revelstoke Property to a purchaser. A copy of the purchase and sale agreement was attached to the Third Confidential Affidavit, which was sealed by Order of the Court granted on August 28, 2015. The purchaser's condition waiver date in that purchase and sale agreement was extended by agreement. The purchaser did not waive its conditions, and on September 1, 2015 the listing realtor advised that the purchaser would not be completing the purchase.
- 6. The District has entered into a new purchase and sale agreement respecting the Revelstoke Property. A copy of the new purchase and sale agreement respecting the Revelstoke Property will be provided in a Confidential Affidavit and made available only to the Monitor and the Honourable Justice hearing the application. It is requested that this Affidavit be sealed and that the terms of the sale not be disclosed without further Order of this Court. The Applicants make this request so that the District is not

prejudiced by the sale price being disclosed in a public document in the event that the sale does not close.

- 7. The Revelstoke Property was listed for sale on December 8, 2014. The list price was based upon the recommendation of the listing realtor. Further particulars of the listing are provided in the Confidential Affidavit as mentioned above.
- 8. The District requests that the Court approve the above purchase and sale agreement.
- 9. The listing agreement for the Revelstoke Property was entered into on or about November 19, 2014. The District is requesting that the Court confirm that the listing realtor for the Revelstoke Property will be paid his commissions from the net sale proceeds in accordance with the listing agreement that was entered into by the District.
- 10. The Monitor and CRO are aware of the particulars of the above purchase and sale agreement.
- 11. It is proposed that the net sale proceeds from the sale of the Revelstoke Property would be held by the Applicants' legal counsel, Bishop & McKenzie LLP in its trust account, and would be taken into consideration in the District Plan being developed.

binson

12. I make this Affidavit in support of an Application for the relief described above.

SWORN BEFORE ME at Kelowna, British Columbia, this 4th day of September, 2015.

Commissioner for Oaths in and for British

Golumbia

CHELSEA KRAMER
A Notary Public in and for
The Province of British Columbia
#101 5145 26th Street
Vernon, BC V1T 8G4

PERMANENT COMMISSION