

I hereby certify this to be a true copy of the original Order

Dated this 25 day of June 2013

[Signature]
for Clerk of the Court
Clerk's Stamp

COURT FILE NUMBER

1001-07852



COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT R.S.C 1985, Chapter C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF MEDICAN HOLDINGS LTD., MEDICAN DEVELOPMENTS INC., R7 INVESTMENTS LTD., MEDICAN CONSTRUCTION LTD., MEDICAN CONCRETE INC., 1090772 ALBERTA LTD., 1144233 ALBERTA LTD., 1344241 ALBERTA LTD., 9150-3755 QUEBEC INC., AXCESS (GRANDE PRAIRIE) DEVELOPMENTS LTD., HOMES BY KINGSLAND LTD., LAKE COUNTRY (SITARA) DEVELOPMENTS LTD., MEDICAN (EDMONTON TERWILLEGAR) DEVELOPMENTS LTD., MEDICAN (GRANDE PRAIRIE) HOLDINGS LTD., MEDICAN (KELOWNA MOVE) DEVELOPMENTS LTD., MEDICAN (LETHBRIDGE-FIARMONT PARK) DEVELOPMENTS LTD., MEDICAN (RED-DEER MICHENER HILL) DEVELOPMENTS LTD., MEDICAN (SYLVAN LAKE DEVELOPMENTS LTD., MEDICAN (WESTBANK) DEVELOPMENT LTD., MEDICAN(WESTBANK) LAND LTD., MEDICAN CONCRETE FORMING LTD., MEDICAN DEVELOPMENTS (MEDICINE HAT SOUTHWEST) INC., MEDICAN ENTERPRISES INC./LES ENTREPRISES MEDICAN INC., MEDICAN EQUIPMENT LTD., MEDICAN FRAMING LTD., MEDICAN GENERAL CONTRACTORS LTD., MEDICAN GENERAL CONTRACTORS 2010 LTD., RIVERSTONE (MEDICINE HAT) DEVELOPMENTS LTD., SANDERSON OF FISH CREEK (CALGARY) DEVELOPMENTS LTD., SIERRAS OF EAUX CLAIRES (EDMONTON) DEVELOPMENTS LTD., SONATA RIDGE (KELOWNA) DEVELOPMENTS LTD., SYLVAN LAKE MARINA DEVELOPMENTS LTD., THE ESTATES OF VALLEYDALE DEVELOPMENTS LTD., THE LEGEND (WINNIPEG) DEVELOPMENTS LTD., AND WATERCREST (SYLVAN LAKE) DEVELOPMENTS LTD.

APPLICANT(S) CITY OF BROOKS
 RESPONDENT(S) HOMES BY KINGSLAND LTD. and ERNST & YOUNG INC.
 DOCUMENT CONSENT ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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 c/o Shantz Law Office
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 Brooks, Alberta T1R 1C7
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DATE ON WHICH ORDER WAS PRONOUNCED: June 19th, 2013
 NAME OF JUSTICE WHO MADE THIS ORDER: K. M. HORNER
 LOCATION OF HEARING: Calgary, Alberta

UPON THE APPLICATION of the Applicant; AND UPON having read the Affidavit of Alan Martens, filed; AND Upon having heard submissions from Counsel for the Applicant; AND UPON having noted the Consent of Counsel for the Respondent Homes by Kingsland Ltd; AND having noted the Consent of Counsel for the Respondent Ernst & Young Inc.;

IT IS HEREBY ORDERED THAT:

1. The contempt application brought by the Applicant against the Respondent Ernst and Young Inc. shall be withdrawn;
2. The stay of enforcement proceedings granted pursuant to Paragraph 14 and 15 of the Initial Order of May 26th, 2010 shall be lifted in favour of the Applicant, the City of Brooks against the following properties owned by the Respondent Homes by Kingsland Ltd. and legally described as:
 - a. Plan 0511404
 Block 8
 Lot 13
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 - b. Plan 0511404
 Block 8
 Lot 14
 EXCEPTING THEREOUT ALL MINES AND MINERALS

- c. Plan 0511404
Block 8
Lot 15
EXCEPTING THEREOUT ALL MINES AND MINERALS
- d. Plan 0511404
Block 8
Lot 16
EXCEPTING THEREOUT ALL MINES AND MINERALS
- e. Plan 0511404
Block 8
Lot 17
EXCEPTING THEREOUT ALL MINES AND MINERALS
- f. Plan 0511404
Block 8
Lot 18
EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter collectively the "Lands")

- 7. The Applicant shall have leave to commence and/or continue proceedings to recover all property taxes and property tax arrears owing to the Applicant by the Respondent Homes by Kingsland Ltd. for the Lands in the method set out by Part 10, Division 8 of the *Municipal Government Act* RSA 2000 c-26;
- 8. Pursuant to s553(1)(f) of the *Municipal Government Act* RSA 2000 c-26, the Applicant shall be entitled to add its costs for the recovery of the tax arrears outstanding against the Lands to the tax rolls for the Lands;
- 9. Counsel for the parties may approve the form and content of this Order by facsimile signature and in counterpart.


 Justice of the Court of Queen's Bench of
 Alberta

Approved as to form and content by:

Dentons Canada LLP
Counsel for Homes by Kingsland Ltd.

Norton Rose Canada LLP
Counsel for Ernst and Young Inc.

Per: 
 Derek Pontin

Per: _____
 Aaron Stephenson

- c. Plan 0511404
Block 8
Lot 15
EXCEPTING THEREOUT ALL MINES AND MINERALS
- d. Plan 0511404
Block 8
Lot 16
EXCEPTING THEREOUT ALL MINES AND MINERALS
- e. Plan 0511404
Block 8
Lot 17
EXCEPTING THEREOUT ALL MINES AND MINERALS
- f. Plan 0511404
Block 8
Lot 18
EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter collectively the "Lands")

- 7. The Applicant shall have leave to commence and/or continue proceedings to recover all property taxes and property tax arrears owing to the Applicant by the Respondent Homes by Kingsland Ltd. for the Lands in the method set out by Part 10, Division 8 of the *Municipal Government Act* RSA 2000 c-26;
- 8. Pursuant to s553(1)(f) of the *Municipal Government Act* RSA 2000 c-26, the Applicant shall be entitled to add its costs for the recovery of the tax arrears outstanding against the Lands to the tax rolls for the Lands;
- 9. Counsel for the parties may approve the form and content of this Order by facsimile signature and in counterpart.

Justice of the Court of Queen's Bench of Alberta

Approved as to form and content by:
Dentons Canada LLP
Counsel for Homes by Kingsland Ltd.

Fulbright
Norton Rose Canada LLP
Counsel for Ernst and Young Inc.

Per: _____
Derek Pontin

Per:  _____
Aaron Stephenson