

Date, heure, minute de certification : **2014-10-03 11:40**

**Critère de recherche** Nom d'organisme : Mines Aurbec

**Critère de sélection** Nom d'organisme : AURBEC MINES INC Code Postal : J9P6X1

## Détail de l'inscription

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INSCRIPTION	DATE-HEURE-MINUTE	DATE EXTRÊME D'EFFET
14-0240926-0001	2014-03-27 09:00	2024-03-26

HYPOTHÈQUE CONVENTIONNELLE SANS DÉPOSSESSION

### PARTIES

#### Titulaire

FBC Holdings S.à r.l.  
46A, Avenue J.F. Kennedy, L-1855, Luxembourg

#### Constituant

MINES AURBEC INC. / AURBEC MINES INC.  
1495, 4th Street, in the City of Val-d'Or, Province of Québec J9P 6X1

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AURBEC MINES INC.  
1495, 4th Street, in the City of Val-d'Or, Province of Québec J9P 6X1

### BIENS

1. The following property, present and future (collectively, the "Charged Property"):

(a) Aurbec Additional Property:

(i) All the mining leases and immovable property described in Schedule A below; and the universality of all mining leases and any other mining right or title, deed, right to mineral substances, immovable property, surface rights or right to carry out work on land for the purposes of exploration, appraisal, development and extraction of mineral substances now or in the future resulting from the addition to, or the renewal, conversion, replacement or any other transformation of, the mining rights and immovable property described in Schedule A below or of any other leases, titles, deeds or rights of the nature or kind referred to above, and any and all workings, buildings, constructions or other immovables presently or in the future found thereon or therein or related thereto including those specified in Schedule A below (all the foregoing property collectively, the "Aurbec Additional Property");

(ii) The universality of all land surface rights, servitudes, lease

rights, permits, rights of way, rights of access, certificates and any other consent, approval or authorization now or in the future held or obtained by or for the benefit of the Grantor for the access to, exploration, development, operation and use of any of the Aurbec Additional Property or for the commencement or the continuation of mining or other mining related work on any part of the Aurbec

Additional Property, all of such rights, servitudes, lease rights, permits, rights of way, rights of access, certificates and any other consent, approval or authorization being deemed for all intents and purposes part of the Aurbec Additional Property.

(b) Universality of Movable Property: the universality of all movable property of the Grantor, corporeal and incorporeal, present and future, of any nature whatsoever and wheresoever situate, arising or relating to the Aurbec Additional Property, including, without limitation, the Proceeds.

#### Schedule A

##### AURBEC ADDITIONAL PROPERTY

###### A. VEZZA

All the rights, title and interest of the Grantor in the following mining leases and immovable properties:

###### a) MINING LEASE NUMBER ONE THOUSAND TEN (BM1010)

All the surface rights and the mining rights in the Mining Lease number ONE THOUSAND TEN (1010) issued on May 8, 2012 by the Ministère des ressources naturelles et de la faune (Province of Québec), now known as the Ministère des ressources naturelles, for a term of twenty (20) years commencing on May 8, 2012 and ending on May 7, 2032. This Mining Lease covers an area of 158 074 hectares and is located on or under a parcel of land known and designated as lot FOUR MILLION NINE HUNDRED AND NINETY-THREE THOUSAND NINE HUNDRED AND NINETY-EIGHT (4 993 998) of the Cadastre of Québec, Registration Division of Abitibi.

This Mining Lease is known and designated as land file serial number 84-A-2475 in the Register of Real Rights of State Resource Development, registration division of Abitibi, and corresponds wholly to such land file.

As this Mining Lease now subsists, with all its present and future rights, members and appurtenances, associated immovable property and infrastructure in which the Grantor has an interest, including, without limitation and if and as applicable, any immovable, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder and used in the exploitation of the mining activities pursuant to this Mining Lease, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lot number FOUR MILLION NINE HUNDRED AND NINETY-THREE THOUSAND NINE HUNDRED AND NINETY-EIGHT (4 993 998) of the Cadastre of Québec,

Registration Division of Abitibi

All the surface rights of an immovable known and designated as lot number FOUR MILLION NINE HUNDRED AND NINETY-THREE THOUSAND NINE HUNDRED AND NINETY-EIGHT (4 993 998) of the Cadastre of Québec, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

###### B. GÉANT DORMANT PROPERTY (MILL)

All the rights, title and interest of the Grantor in the following mining leases and immovable properties:

a) MINING LEASE NUMBER SEVEN HUNDRED EIGHTY-FIVE (BM785)

All the surface rights and the mining rights in a Mining Lease number SEVEN HUNDRED EIGHTY-FIVE (785) issued on June 19, 1989 by the Ministère de l'Énergie et des Ressources (Province of Québec), now known as the ministre des Ressources naturelles, initially for a term of twenty (20) years beginning on October 24, 1988 and ending on October 23, 2008, which mining lease was renewed on October 15, 2008 for an additional period of ten (10) years commencing on October 24, 2008 and ending on October 23, 2018. This Mining Lease covers an area of 373,466 hectares and is located on or under a parcel of land known and designated as block ONE (Bl. 1) of the Cadastre of the Township of Glandelet and blocks ONE (Bl. 1), TWO (Bl. 2) (subsurface only) and THREE (Bl. 3) of the Cadastre of the Township of Chaste, all of the Registration Division of Abitibi.

This Mining Lease is known and designated as land file serial number 84-A-4 in the Register of Real Rights of State Resource Development, registration division of Abitibi, and corresponds wholly to such land file.

As this Mining Lease now subsists, with all its present and future rights, members and appurtenances, associated immovable property and infrastructure in which the Grantor has an interest, including, without limitation and if and as applicable, immovable, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder and used in the exploitation of the mining activities pursuant to this Mining Lease, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Block number ONE (Bl.1), Township of GLANDELET

All the surface rights of an immovable known and designated as Block number ONE (Bl. 1) of the official cadastre of the Township of GLANDELET, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Blocks number ONE and THREE (Bl.1 and 3), Township of CHASTE

All the surface rights of the immovable known and designated as Blocks number ONE and THREE (Bl.1 and 3) of the official cadastre of the Township of CHASTE, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

b) MINING LEASE NUMBER EIGHT HUNDRED FORTY-SIX (BM846)

All the surface rights and mining rights in a Mining Lease number EIGHT HUNDRED FORTY-SIX (846) (partly surface and partly surface and

underground) issued on July 31, 1998 by the Ministre déléguée aux Mines et aux Terres (Province of Québec), now known as the Ministre des Ressources naturelles, for a term of twenty (20) years beginning on July 31, 1998 and ending on July 30, 2018. This Mining Lease covers an area of 34,815 hectares, more or less, and is located on or under a parcel of land known and designated as lots ONE (1), TWO (2) (subsurface only) and THREE (3) of the Cadastre of the Township of Chaste, all of the Registration Division of Abitibi.

This Mining Lease is known and designated as land file serial number 84-A-589 in the Register of Real Rights of State Resource Development, registration division of Abitibi, and corresponds wholly to such land file.

As this Mining Lease now subsists, with all its present and future rights, members and appurtenances, associated immovable property and infrastructure in which the Grantor has an interest, including, without limitation and if and as applicable, immovable, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder and used in the exploitation of the mining activities pursuant to this Mining Lease, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lots number ONE and THREE (1 and 3), Township of CHASTE

All the surface rights of the immovable known and designated as lots number ONE and THREE (1 and 3) of the official cadastre of the Township of CHASTE, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or

privileges appurtenant or belonging thereto.

c) MINING LEASE NUMBER EIGHT HUNDRED FORTY-SEVEN (BM847)

All the surface rights and mining rights in a Mining Lease number EIGHT HUNDRED FORTY-SEVEN (847) (surface and underground) issued on July 31, 1988 by the Ministre déléguée aux Mines et aux Terres (Province of Québec), now known as the Ministre des Ressources naturelles, for a term of twenty (20) years beginning on July 31, 1998 and ending on July 30, 2018. This Mining Lease covers an area of 9,636 hectares, more or less, and is located on a parcel of land known and designated as lot ONE (1) of the Cadastre of the Township of Glandelet and lot FOUR (4) of the Cadastre of the Township of Chaste, all of the Registration Division of Abitibi.

This Mining Lease is known and designated as land file serial number 84-A-590 in the Register of Real Rights of State Resource Development, registration division of Abitibi, and corresponds wholly to such land file.

As this Mining Lease now subsists, with all its present and future rights, members and appurtenances, associated immovable property and infrastructure in which the Grantor has an interest, including, without limitation and if and as applicable, immovable, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder and used in the exploitation of the mining activities pursuant to this Mining Lease, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lot number ONE (1), Township of GLANDELET

All the surface rights of an immovable known and designated as lot number ONE (1) of the official cadastre of the Township of GLANDELET, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lot number FOUR (4), Township of CHASTE

All the surface rights of an immovable known and designated as lot number FOUR (4) of the official cadastre of the Township of CHASTE, Registration Division of Abitibi.

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

d) MINING LEASE NUMBER EIGHT HUNDRED SIXTY-THREE (BM863)

All the surface rights and mining rights in a Mining Lease number EIGHT HUNDRED SIXTY-THREE (863) (surface and underground) issued on June 22, 2004 by the Ministre des Ressources naturelles, de la Faune et des Parcs (Province of Québec), now known as the Ministre des Ressources naturelles, for a term of twenty (20) years commencing on June 22, 2004 and ending on June 21, 2024. This Mining Lease covers an area of 39,668 hectares and is located on or under a parcel of land known and designated as being lot TWO (2) of the Cadastre of the Township of Glandelet and lot FIVE (5) of the Cadastre of the Township of Chaste, all of the Registration Division of Abitibi, pursuant to the Deed of Revision registered under number 16 180 868.

This Mining Lease is known and designated as land file serial number 84-A-840 in the Register of Real Rights of State Resource Development, registration division of Abitibi, and corresponds wholly to such land file.

As this Mining Lease now subsists, with all its present and future rights, members and appurtenances, associated immovable property and infrastructure in which the Grantor has an interest, including, without limitation and if and as applicable, immovable, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder and used in the exploitation of the mining activities pursuant to this Mining Lease, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lot number TWO (2), Township of GLANDELET

All the surface rights of an immovable known and designated as lot number TWO (2) of the official cadastre of the Township of GLANDELET, Registration Division of Abitibi

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Lot number FIVE (5), Township of CHASTE

All the surface rights of an immovable known and designated as lot number FIVE (5) of the official cadastre of the Township of CHASTE, Registration Division of Abitibi

With all building, tailings pond, plant, workshop, and any other installation, structure, equipment and ancillary improvement located thereon or thereunder, without exception or reserve of any kind, and together with and subject to any servitudes, rights-of-way or privileges appurtenant or belonging thereto.

Definitions:

"Grantor" means MINES AURBEC INC. / AURBEC MINES INC. and shall include its successors and permitted assigns.

"Proceeds" means all rents, income, fruits and revenues, issues and profits emanating from the Charged Property, including without limitation the proceeds of any sale, assignment, lease or other disposition of any of the Charged Property, any claim resulting from such a sale, assignment, lease or other disposition, as well as any property acquired in replacement thereof and proceeds of all insurance policies taken out for or on behalf of the Grantor, at any time and from time to time, in respect of the Charged Property and the aforementioned income, fruits, revenues, issues and profits.

## **MENTIONS**

### **Somme de l'hypothèque**

\$36,000,000.00 (including an additional hypothec in the amount of \$6,000,000.00) bearing interest at the rate of 25% per annum.

### **Référence à l'acte constitutif**

Forme de l'acte : Notarié en minute

Date : 2014-03-26

Lieu : Montreal, Québec

N° de minute : 9171

Nom du notaire : JACQUES, Sébastien

## **AVIS D'ADRESSE**

N° 048325