

2020



Hfx No. 501252

**SUPREME COURT OF NOVA SCOTIA
IN BANKRUPTCY AND INSOLVENCY**

In the Matter of the Receivership of 11016946 Canada Inc.

Between:

Business Development Bank of Canada

Applicant

and

11016946 Canada Inc.

Respondent

AFFIDAVIT OF STEPHEN KINGSTON

I make oath and give evidence as follows:

1. I am counsel to Deloitte Restructuring Inc. (the "**Receiver**") in its capacity as the Court-appointed Receiver and Manager of the assets, collateral and undertakings of the Respondent (the "**Company**"), and the Company's real property located at 123-125 Prince William Street and 60 Water Street, in St. John, New Brunswick (the "**Property**").
2. I have personal knowledge of the evidence sworn to 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.

Personal Property Security Registry

4. I have caused a search to be conducted of the Personal Property Registry (the "**NS PPR**") maintained pursuant to the **Personal Property Security Act** (Nova Scotia) (the "**NS PPSA**") as regards the Company, and attached hereto as Exhibit "A" is a true copy of the NS PPR Search Results Report dated November 24, 2023.

5. The NS PPSA search disclosed the following registered interests, the details of which are more particularly set out in the Report:

Secured Party	Registration	Expiry Date	Collateral
Bank of Nova Scotia	October 4, 2019, as Reg. No. 31873300	October 4, 2019	2019 Ram 1500 motor vehicle (s/n 1C6SRFLTXXKN703819)
Business Development Bank of Canada	March 22, 2021, as Reg. No. 34207621 (renewed as Reg. No. 347-6009)	March 22, 2045	All of the debtor's present and after-acquired personal property
CWB National Leasing Inc.	July 30, 2020 as Reg. No. 33135906	July 30, 2027	All air purification systems and cold climate heat pump systems as described in Agreement No. 3009308

6. I have caused a search to be conducted of the Personal Property Registry (the "NB PPR") maintained pursuant to the **Personal Property Security Act** (New Brunswick) (the "NB PPSA") as regards the Company, and attached hereto as Exhibit "B" is a true copy of the New Brunswick PPR Search Results Report dated November 24, 2023.

7. The NNB PPSA search disclosed the following registered interests, the details of such interest being more particularly set out in the said Report:

Secured Party	Registration	Expiry Date	Collateral
Bank of Montreal	November 14, 2018 as Reg. No. 31440563 (renewed as Reg. No. 39105421)	November 14, 2028	All present and after-acquired personal property of the Company, and all proceeds thereof
CWB National Leasing Inc.	July 30, 2020 as Reg. No. 33979675 (as amended by Reg. No. 33980095)	July 30, 2027	All present and after-acquired personal property of the Company, and all proceeds thereof
Business Development Bank of Canada	March 22, 2021 as Reg. No. 34949248 (as amended by Reg. No. 35486687)	March 22, 2045	All of the Company's present and after-acquired personal property.

PID 55176598

8. Attached hereto as Exhibit "C" is a true copy of a Certificate of Registered Ownership issued pursuant to the ***Land Titles Act***, S.N.B. 1981, c. L-1.1 as regards the Property.
9. The CRO reveals the following Recorded Interests as regards the Property that constitute a mortgage, security interest, lien or encumbrance:
 - (a) A Mortgage to the Business Development Bank of Canada, recorded on October 17, 2017 as Doc. No. 37475408;
 - (b) An Assignment of Rents to the Business Development Bank of Canada, recorded on October 18, 2017 as Doc. No. 37482123;
 - (c) A Mortgage to the Business Development Bank of Canada, recorded on September 17, 2019 as Doc. No. 39427795;
 - (d) A Judgment entered by Lisa C. Beddow against the Company, recorded on March 20, 2020 as Doc. No. 39949442;
 - (e) A Judgment entered by 5441515 Ontario Ltd. against the Company, recorded on August 9, 2022 as Doc. No. 42967084;
 - (f) A Judgment entered by Frederick Hamilton against the Company, recorded on August 9, 2022 as Doc. No. 42967084; and
 - (g) A Court Order recorded by Deloitte Restructuring Inc. on August 11, 2023 as Document No. 44146810 and on August 17, 2023, as Doc. No. 44159896.

Sworn to before me on
November 29, 2022 at Halifax,
Halifax Regional Municipality,
Province of Nova Scotia



A Barrister of the Supreme
Court of Nova Scotia

HILARY GILROY
A Barrister of the Supreme
Court of Nova Scotia

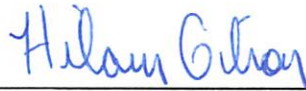


Stephen Kingston

2020

Hfx No. 501252

This is Exhibit "A" referred to in the Affidavit of Stephen Kingston, sworn to before me on November 29, 2023.



A Barrister of the Supreme Court
of Nova Scotia

HILARY GILROY
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: 11016946 Canada Inc.
Date and Time of Search (YYYY-MM-DD hh:mm): 2023-11-24 17:14 (Atlantic)
Transaction Number: 25026241
Searched By: G190290

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

Exact	Included	Original Registration Number	Enterprise Name	Place
*	*	33135906	11016946 Canada Inc.	Halifax
*	*	34207621	11016946 Canada Inc.	Rockland
	*	31873300	11016946 CANADA INC	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

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

- 1 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: 33135906

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	33135906	2020-07-30 10:36	2027-07-30	3009308

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: Individual

Cousins, Ian J
201-3600 Kempt Road
Halifax NS B3K 4X8
Canada
Date of Birth (YYYY-MM-DD): 1956-11-24

Type: Enterprise
11016946 Canada Inc.
201-3600 Kempt Road
Halifax NS B3K 4X8
Canada

Secured Parties

Type: Enterprise
CWB NATIONAL LEASING INC.
1525 BUFFALO PLACE
WINNIPEG MB R3T 1L9
Canada
Phone #: 204-954-9000
Fax #: 866-814-4752

General Collateral

ALL AIR PURIFICATION SYSTEMS, COLD CLIMATE HEAT PUMP SYSTEM OF EVERY NATURE OR KIND DESCRIBED IN AGREEMENT NUMBER 3009308, BETWEEN CANLEASE INC., AS ORIGINAL SECURED PARTY AND THE DEBTOR, WHICH AGREEMENT WAS ASSIGNED BY THE ORIGINAL SECURED PARTY TO THE SECURED PARTY, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ALL ATTACHMENTS, ACCESSORIES, SUBSTITUTIONS AND PROCEEDS OF ANY KIND DERIVED DIRECTLY OR INDIRECTLY THEREFROM.

Registration Details for Registration Number: 34207621

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	34207621	2021-03-22 16:52	2026-03-22	SM001411.337
Renewal	34760009	2021-07-05 13:31	2045-03-22	

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
11016946 Canada Inc.

Cousins, Ian J.
President
1606 Tucker Road
Rockland ON K4K 1K7
Canada

Secured Parties

Type: Enterprise
Business Development Bank of Canada
Cogswell Tower
2000 Barrington Street, Suite 1400
PO Box 1656
Halifax NS B3J 2Z7
Canada

General Collateral

A SECURITY INTEREST IS TAKEN IN ALL OF THE DEBTOR'S PRESENT AND AFTER-ACQUIRED PERSONAL PROPERTY.

Registration Details for Registration Number: 31873300

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	31873300	2019-10-04 14:10	2027-10-04	17998637

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: Individual
COUSINS, IAN J
1606 TUCKER RD
ROCKLAND ON K4K1K7
Canada
Date of Birth (YYYY-MM-DD): 1959-11-24

Type: Enterprise
11016946 CANADA INC
1801 HOLLIS ST Suite 300 Suite 300
HALIFAX NS B3J3N4
Canada

Secured Parties

Type: Enterprise
The Bank of Nova Scotia
10 Wright Boulevard
Stratford ON N5A7X9
Canada

General Collateral

OUR SECURITY INTEREST IS LIMITED TO THE MOTOR VEHICLES LISTED ABOVE AND THE PROCEEDS OF THOSE VEHICLES

Serial Numbered Collateral

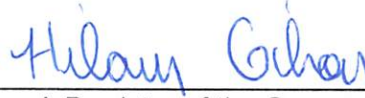
Serial Number	Collateral Type	Description	Added By	Deleted By
1C6SRFLTXXKN703819	Motor Vehicle	2019 Ram 1500	31873300	

END OF REPORT

2020

Hfx No. 501252

This is Exhibit "B" referred to in the Affidavit of Stephen Kingston, sworn to before me on November 29, 2023.



A Barrister of the Supreme Court
of Nova Scotia

HILARY GILROY
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: New Brunswick
Type of Search: Debtors (Enterprise)
Search Criteria: 11016946 Canada Inc.
Date and Time of Search (YYYY-MM-DD hh:mm): 2023-11-24 17:15 (Atlantic)
Transaction Number: 25026246
Searched By: G190290

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

Exact	Included	Original Registration Number	Enterprise Name	Place
*	*	31440563	11016946 Canada Inc.	Rockland
*	*	33979675	11016946 Canada Inc.	Halifax
*	*	34949248	11016946 Canada Inc.	Rockland

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

- 3 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: 31440563

Province or Territory: New Brunswick
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	31440563	2018-11-14 14:37	2023-11-14	DLP/1074531
Renewal	39105424	2023-10-18 12:25	2028-11-14	

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
11016946 Canada Inc.
Cousins, Ian
PRESIDENT
1606 Tucker Road
Rockland ON K4K 1K7
Canada

Secured Parties

Type: Enterprise
Bank of Montreal
Olson, Michael
Senior Relationship Manager
6371 Quinpool Road
Halifax NS B3L 1A6
Canada
Phone #: 902-421-3395
Fax #: 902-421-3703

General Collateral

A security interest is taken in all present and after-acquired personal property of the Debtor, and all proceeds thereof.

Registration Details for Registration Number: 33979675

Province or Territory: New Brunswick
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	33979675	2020-07-30 10:21	2027-07-30	3009308
Amendment	33980095	2020-07-30 10:38	2027-07-30	3009308

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

The Debtor below was deleted by registration number 33980095
~~Type: Individual~~
~~Cousins, Ian J~~
~~201-3600 Kempt Road~~

~~Halifax NB B3K 4X8~~
~~Canada~~
~~Date of Birth (YYYY-MM-DD): 1959-11-24~~

The Debtor below was added by registration number 33980095
Type: Individual
Cousins, Ian J
201-3600 Kempt Road
Halifax NS B3K 4X8
Canada
Date of Birth (YYYY-MM-DD): 1959-11-24

The Debtor below was deleted by registration number 33980095
~~Type: Enterprise~~
~~11016946 Canada Inc.~~
~~201-3600 Kempt Road~~
~~Halifax NB B3K 4X8~~
~~Canada~~

The Debtor below was added by registration number 33980095
Type: Enterprise
11016946 Canada Inc.
201-3600 Kempt Road
Halifax NS B3K 4X8
Canada

Secured Parties

Type: Enterprise
CWB NATIONAL LEASING INC.
1525 BUFFALO PLACE
WINNIPEG MB R3T 1L9
Canada
Phone #: 204-954-9000
Fax #: 866-814-4752

General Collateral

ALL AIR PURIFICATION SYSTEMS, COLD CLIMATE HEAT PUMP SYSTEMS OF EVERY NATURE OR KIND DESCRIBED IN AGREEMENT NUMBER 3009308, BETWEEN CANLEASE INC., AS ORIGINAL SECURED PARTY AND THE DEBTOR, WHICH AGREEMENT WAS ASSIGNED BY THE ORIGINAL SECURED PARTY TO THE SECURED PARTY, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ALL ATTACHMENTS, ACCESSORIES, SUBSTITUTIONS AND PROCEEDS OF ANY KIND DERIVED DIRECTLY OR INDIRECTLY THEREFROM.

Registration Details for Registration Number: 34949248

Province or Territory: New Brunswick
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	34949248	2021-03-22 16:53	2026-03-22	SM001411.337
Renewal	35486687	2021-07-05 13:32	2045-03-22	

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
11016946 Canada Inc.
Cousins, Ian J.
President
1606 Tucker Road
Rockland ON K4K 1K7
Canada

Secured Parties

Type: Enterprise
Business Development Bank of Canada
Cogswell Tower
2000 Barrington Street, Suite 1400
PO Box 1656
Halifax NS B3J 2Z7
Canada

General Collateral

A SECURITY INTEREST IS TAKEN IN ALL OF THE DEBTOR'S PRESENT AND AFTER-ACQUIRED PERSONAL PROPERTY.

END OF REPORT

2020

Hfx No. 501252

This is Exhibit "C" referred to in the Affidavit of Stephen Kingston, sworn to before me on November 29, 2023.



A Barrister of the Supreme Court
of Nova Scotia

HILARY GILROY
A Barrister of the Supreme
Court of Nova Scotia

Form 47
Formule 47CERTIFICATE OF REGISTERED OWNERSHIP
CERTIFICAT DE PROPRIÉTÉ ENREGISTRÉELand Titles Act, S.N.B. 1981, c. L-1.1, s.63
Loi sur l'enregistrement foncier, L.N.-B. de 1981, chap. L-11, art. 63

Parcel Identifier | Numéro d'identification de parcelle :

55176598

Owner | Propriétaire :

11016946 Canada Inc.
 c/o Ian Cousins
 1606 Tucker RD
 Rockland ON
 K4K 1K7
 Deed/Transfer | Acte de transfert/Transfert
 Saint John 2019-09-17 - 39426151

Manner of Tenure | Mode de tenure :

Not Applicable | Sans objet

Encumbrances | Charges :

PID 00011429
 115 Prince William ST
 Saint John NB
 E2L 4B1
 Easement Holder | Titulaire de la servitude
 Agreement | Convention
 Saint John 1873-02-10 G6 - 47 40077

PID 00011429
 115 Prince William ST
 Saint John NB
 E2L 4B1
 Easement Holder | Titulaire de la servitude
 Agreement | Convention
 Saint John 1873-10-13 I6 - 422 40872

PID/NID 00011429
 Saint John NB
 Easement Holder | Titulaire de la servitude
 Easement | Servitude
 Saint John 2015-05-19 - 34841966

Business Development Bank of Canada
 Scotia Square, Cogswell Tower
 2000 Barrington ST SUITE 1400
 PO BOX 1656
 Halifax NS
 B3J 3K1
 Mortgagee | Créancier hypothécaire
 Mortgage | Hypothèque
 Saint John 2017-10-17 - 37475408

Business Development Bank of Canada
 Scotia Square, Cogswell Tower
 2000 Barrington ST SUITE 1400
 PO BOX 1656
 Halifax NS
 B3J 3K1
 Mortgagee | Créancier hypothécaire
 Assignment of Rent | Cession de loyer
 Saint John 2017-10-18 - 37482123

Business Development Bank of Canada
 Cogswell Tower - Scotia Square
 2000 Barrington ST SUITE 1400
 Halifax NS
 B3J 3K1
 Mortgagee | Créancier hypothécaire
 Mortgage | Hypothèque
 Saint John 2019-09-17 - 39427795

Beddow, Lisa C.
 c/o McInnes Cooper
 1 Germain ST SUITE 1700
 PO BOX 20095 RPO Brunswick Square
 Saint John NB
 E2L 5B2
 Judgment Creditor | Créancier sur jugement
 Judgment | Jugement
 Saint John 2020-03-20 - 39949442

441515 Ontario Ltd.
 75 Prince William ST
 Saint John NB
 E2L 2B2
 Judgment Creditor | Créancier sur jugement
 Judgment | Jugement
 Saint John 2022-08-09 - 42967084

Hamilton, Frederick
75 Prince William ST
Saint John NB
E2L 2B2
Judgment Creditor | Créancier sur jugement
Judgment | Jugement
Saint John 2022-08-09 - 42967084

Deloitte Restructuring Inc.
%Stephen Kingston/McInnes Cooper Tower
1969 Upper Water ST SUITE 1300
Halifax NS
E3J 2V1
Claimant | Réclamant
Court Vesting Order | Ordonnance d'envoi en possession
Saint John 2023-08-11 - 44146810

Deloitte Restructuring Inc.
1741 Lower Water ST SUITE 800
Halifax NS
B3J 0J2
Claimant | Réclamant
Court Vesting Order | Ordonnance d'envoi en possession
Saint John 2023-08-17 - 44159896

Instruments in the Registration Process | Instruments dans le processus d'enregistrement :

NONE | AUCUN

THIS IS TO CERTIFY THAT the specified owner is the registered owner and holds title in fee simple, by virtue of the specified instrument(s) and in the specified manner of tenure, to the specified parcel, described in Schedule "A" attached hereto. The title to the land is subject to the overriding incidents specified in subsection 17(4) of the Act and also to the specified encumbrances.

LE PRÉSENT CERTIFICAT ATTESTE QUE le propriétaire spécifié est le propriétaire enregistré et est titulaire du titre en fief simple, en vertu de(s) l'instrument(s) spécifié(s), selon le mode spécifié de tenure de la parcelle spécifiée, décrite à l'Annexe <<A>> ci-jointe. Le titre du bien-fonds est soumis aux réserves dérogatoires précisées au paragraphe 17(4) de la Loi et également aux charges spécifiées.

THE TITLE TO THE LAND may be subject to the specified instruments, which have been entered in the instrument record and may be entered on the title register when the registration process is completed. LE TITRE DU BIEN-FONDS peut être soumis aux instruments spécifiés qui ont été portés au registre des instruments et qui peuvent être portés au registre des titres lorsque la procédure d'enregistrement est achevée.

THIS CERTIFICATE is evidence of the particulars contained herein as of the date and time of its issue. The description is not conclusive as to the boundaries or extent of the land. LE PRÉSENT CERTIFICAT constitue la preuve des renseignements qu'il contient à la date et à l'heure de sa délivrance. La description n'est pas probante en ce qui concerne les limites ou l'étendue du bien-fonds.

Date & Time | Date et heure : 2023-11-24 12:40:19

Registrar of Land Titles for the District of New Brunswick

Le registrateur des titres de biens-fonds de la Circonscription du Nouveau-Brunswick

Report ID | Rapport ID : 7433663

Schedule A | Annexe A

PID | NID : 55176598

Apparent Parcel Access | Accès apparent à la parcelle : Public Access | Accès public

Status | État de la demande : Current | Courant

Effective Date/Time | Date et heure de prise d'effet : 2005-06-27 11:37:31

Legal Description | Description officielle :

Place Name: Saint John

Parish: N/A

County: Saint John

Described as follows:

This amended description being that lot of land butted and bounded on the west side by Saint John Street commonly called Water Street, on the south side by property owned by John C. Brown, on the eastern side by the building now occupied by The President, Directors and Company of the Bank of New Brunswick and on the north side by property heretofore conveyed to the said the President, Directors and Company of the Bank of New Brunswick by the heirs of Solomon Nichols deceased, the said lot hereby conveyed having a front on Saint John Street aforesaid of twenty five feet extending easterly providing the same breadth of forty five feet.

Being one of the lots conveyed in Deed 281432 to the Rocca Group Ltd., registered in the Saint John County Registry Office on 30 January 1979 in book 870 at page 44.

also

Place Name: Saint John

Parish: N/A

County: Saint John

Described as follows:

This amended description being that lot of land butted and bounded as follows: on the western side by Saint John Street commonly called Water Street, on the southern side by property owned by the heirs of Henry Chubb deceased, on the eastern side by the building owned and occupied by the said The President, Directors and Company of the Bank of New Brunswick and on the northern side by property occupied by one James Dyal and owned by the heirs of Isabella Nicholls deceased, the said lot hereby conveyed having a front on Saint John Street aforesaid of twenty five feet and extending easterly preserving the same breadth forty five feet.

Being the same lands conveyed in Deed 39389, to the President, Directors and Company of the Bank of New Brunswick, registered in the Saint John County Registry Office on the 25th day of June 1872, in Book D-6, at page 410.

Together with the benefit of the right to access, use, maintain, and repair an existing chimney and fire escape which are attached to the grantors building located at 119-125 Prince William Street and encroach upon the grantees property as shown on a building location certificate prepared by W.J. Boyne of Hughes Surveys and Consultants Ltd., Saint John, New Brunswick, dated October 13, 1989 and as described in deed number 384078 to 042199 N.B. Ltd. registered in the Saint John County Registry Office on 19 January 1993 in book 1627 at page 128.

also

Place Name: Saint John

Parish: N/A

County: Saint John

Described as follows:

That lot piece and parcel of land on the south side of and adjoining the present Bank building of the Bank of New Brunswick being a part of the lot known and distinguished on the plan of the said City on file in the office of the Common Clerk by the number (15) fifteen the said part lot piece and parcel of land hereby conveyed having a front of twenty-four feet on Prince William Street and extending westwardly preserving the same width forty-six feet more or less until it strikes the rear line of land part of the estate of the late Henry Chubb.

Being the same lands conveyed in Deed 38841 to the President, Directors and Company of the Bank of New Brunswick, registered in the Saint John County Registry Office on 19th December

Schedule A | Annexe A

1871 in book B-7 at page 423.

Together with the benefit of the right to access and use, maintain and repair an existing chimney and fire escape attached to the building located at 119-125 Prince William Street and encroach upon the grantees property as shown upon a building location certificate prepared by Hughes Surveys and Consultants Ltd., Saint John, New Brunswick, dated October 13, 1989 as described in a deed number 384078 to 042199 N.B. Ltd. and registered in the Saint John County Registry Office on January 19, 1993 in book 1627 at page 128.

also

Place Name: Saint John

Parish: N/A

County: Saint John

Described as follows:

Beginning on the western side of Prince William Street at the southeast angle of the land belonging to Samuel Nichols thence running westerly following the southern boundary of said Samuel Nichols land forty-five feet thence southerly on a line parallel with Prince William Street to the line of William Hiddens land being fifty feet, thence easterly following the northerly line of said Hiddins land being on a line parallel or nearly so with the said southern boundary line of Samuel Nichols land to the line of Prince William Street, and thence northerly following the line of the said street to the place of beginning making a lot of 50 feet by 45 feet.

Being the same lands conveyed in Deed 7134 to the President, Directors and Company of the Bank of New Brunswick, registered in the Saint John County Registry Office on the 8th day of July 1824 in Book B-3 at page 252.