

2021

Hfx No. 503367

Supreme Court of Nova Scotia

Between:

Canadian Imperial Bank of Commerce, a
chartered bank

Plaintiff

- and -

3304051 Nova Scotia Limited, a body corporate


Defendant

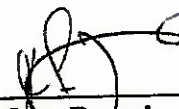
Affidavit of Marc Dunning

I, Marc Dunning, of Halifax, Nova Scotia make oath and say as follows:

1. I am solicitor for Deloitte Restructuring Inc. (the "Receiver"), in its capacity as Court-appointed receiver of all of the assets, undertakings and properties of the Defendant, 3304051 Nova Scotia Limited (the "Company"), and as such have personal knowledge of the matters herein deposed to except where stated to be based on information and belief.
2. Attached as Exhibit "A" is a true copy of the parcel register for 230 Lucasville Road, Middle Sackville, Nova Scotia, PID 40014862 (the "Property"), which contains a list of all recorded and registered instruments affecting the Property as of April 13, 2021.
3. Attached as Exhibit "B" is my Certificate dated April 13, 2021, containing the particulars of all instruments shown on Exhibit "A".
4. Attached as Exhibit "C" is a printout showing all registrations under the Personal Property Security Act (Nova Scotia) with respect to the Company as of April 13, 2021.

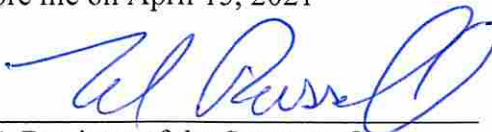
SWORN TO at Halifax, Province of)
Nova Scotia, this 15th day of April, 2021,)
before me:)


A Barrister of the Supreme Court of)
Nova Scotia)


Marc Dunning

WILLIAM D. RUSSELL
A Barrister of the Supreme
Court of Nova Scotia

This is Exhibit "A" referred to in the
Affidavit of Marc Dunning sworn
before me on April 15, 2021



A Barrister of the Supreme Court
of Nova Scotia

WILLIAM D. RUSSELL
A Barrister of the Supreme
Court of Nova Scotia

Land Registration View

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

PID	40014862	Parcel Type	STANDARD PARCEL	Status	ACTIVE
Area	16.9 ACRE(S)	Parcel Access	PUBLIC	Manag. Unit	MU0821
Lot		Created	May 23, 1978 12:00:00AM		
PDCA Status	APPROVED	Municipal Unit	HALIFAX REGIONAL MUNICIPALITY	Manner of Tenure	NOT APPLICABLE
LR Status	LAND REGISTRATION	LR Date	Sep 23, 2013 11:03:45AM		

Location	County	Primary Location	Source
230 LUCASVILLE ROAD MIDDLE SACKVILLE	HALIFAX COUNTY	Yes	Assigned by Municipality

Comments

Assessment Account	Value	Tax District	Tax Ward	Tax Sub
01968084	\$927,600 (2021 COMMERCIAL TAXABLE)	140	000	

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[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?
3304051 NOVA SCOTIA LIMITED	FEE SIMPLE	1969 UPPER WATER STREET HALIFAX NS CA B3J 3R7	DEED	2017	110562643 View Doc		Apr 05, 2017	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
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No Records Found

Burdens on the Registered Interests

Interest Holder (Qualifier)	Interest Holder Type	Mailing Address	Type	Year	Doc #	Book/Page/Plan	Registration Date
NOVA SCOTIA POWER INC.	EASEMENT / RIGHT OF WAY HOLDER (BURDEN)	1223 LOWER WATER STREET UNIT B FLOOR 6 POST OFFICE BOX 910 HALIFAX NS CA B3J 2W5	EASEMENT/RIGHT OF WAY	2007	89433289 View Doc		Nov 30, 2007
BRAGG COMMUNICATIONS INCORPORATED	EASEMENT / RIGHT OF WAY HOLDER (BURDEN)	4881 MAIND STREET OXFORD NS CA B0M 1P0	EASEMENT/RIGHT OF WAY	2012	100707471 View Form View Doc		May 18, 2012
40663114	EASEMENT/ROW HOLDER (BURDEN) - DOMINANT PID	UNKNOWN	EASEMENT/RIGHT OF WAY	1993	44156 View Doc	Book 5482 Page 802	Oct 22, 1993
NOVA SCOTIA POWER INC.	EASEMENT / RIGHT OF WAY HOLDER (BURDEN)	1223 LOWER WATER STREET UNIT B FLOOR 6 POST OFFICE BOX 910 HALIFAX NS CA B3J 2W5	EASEMENT/RIGHT OF WAY	2012	102019198 View Form View Doc		Nov 26, 2012
NOVA SCOTIA POWER INC.	EASEMENT / RIGHT OF WAY HOLDER (BURDEN)	POST OFFICE BOX 910 HALIFAX NS CA B3J 2W5	EASEMENT/RIGHT OF WAY	2014	105106737 View Doc		May 23, 2014

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
CANADIAN IMPERIAL BANK OF	MORTGAGEE	POST OFFICE BOX 115 COMMERCE	MORTGAGE	2017	110562692		Apr 05, 2017

Inst Type	Inst No	Year	Type	Filing Reference	Registration System	Registration Date
COMMERCE				COURT TORONTO ON CA M5L 1E5	View Doc	
DELOITTE RESTRUCTURING INC.	TRUSTEE	2021	ORDER (NON-TRANSFERRING /NOT JUDGMENT)	PURDY'S WHARF TOWER II 1969 UPPER WATER STREET SUITE 1500 HALIFAX NS CA B3J 3R7	117910936 View Form View Doc	Jan 29, 2021
MARITIME PRESSUREWORKS LIMITED	CLAIMANT / PLAINTIFF	2021	CERTIFICATE OF LIS PENDENS	41 ESTATES ROAD DARTMOUTH NS CA B2Y 4K3	118024349 View Form View Doc	Feb 17, 2021
MARITIME PRESSUREWORKS LIMITED	CLAIMANT / PLAINTIFF	2021	BUILDERS' / MECHANICS' LIEN	41 ESTATES ROAD DARTMOUTH NS CA B2Y 4K3	117816505 View Form View Doc	Jan 15, 2021
DELOITTE RESTRUCTURING INC.	TRUSTEE	2021	ORDER (NON-TRANSFERRING /NOT JUDGMENT)	PURDY'S WHARF TOWER II 1969 UPPER WATER STREET SUITE 1500 115 HALIFAX NS CA B3J 3R7	118035311 View Form View Doc	Feb 19, 2021

Parcel Description
PID 40014862

ALL that certain lot, piece or parcel of land situate, lying and being at Middle Sackville, in the County of Halifax and Province of Nova Scotia more particularly bounded and described as follows:

BORDERED on the north by Highway 101;

BORDERED on the west by the Lucasville Road;

BORDERED on the south by the Sackville River; and

BORDERED on the east by lands now or formerly owned or occupied by Armco Capital Inc. (PID 40807380), and which Armco Capital Inc. lands are shown on and identified as "Parcel E-2" on a survey plan filed at the Registry of Deeds for the County of Halifax on January 31, 2005 as Plan No. 81289606.

SAVING AND EXCEPTING from the foregoing described lands that lot of land conveyed by and described in a deed from Hefler Forest Products Limited to Her Majesty the Queen (Canada) dated June 28, 1993 and recorded at the Registry of Deeds for the County of Halifax on October 22, 1993 in book 5482 at page 799, Document No. 44155.

SUBJECT TO an easement/right-of-way in favor of Her Majesty the Queen (Canada) described in book 5482 at page 802.

AND FURTHER SUBJECT HOWEVER TO a utility interest in favor of Nova Scotia Power Inc. described in 2007 Document No. 89433289.

AND FURTHER SUBJECT HOWEVER TO an easement/right-of-way in favor of Bragg Communications Incorporated described in 2012 Document No. 100707471.

AND FURTHER SUBJECT HOWEVER TO a utility interest in favor of Nova Scotia Power Inc. described in 2012 Document No. 10201998.

AND FURTHER SUBJECT HOWEVER to a utility easement in favour of Nova Scotia Power Inc. more particularly described in the Grant of Easement recorded at the Halifax County Land Registration Office as Document No. 105106737.

*** Municipal Government Act, Part IX Compliance ***

Exemption:

The parcel is exempted from subdivision approval under the Municipal Government Act because the parcel was created by a subdivision
Reason for exemption:

Section 268A that is a Deemed Consolidation - (De Facto Consolidation).

Non-Enabling Documents

Inst Type	Inst No	Year	Type	Book/Page	Registration System	Registration Date
Document	103752912 View Form View Doc	2013	DEFACTO CONSOLIDATION		REGISTRY OF DEEDS	Sep 11, 2013

Non-Enabling Plans

Inst Type	Inst No	Year	Type	Plan Name	Drawer Number	Registration Date
Plan	110274330 View Plan	2017	RETRACEMENT PLAN	PLAN OF SURVEY OF PID 40014862 (CIVIC 230) LANDS OF HEFLER FOREST PRODUCTS LTD		Jan 31, 2017

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
00633198	CONSOLIDATED - RELATED TO
40014797	CONSOLIDATED - RELATED TO

[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](#)

Property Online version 2.0

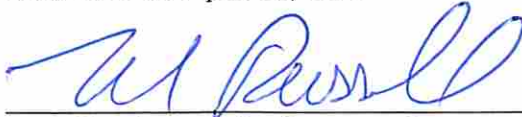
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If you have comments regarding our site please direct them to: propertyonline@gov.ns.ca

Please feel free to [Submit Problems](#) you find with the Property Online web site.

Compression: Off

This is Exhibit "B" referred to in the
Affidavit of Marc Dunning sworn
before me on April 15, 2021



A Barrister of the Supreme Court
of Nova Scotia

WILLIAM D. RUSSELL
A Barrister of the Supreme
Court of Nova Scotia

Land Registration Act Certificate – PID 40014862

I certify that listed below are the particulars of all recorded or registered instruments shown on the parcel register for 230 Lucasville Road, Middle Sackville, Nova Scotia, PID 40014862.

Dated April 13, 2021




Marc Dunning

Particulars - PID 40014862

Warranty Deed Dated: March 29, 2017 Recorded: April 5, 2017 Document # 110562643	Hefler Forest Products Limited and 3304051 Nova Scotia Limited
Easement Dated: June 28, 1993 Recorded: October 22, 1993 Document # 44156	Hefler Forest Products Limited and Her Majesty The Queen In Right of Canada
Easement Dated: November 20, 2007 Recorded: November 30, 2007 Document # 89433289	Hefler Forest Products Limited and Nova Scotia Power Inc.
Easement Dated: January 10, 2011 Recorded: May 18, 2012 Document # 100707471	Bragg Communications Incorporated and Hefler Forest Products Limited
Easement Dated: November 19, 2012 Recorded: November 26, 2012 Document # 102019198	Hefler Forest Products Inc. and Nova Scotia Power Inc.
Easement Dated: May 23, 2014 Recorded: May 23, 2014 Document # 105106737	Hefler Forest Products Ltd. and Nova Scotia Power Inc.
Mortgage Dated: March 30, 2017 Recorded: April 5, 2017 Document # 110562692 \$9,000,000	3304051 Nova Scotia Limited and Canadian Imperial Bank of Commerce

<p>Builders' Lien Dated: January 15, 2021 Recorded: January 15, 2021 Document # 117816505</p>	<p>Maritime Pressureworks Limited and 3304051 Nova Scotia Limited</p>
<p>Order Dated: January 22, 2021 Recorded: January 29, 2021 Document # 117910936 Appointing Deloitte Restructuring Inc. as Interlocutory Receiver</p>	<p>Canadian Imperial Bank of Commerce and 3304051 Nova Scotia Limited</p>
<p>Order Dated: February 11, 2021 Recorded: February 19, 2021 Document # 118035311 Appointing Deloitte Restructuring Inc. as Receiver</p>	<p>Canadian Imperial Bank of Commerce and 3304051 Nova Scotia Limited</p>
<p>Certificate of lis pendens Dated: February 17, 2021 Recorded: February 17, 2021 Document # 118024349</p>	<p>Maritime Pressureworks Limited and 3304051 Nova Scotia Limited</p>

This is Exhibit "C" referred to in the
Affidavit of Marc Dunning sworn
before me on April 15, 2021



A Barrister of the Supreme Court
of Nova Scotia

WILLIAM D. RUSSELL
A Barrister of the Supreme
Court of Nova Scotia

This report lists registrations in the Personal Property Registry that match the following search criteria:

Province or Territory Searched: Nova Scotia
Type of Search: Debtors (Enterprise)
Search Criteria: 3304051 Nova Scotia Limited
Date and Time of Search (YYYY-MM-DD hh:mm): 2021-04-13 09:13 (Atlantic)
Transaction Number: 21593775
Searched By: M192411

The following table lists records that match the Debtors (Enterprise) you specified.

Exact	Included	Original Registration Number	Enterprise Name	Place
*	*	27388917	3304051 NOVA SCOTIA LIMITED	DARTMOUTH
*	*	27388917	3304051 NOVA SCOTIA LIMITED	MIDDLE SACKVILLE
*	*	27623495	3304051 NOVA SCOTIA LIMITED	MIDDLE SACKVILLE
*	*	33978271	3304051 Nova Scotia Limited	Halifax
*	*	34058537	3304051 Nova Scotia Limited	Halifax

An "*" in the 'Exact' column indicates that the Debtor (Enterprise) exactly matches the search criteria.

Included Column Legend

- An asterisk (*) in the 'Included' column indicates that the registration's details are included within the Search Result Report.

Registration Counts

- 5 registration(s) contained information that **exactly** matched the search criteria you specified.
- 0 registration(s) contained information that **closely** matched the search criteria you specified.

When reviewing the registrations below, note that a registration which has expired or been discharged within the last 30 days can still be re-registered by the secured party.

All registration date/time values are stated in Atlantic Time.

For more information concerning the Personal Property Registry, go to www.acol.ca

Registration Details for Registration Number: 27388917

Province or Territory: Nova Scotia
Registration Type: PPSA Financing Statement

Registration History

Registration Activity	Registration Number	Date/Time (Atlantic) (YYYY-MM-DD hh:mm)	Expiry Date (YYYY-MM-DD)	File Number
Original	27388917	2017-03-29 14:14	2022-03-29	10000108.00671
Amendment	34041418	2021-02-16 09:34	2022-03-29	1079607
Amendment	34048850	2021-02-17 14:02	2022-03-29	1079607

As listed in the Registration History section above, this registration has been the subject of an Amendment or Global Change to add or delete information. The following registration details provide the registration number for the Amendment that added or deleted information. If no "added by" or "deleted by" registration number is

provided, the information was added by the original registration and has not been deleted.

Debtors

Type: Enterprise
3304051 NOVA SCOTIA LIMITED
4 MACDONALD AVENUE
DARTMOUTH NS B3B 1C5
Canada

Type: Enterprise
3304051 NOVA SCOTIA LIMITED
230 LUCASVILLE ROAD
MIDDLE SACKVILLE NS B4B 1S1
Canada

Secured Parties

Type: Enterprise
CANADIAN IMPERIAL BANK OF COMMERCE
595 BAY STREET, 5TH FLOOR
TORONTO ON M5G 2C2
Canada

General Collateral

ALL PRESENT AND AFTER-ACQUIRED PERSONAL PROPERTY OF THE DEBTOR.

Serial Numbered Collateral

Serial Number	Collateral Type	Description	Added By	Deleted By
154776	Motor Vehicle	2001 MANITOU FORKLIFT M 50-4	27388917	
405FG2519250	Motor Vehicle	1996 TOYOTA 425 FORKLIFT T25	27388917	
0664871	Motor Vehicle	1999 JCB 940 FORKLIFT 940	27388917	34041418
4028909832	Motor Vehicle	1999SELICK FORKLIFT SD-80	27388917	
6212508S824	Motor Vehicle	2005 SELICK S80	27388917	
LD0110180	Motor Vehicle	2004 HYUNDAI LOADER 757-7	27388917	
793724	Motor Vehicle	1988 TIMBERJ. PORTER W/SERCO 125 GR. 230	27388917	
1C6RR7GT5ES141624	Motor Vehicle	2014 DODGE TRUCK RAM	27388917	
2GCEK19C681256856	Motor Vehicle	2008 CHEV SERV. TRUCK SILVERADO	27388917	
1HTZVADT2JH586337	Motor Vehicle	1988 INTERNATIONAL S-SERIES	27388917	
1HTTGAETOXJ002002	Motor Vehicle	1999 INTERNATIONAL 5000	27388917	
1FTWW33F8YED90242	Motor Vehicle	2000 FORD TRUCK W FISH. PLOW F350	27388917	
1M2AA18Y7XW094253	Motor Vehicle	199 MACK W/	27388917	
2TCD262B6HA477601	Motor Vehicle	1987 TRAILMOBILE DUMP TRAILER	27388917	
2P932S5G81T017058	Motor Vehicle	PUP TRAILER APLW24-3A-TAL	27388917	
0664871	Motor Vehicle	1999 JCB 940 FORKLIFT 940	34041418	
0664871	Motor Vehicle	1999 JCB 940 FORKLIFT 940	34048850	

Registration Details for Registration Number: 27623495

Province or Territory: Nova Scotia
 Registration Type: PPSA Financing Statement

Registration History

Registration Activity	Registration Number	Date/Time (Atlantic) (YYYY-MM-DD hh:mm)	Expiry Date (YYYY-MM-DD)	File Number
Original	27623495	2017-05-15 15:56	2022-05-15	688649

This registration has **not** been the subject of an Amendment or Global Change. The following registration information was added by the original registration and has not been deleted.

Debtors

Type: Enterprise
 3304051 NOVA SCOTIA LIMITED
 230 LUCASVILLE ROAD
 MIDDLE SACKVILLE NS B4B1S1
 CANADA

Secured Parties

Type: Enterprise
 VFS CANADA INC.
 238 WELLINGTON ST. E. 3RD FLR.
 AURORA ON L4G 1J5
 CANADA

General Collateral

2016 VOLVO L90H S/N VCE0L90HK0S623304 C/W CRAIG 7YD HIGHTIP BUCKET SN T17040168 LOADRITE L2180 SYSTEM, ENGINE SN 11811450 //
 THE GOODS DESCRIBED ABOVE TOGETHER WITH (1) ALL PRESENT AND AFTER-ACQUIRED PARTS, ACCESSIONS, ATTACHMENTS AND REPLACEMENTS THERETO; AND (2) ALL GOODS, SECURITIES, INSTRUMENTS, DOCUMENTS OF TITLE, CHATTEL PAPER, INTANGIBLES, OR MONEY NOW OR HEREAFTER FORMING PROCEEDS OF THE COLLATERAL DESCRIBED ABOVE.

Serial Numbered Collateral

Serial Number	Collateral Type	Description	Added By	Deleted By
VCE0L90HK0S623304	Motor Vehicle	2016 VOLVO L90H	27623495	

Registration Details for Registration Number: 33978271

Province or Territory: Nova Scotia
 Registration Type: Notice of Appointment of Receiver

Registration History

Registration Activity	Registration Number	Date/Time (Atlantic) (YYYY-MM-DD hh:mm)	Expiry Date (YYYY-MM-DD)	File Number
Original	33978271	2021-01-29 15:08	2024-01-29	59321MD
Amendment	34058479	2021-02-19 12:13	2024-01-29	59321MD

As listed in the Registration History section above, this registration has been the subject of an Amendment or Global Change to add or delete information. The following registration details provide the registration number for the Amendment that added or deleted information. If no "added by" or "deleted by" registration number is provided, the information was added by the original registration and has not been deleted.

Court Information

Registration Number			Court File Number	Court

Debtors

The Debtor below was deleted by registration number 34058479

Type: Enterprise
~~3304051 Nova Scotia Limited~~
~~none available, none available~~
~~None available~~
~~1300 - 1969 Upper Water Street~~
~~Halifax NS B3J 3R7~~
~~Canada~~

The Debtor below was added by registration number 34058479

Type: Enterprise
3304051 Nova Scotia Limited
1300 - 1969 Upper Water Street
Halifax NS B3J 3R7
Canada

Receivers

Type: Enterprise
Deloitte Restructuring Inc.
Foran, James
Senior Vice President
Purdy's Wharf Tower II
1500 - 1969 Upper Water Street
Halifax NS B3J 3R7
Canada
Phone #: 902-721-5661
Fax #: 902-423-5820

General Collateral

All of the debtor's present and after-acquired personal property.

Added by registration number 34058479

All of the debtor's present and after-acquired personal property other than a 2016 Volvo L90H held under security

by VFS Canada Inc.

Additional Information

The Receiver appointed pursuant to an Interlocutory Receivership Order issued by the Supreme Court of Nova Scotia in Hfx No. 503367.

Registration Details for Registration Number: 34058537

Province or Territory: Nova Scotia

Registration Type: Notice of Appointment of Receiver

Registration History

Registration Activity	Registration Number	Date/Time (Atlantic) (YYYY-MM-DD hh:mm)	Expiry Date (YYYY-MM-DD)	File Number
Original	34058537	2021-02-19 12:22	2024-02-19	67840 MD

This registration has **not** been the subject of an Amendment or Global Change. The following registration information was added by the original registration and has not been deleted.

Court Information

Registration Number			Court File Number	Court

Debtors

Type: Enterprise
 3304051 Nova Scotia Limited
 1300-1969 Upper Water Street
 Halifax NS B3J 3R7
 Canada

Receivers

Type: Enterprise
 Deloitte Restructuring Inc.
 Foran, James
 Senior Vice President
 Purdy's Wharf Tower II
 1969 Upper Water Street, Suite 1500
 Halifax NS B3J 3R7
 Canada
 Phone #: 902-721-5661
 Fax #: 902-423-5820

General Collateral

All of the debtor's present and after-acquired personal property.

Additional Information

The Receiver was appointed pursuant to a Receivership Order issued by the Supreme Court of Nova Scotia in Hfx No. 503367

END OF REPORT