



COMPLETION INSTRUCTIONS FOR HARDCOPY TRANSFER FORMS

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Version 1.0

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Change Record

Version	Date	Page	Description
1.0	August 16, 2016	All	Initial release. This information in this document was previously published in the Director's Requirements for Hardcopy Land Title Transfer Forms (DR 05-11) (https://www.ltsa.ca/sites/default/files/DR-05-11-Directors-Requirements-for-Hardcopy-Land-Title-Transfer-Forms.pdf), which has been rescinded.
	February 20, 2020	4	Updated the link to DR 04-11 Hardcopy Land Title Forms

1. Introduction

The Director of Land Titles (Director) has established requirements for hardcopy land title forms and plans in Hardcopy Land Title Forms (DR 04-11) published at https://ltsa.ca/sites/default/files/DR_04-11_Hardcopy_Land_Title_Forms.pdf. These include a requirement that a hardcopy land title transfer form submitted to the land title office must be completed in compliance with the requirements and instructions provided in this document.

2. General requirements for completing hardcopy transfer forms

2.1. Use of identification number

- 2.1.1. A hardcopy transfer form may contain an identification number or client file number so long as the number is not placed on the form in a manner that
- (a) obscures any part of the printed form
 - (b) renders any completed part of the form illegible
 - (c) prevents the land title office from using that part of the form designated for land title office use only, or
 - (d) may tend to mislead a person as to the contents or legal effect of the form.

2.2. Size and formatting

- 2.2.1. Unless the completion instructions for a hardcopy transfer form provide otherwise, the space provided for completing an item on the form may be expanded or reduced as the circumstances require so long as
- (a) in the case of Form A, the expansion does not make the instrument longer than one page, or
 - (b) in the case of Form B or C, the expansion does not make the instrument longer than 2 pages or result in printing part of an item on the first page and the remaining part on the second page.

2.3. Attachments

- 2.3.1. Nothing must be attached to a hardcopy transfer form except
- (a) one or more additional execution pages in Form D
 - (b) one or more schedules in Form E
 - (c) an affidavit of execution required under Part 5 of the *Land Title Act*
 - (d) for a Form B, a set of express mortgage terms submitted as Part 2 of the Form B, and
 - (e) for a Form C, a set of express charge terms submitted as Part 2 of the Form C.

2.4. Use of a seal

- 2.4.1. Where a hardcopy transfer form is executed under seal, the seal must be affixed in a way that does not render the transfer form or any part of it illegible.

2.5. Witnessing officer

- 2.5.1. The name, mailing address and professional capacity of an officer witnessing the signature of a transferor or other party must be typed or printed immediately below the signature of the officer.

3. Individual form requirements and completion instructions

3.1. Form A Freehold Transfer

LAND TITLE ACT

FORM A

(Section 185(1))

Province of
British Columbia

FREEHOLD TRANSFER

(This area for Land Title Office use)

Page 1 of _____ pages

1. APPLICATION: *(Name, address, phone number and signature of applicant, applicant's solicitor or agent)*

2. (a) PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *
(PID) (LEGAL DESCRIPTION)

(B) MARKET VALUE: \$

3. CONSIDERATION: \$

4. TRANSFEROR(S):*

5. FREEHOLD ESTATE TRANSFERRED:*

6. TRANSFEREES(S): *(including occupations, postal address(es) and postal code(s))* *

7. EXECUTION(S): ** The transferor(s) accept(s) the above consideration and understand(s) that this instrument operates to transfer the freehold estate in the land described above to the transferee(s).

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Y	M	D

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E,

** If space insufficient, continue executions on additional page(s) in Form D.

Form A Freehold Transfer – General Instructions

- (1) Upon submission of a freehold transfer in Form A to the land title office, a separate application is not necessary unless the transfer also contains an exception, reservation or condition in favour of or for the benefit of the transferor that is an interest in land capable of registration under the Land Title Act, in which case the transferor shall apply to register that interest in Form 17 in the form approved by the Director.
- (2) Please ensure that every Item of Form A is completed in accordance with the instructions and the user guide.
- (3) The transfer document includes
 - a. the freehold transfer in Form A,
 - b. any additional pages to accommodate transferor and officer signatures in Form D,
 - c. all pages attached to the transfer as a schedule in Form E, and
 - d. an affidavit of execution, if any,and the transfer document shall be arranged in that order.
- (4) Enter the total number of pages that comprise the freehold transfer inclusive of the transfer form, in the space provided.
- (5) Number each page after the first page of the transfer document consecutively. At the end of the transfer document, type or print "END OF DOCUMENT".

Completion Instructions

ITEM 1—Application

- (1) Enter the name, mailing address (including postal code) and phone number of the applicant or applicant's solicitor or agent. This must be followed by the signature of that person.
- (2) Under the *Land Title Act*, the "applicant" is the person who is entitled to be the registered owner of the estate transferred. This Item constitutes the application to register the estate transferred and must be completed by the applicant or the solicitor or agent of the applicant either before or after execution of the instrument. Any refusal notice will be sent to the person named in the application at the mailing address specified.
- (3) If the applicant or the applicant's solicitor or agent is an individual, his or her name, mailing address (including postal code) and phone number, followed by his or her signature, must be entered.
- (4) If the applicant or the applicant's solicitor or agent is not an individual, the name, mailing address (including postal code), phone number and signature of an individual who is authorized to do all acts necessary to effect registration of the freehold transfer must be entered.

ITEM 2(a)—Parcel Identifier and Legal Description of Land

- (1) Enter the 9 digit parcel identifier number (PID) of the parcel to be transferred in the space provided in Item 2(a), followed by the legal description of the land matching the PID number. The PID number is not required if not yet assigned.
- (2) Sections 158(1) and 178(2) of the *Land Title Act* allow the registrar to limit the number of parcels on a freehold transfer to one parcel. Except in exceptional circumstances, a freehold transfer shall not include more than one parcel of land. If circumstances require more than one parcel, dispensation should be sought from the registrar in advance.
- (3) The legal description consists of everything shown in the "Description of Land" segment of a computer title printed below the PID number.
- (4) Preambles such as "All and singular that certain parcel ..." in the legal description are not required. Similarly, reference to a strata lot owner's share in the common property is not required in the legal description. Preambles such as "That part of Lot 4 ... shown on ..." may be used where required.
- (5) State Lot and Plan numbers in figures only. In addition, the following abbreviations are acceptable:

Rge = Range	Tp = Township	N = North	W = West
Bl = Block	Dist = District	S = South	E = East
Gp = Group	Sec = Section	DL = District Lot	
LD = Legal Subdivision		ODYD = Osoyoos Division, Yale District	
W6M = West of the Sixth Meridian		QCD = Queen Charlotte District	
Frac = Fractional		SDYD = Similkameen Division, Yale District	
THSL = Town of Hastings Suburban Lands		TID = Texada Island District	
KDYD = Kamloops Division, Yale District		YDYD = Yale Division, Yale District	
NWD = New Westminster District			

- (6) It is not necessary to include references to water, assessment or improvement district, or legal notations such as "hereunto annexed is Easement No. ...".
- (7) The legal description with parcel identifier number must be recorded entirely within Item 2(a) and must not continue onto a schedule.
- (8) If the space is not sufficient for the complete parcel identifier number and legal description, set out the complete parcel identifier number and legal description in a schedule and enter "SEE SCHEDULE" in Item 2(a).

- (13) The fraction must, in all cases, be a fraction of the whole interest being transferred as follows:
- a. if the owner owns an undivided 1/2 interest, and all his interest is transferred, enter "1/2", as in the above example;
 - b. if the owner owns an undivided 1/2 interest and is only transferring 1/2 of that interest, enter "1/4";
 - c. if an owner, together with 3 others, owns an undivided 1/2 interest and that owner is transferring 1/2 of his interest, enter "1/16".
- (14) To determine the fraction being transferred, the simple test is: **What fraction of the whole is being transferred?**
- (15) Any qualifications or exceptions under section 186(2) of the *Land Title Act* may be set out in this Item below the legal description.

EXAMPLE:

2. (a) PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: *	
<i>(PID)</i>	<i>(LEGAL DESCRIPTION)</i>
123 456 789	Lot 1, Sec 4, Rge 4E, Plan 8690
The words contained in covenants 2 and 3 of column 1 of Schedule 2 of the Land Transfer Form Act are excepted.	

- (16) Do not use decimal fractions. A 1/3 interest must not be expressed as 33.33% or .333.
- (17) Any registered encumbrance to which the transfer will be subject may be set out below the legal description.

EXAMPLE:

2. (a) PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: *	
<i>(PID)</i>	<i>(LEGAL DESCRIPTION)</i>
123 456 789	Lot 1, Sec 4, Rge 4E, Plan 8690
Subject to: Mortgage No. 88605 and SRW No. 778046L	

- (18) The land title office will not examine "SUBJECT TO" provisions or verify them against the state of the title.

ITEM 2(b)—Market Value

- (1) Enter the market value of the property expressed in figures.
- (2) The market value must be stated whether or not it is the same amount as the consideration.

ITEM 3—Consideration

- (1) Enter the consideration expressed in figures or by description.
- (2) If the consideration is non-monetary, enter a description of the consideration. The expression ". . . and other good and valuable consideration" is not considered to be an accurate description.

EXAMPLE:

3. CONSIDERATION: \$1 and natural love and affection

EXAMPLE:

3. Consideration: 60 TROY OUNCES OF GOLD

- (3) If there is no valuable consideration expressed in this Item, a transfer in Form A is not registrable.

ITEM 4—Transferor(s)

- (1) In the case of an individual, enter the full name of the transferor.
- (2) In the case of a corporation, enter its name and its B.C. incorporation or registration number, if any.
- (3) It is not necessary to set out the mailing addresses or occupations in this Item.
- (4) If the transferor is an individual, his or her name should be set out in full as it appears on the title.
- (5) Preference is that transferor names be printed or typed in capitals.

EXAMPLE:

4. TRANSFEROR(S): *

JOHN PETER SMITH and MARY ELLEN SMITH

- (6) In the case of a corporation that is a B.C. company or that is registered extraprovincially or continued in B.C., enter the B.C. registration number.

EXAMPLE:

4. TRANSFEROR(S): *

ABC LTD., (Inc. No. 12556), DEF INC.,
(Reg. No. A72645) and IDF CORP., (Reg. No. 654321)

- (7) If there is insufficient space to enter the names of all the transferors, enter "SEE SCHEDULE" and set out the names of all the transferors in a schedule. Do not set out some names in Item 4 and some in a schedule.

EXAMPLE:

4. TRANSFEROR(S): *

SEE SCHEDULE

- (8) The name of the governing jurisdiction of a corporate transferor may be entered in this Item.

ITEM 5—Freehold Estate Transferred

- (1) Enter appropriate words to create the type of freehold estate to be transferred.
- (2) Section 186(4) to (8) of the *Land Title Act* contemplates 4 categories of freehold estate, namely:

- a. fee simple estate;
- b. life estate;
- c. determinable fee simple;
- d. fee simple on condition.

(3) If it is intended to transfer an estate in fee simple, enter the words "Fee Simple" to complete Item 5. Section 186(4) of the *Land Title Act* operates to transfer the estate of the transferor without any words of transfer or limitation.

(4) In the case of a life estate, determinable fee simple and fee simple on condition, enter the appropriate words in Item 5.

EXAMPLE:

5. FREEHOLD ESTATE TRANSFERRED: *

Fee Simple

EXAMPLE:

5. FREEHOLD ESTATE TRANSFERRED: *

For the life of the transferee.

EXAMPLE:

5. FREEHOLD ESTATE TRANSFERRED: *

For as long as the Church of St. Andrews shall stand.

EXAMPLE:

5. FREEHOLD ESTATE TRANSFERRED: *

On condition that the land be used as a public park.

- (5) Item 5 can also be used to qualify the nature of the freehold passing by entering an exception or reservation from the grant.

EXAMPLE:

5. FREEHOLD ESTATE TRANSFERRED: *

Fee Simple, excepting and reserving to the transferor all minerals and precious metals.

- (6) If there is insufficient space to enter the entire exception or reservation, enter "FOR EXCEPTIONS AND RESERVATIONS SEE SCHEDULE" and set out the exception and reservation in a schedule.
- (7) Rights or interests reserved to the transferor in this Item must be capable of registration as a charge and the transferor must concurrently apply for registration under section 181 of the Act in Form 17 as approved by the Director.
- (8) If at the time the transfer is executed, it is intended to register the title subject to a certificate of pending litigation, the appropriate entry may be made in this Item or in Item
- (9) If that decision is made after execution, file a separate election as required under section 216(2)(b) of the *Land Title Act*.

ITEM 6—Transferee(s)

- (1) In the case of an individual, enter the full name and occupation of each transferee (and, if applicable, information respecting joint tenancy). A mailing address (including postal code) must also be entered.
- (2) In the case of a corporation, enter its name and its B.C. incorporation or extraprovincial registration number, if any. If it is not incorporated or registered in B.C., enter a description of its governing jurisdiction. In either case, a mailing address for the transferee must be entered in this Item.

- (3) In the case of a transferee which has branch offices, a branch office address may be included as part of the description of the transferee, but a postal code must also be given.
- (4) In all cases the mailing address must include a postal code. It is not sufficient to state only the name of the city, town or village.

EXAMPLE:

6. TRANSFEREE(S): *(including occupation(s), postal address(es) and postal code(s)) **

JOHN PAUL SMITH, Merchant and MARY LEE
SMITH, Manager, as JOINT TENANTS, both of
925 Eden Street, Victoria, B.C. V9A 6P4

- (5) In the case of a corporation that is a B.C. company or that is registered extraprovincially or continued in B.C., enter the B.C. registration number.

EXAMPLE:

6. TRANSFEREE(S): *(including occupation(s), postal address(es) and postal code(s)) **

JACK MAX JONES, Dentist, of 7749 Blanshard Street,
Victoria, B.C. V8L 3R9, as to an undivided 1/4 interest,
and ABC CO. LTD., (Inc. No. 2378), having an office
at 778 Burrard Street, Vancouver, B.C. T4X 3Z8, as to
an undivided 3/4 interest.

EXAMPLE:

6. TRANSFEREE(S): *(including occupation(s), postal address(es) and postal code(s)) **

ABC CO. LTD., (Inc. No. 123456), DEF INC., (Reg.
No. A654321), and GHI CORP., (Reg. No. 759367),
all of 789 Seymour Street, Burnaby, B.C. 3P8 X1A

- (6) Where transferees are taking unequal fractional interests, this information must be shown immediately after the transferees' names. This requirement does not apply where transferees are taking either as joint tenants or tenants in common in equal shares. Where transferees take in unequal shares, their respective interests must be shown as fractions of the interest being transferred and not as fractions of the whole land. For example, if Item 2(a) refers to an "undivided 1/2 interest" and it is intended to apportion that interest among 3 transferees in unequal shares, the fractional shares shown in this Item must total to 1.
- (7) For the purposes of paragraph (6), assuming that, of the undivided 1/2 interest being transferred, one transferee is to take 1/2 and the others are to take 1/4 each, Item 6 would be completed as shown in the example.

EXAMPLE:

6. TRANSFEREE(S): *(including occupation(s), postal address(es) and postal code(s))* *

JOHN JONES, Taxi Driver, of 1234 Yew Street,
Vancouver, B.C. V9J 3P6 as to an undivided 1/2 interest,
BILL JONES, Manager, of 5432 Elm Street, Vancouver,
B.C. V8L 3R9 as to an undivided 1/4 interest, and
SARA JONES, Teacher, of 999 Maple Street, Vancouver,
B.C. V4X 3Z8 as to an undivided 1/4 interest.

- (8) Do not use decimal fractions. A 1/3 interest must not be expressed as 33.33% or .333.
- (9) Preference is for transferee names to be printed or typed in capitals.
- (10) If there is insufficient space to enter names, occupations, mailing addresses and postal codes of all of the transferees, enter "SEE SCHEDULE" and set out all the names, occupations, mailing addresses and postal codes in a schedule.

[Land Title Practice requires that incorporation numbers also be included in the schedule.]

EXAMPLE:

6. TRANSFEREE(S): *(including occupation(s), postal address(es) and postal code(s))* *

SEE SCHEDULE

(11) If the corporation is neither incorporated nor registered in British Columbia, the name of the governing jurisdiction of a corporate transferee must be shown in this Item.

ITEM 7—Execution(s)

- (1) Item 7 is to be used for execution of the freehold transfer by the transferor and for officer certification.
- (2) If the space provided is not sufficient for execution by all transferors, then an additional page for execution may be added without reference to the registrar. The additional page must be in Form D. Where a transferor's signature has been certified by an officer, the certification must appear on the same page as the execution.
- (3) The date of execution, given in year, month and day, must be indicated in the space provided in Item 7. Years shall be entered using the last 2 digits (e.g., "89" for 1989). Months should be designated by number (e.g., "2" for February).

Individual transferor

- (4) For natural persons, under the "Transferor(s) Signature(s)" column, the transferor name must be typed or printed immediately below the signature of the transferor.
- (5) Under the "Officer Signature(s)" column, the name, mailing address and professional capacity (e.g., solicitor, notary or commissioner) must be typed or printed immediately below the signature of the certifying officer.

EXAMPLE:

7. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
<u>Jack Smith</u> Ian Jack Smith 100 Burrard Street Vancouver, B.C. V6C 1A1 Solicitor	89	3	15	<u>Peter</u> John Peter Doe

- (6) Please note that the definition of an officer is limited to a person before whom an affidavit may be sworn under the *Evidence Act*, R.S.B.C. 1996, c. 124, sections 60, 63 and 64.

- (7) The officer signature must appear directly opposite the transferor signature certified by the officer. If one officer is certifying more than one transferor signature, add "as to all signatures" or "as to the signatures of ..." immediately below the officer signature.

EXAMPLE:

7. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
<u>Jack</u> William Jack Johns 101 Douglas Street Victoria, B.C. V8A 1A2 Notary Public	89	4	3	<u>Peter</u> John Peter Allan
				<u>Lynn</u> Mary Lynn Glen
(as to all signatures)				

Corporate transferor

- (8) In the case of a transfer executed by a corporation, use the format shown in the following example and ensure that the name of the authorized signatory is typed or printed immediately below the signature. Please note that the affixation of a corporate seal is no longer required for *Land Title Act* purposes. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL TRANSFEROR also apply to this form of execution.

EXAMPLE:

7. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
<u>Joe</u> Jim Joe Brown 2500 West Georgia St. Vancouver, B.C. V7C 2P4 Notary Public	89	3	26	ABC Limited by its authorized signatory
				<u>Lee</u> John Lee Doe DF 667802

- (9) If a company seal is affixed, it must not obliterate or obscure any signature or information entered in this Item. In the case of a corporate attorney, it is the seal of the attorney that is to be affixed rather than that of the transferor.

Execution by individual attorney

- (10) In the case of a transfer executed by an attorney, use the appropriate format shown in the following example. If a power of attorney is already filed in the land title office, enter the filing number immediately below the signature. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL TRANSFEROR also apply to this form of execution.

EXAMPLE:

7. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
<u>Mary</u> Sue Mary Love 2727-1499 4th Ave. Prince George, B.C. V2C 4Y9 Solicitor	89	3	13	JOHN LEE DOE by his Attorney JOHN JOE SMITH <u>Joe</u> D.F. 667801

Execution by corporate attorney

- (11) (1) In the case of a transfer executed by a corporate attorney, it must be clear that the signatory is an authorized signatory of the corporate attorney and that the corporate attorney is acting as the attorney for the transferor. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL TRANSFEROR also apply to this form of execution.

EXAMPLE:

7. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
<u>Sue</u> Jane Sue Brown 1700-1250 2nd Ave. Kamloops, B.C. V9C 9Y5 Solicitor	89	3	13	JOHN LEE DOE by his Attorney ABC LIMITED by its authorized signatory
				<u>Joe</u> John Joe Smith

Lack of certification

- (12) If the transferor signature cannot be certified by an officer, enter "SEE AFFIDAVIT OF EXECUTION" and attach an affidavit that complies with Part 5 of the *Land Title Act*. Note that the affidavit will be part of Form A and must have a page number.
- (13) The affidavit must state the reason why officer certification cannot be obtained. The reason must be sufficient for the registrar to accept the affidavit in lieu of the officer certification. In cases where the affidavit evidence of execution is submitted, the registrar is not likely to exercise his discretion unless officer certification is simply impossible to obtain under the circumstances or the transfer was executed outside British Columbia.
- (14) In cases where the freehold transfer document is executed outside British Columbia, the registrar will accept that it is difficult to obtain an officer's certification in all cases and will accept the affidavit of execution in lieu of an officer certification.

EXAMPLE:

7. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Transferor(s) Signature(s)
SEE AFFIDAVIT OF EXECUTION	89	3	13	<u>Charles</u> John Charles Doe

3.2. Form B Mortgage

LAND TITLE ACT

FORM B

(Section 225)

Province of
British Columbia

MORTGAGE - PART 1

(This area for Land Title Office use)

Page 1 of

pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *
(PID) (LEGAL DESCRIPTION)

3. BORROWER(S) [MORTGAGOR(S)]: (including postal address(es) and postal code(s))*

4. LENDER(S) [MORTGAGEE(S)]: (including occupation(s), postal address(es) and postal code(s))*

5. PAYMENT PROVISIONS:**

(a) Principal Amount: \$	(b) Interest Rate:	(c) Interest Adjustment Date:	Y	M	D
(d) Interest Calculation Period:	(e) Payment Dates:	(f) First Payment Date			
(g) Amount of each periodic payment:	(h) Interest Act (Canada) Statement: The equivalent rate of interest calculated half yearly not in advance is % per annum	(i) Last Payment Date			
(j) Assignment of Rents which the applicant wants registered YES [] NO [] If yes, page and paragraph number:	(k) Place of payment:	(l) Balance Due Date:			

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space in any box insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

6. MORTGAGE contains floating charge on land?

YES [] NO []

7. MORTGAGE secures a current or running account?

YES [] NO []

8. INTEREST MORTGAGED:

Freehold []

Other (specify) []

9. MORTGAGE TERMS:

Part 2 of this mortgage consists of (select one only):

- (a) Prescribed Standard Mortgage Terms []
- (b) Filed Standard Mortgage Terms [] D F Number:
- (c) Express Mortgage Terms [] (annexed to this mortgage as Part 2)

A selection of (a) or (b) includes any additional or modified terms referred to in Item 10 or in a schedule annexed to this mortgage.

10. ADDITIONAL OR MODIFIED TERMS:*

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:*

12. EXECUTION(S): **This mortgage charges the Borrower's interest in the land mortgaged as security for payment of all money due and performance of all obligations in accordance with the mortgage terms referred to in Item 9 and the Borrower(s) and every other signatory agree to be bound by, and acknowledge(s) receipt of a true copy of, those terms.

OFFICER SIGNATURE(S)

EXECUTION DATE

BORROWER(S) SIGNATURE(S)

Y	M	D

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 12 to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Form B Mortgage Part 1 – General Instructions

- (1) Upon submission of a mortgage in Form B to the land title office, a separate application is not necessary unless the mortgage also creates a floating charge, capable of registration under the *Land Title Act*, that the lender wants to register concurrently against other land. In that case the lender shall apply to register the floating charge in Form 17 as approved by the Director.
- (2) Please ensure that every item of Form B is completed in accordance with the instructions and the user guide.
- (3) The mortgage document includes
 - a. all pages of the mortgage in Form B,
 - b. any additional pages to accommodate borrower and officer signatures in Form D,
 - c. all pages attached to the mortgage as a schedule in Form E,
 - d. all pages of the express terms, if any, attached to the mortgage as Part 2, and
 - e. an affidavit of execution, if any,and the mortgage document shall be arranged in that order.
- (4) Enter in the space provided the total number of pages that comprise the mortgage document.
- (5) Do not include the number of pages contained in a filed or prescribed set of standard mortgage terms that are to be incorporated by reference. Although incorporated by reference, they are not part of the actual mortgage form.
- (6) Number each page consecutively after page 2 of the mortgage document. At the end of the mortgage document, type or print "END OF DOCUMENT".

Completion Instructions

ITEM 1—Application

- (1) Enter the name, mailing address (including postal code) and phone number of the applicant or the applicant's solicitor or agent. This must be followed by the signature of that person.
- (2) Under the *Land Title Act*, the "applicant" is the person who is entitled to be the registered owner of the charge. This Item constitutes the application to register this mortgage and must be completed by the applicant or the solicitor or agent of the applicant either before or after execution of the instrument. Any refusal notice will be sent to the person named in the application at the mailing address specified.

- (3) If the applicant or the applicant’s solicitor or agent is an individual, his or her name, mailing address (including postal code) and phone number, followed by his or her signature, must be entered.
- (4) If the applicant or the applicant’s solicitor or agent is not an individual, the name, mailing address (including postal code), phone number and signature of an individual who is authorized to do all acts necessary to effect registration of the mortgage must be entered.

ITEM 2—Parcel Identifier(s) and Legal Description(s) of the Mortgaged Land

- (1) Enter the 9 digit parcel identifier number (PID) of each parcel to be charged in the space provided in Item 2, followed by the legal description of the land matching the PID number. The PID number is not required if not yet assigned.
- (2) The legal description consists of everything shown in the “Description of Land” segment of a computer title printed below the PID number.
- (3) Preambles such as “All and singular that certain parcel ...” in the legal description are not required. Similarly, reference to a strata lot owner’s share in the common property is not required in the legal description. Preambles such as “That part of Lot 4 shown on ...” may be used where required.
- (4) State Lot and Plan numbers in figures only. In addition, the following abbreviations are acceptable:

Rge = Range	Tp = Township	N = North	W = West
Bl = Block	Dist = District	S = South	E = East
Gp = Group	Sec = Section	DL = District Lot	
LD = Legal Subdivision		ODYD = Osoyoos Division, Yale District	
W6M = West of the Sixth Meridian		QCD = Queen Charlotte District	
Frac = Fractional		SDYD = Similkameen Division, Yale District	
THSL = Town of Hastings Suburban Lands		TID = Texada Island District	
KDYD = Kamloops Division, Yale District		YDYD = Yale Division, Yale District	
NWD = New Westminster District			

- (5) It is not necessary to include references to water, improvement or assessment districts, or legal notations such as “hereunto annexed is Easement No. ...”.
- (6) The legal description(s) with parcel identifier number(s) must be recorded entirely within Item 2 and must not continue onto a schedule.

- (7) If the space is not sufficient for the parcel identifier number(s) and legal description(s), set out the parcel identifier number(s) and legal description(s) in a schedule and enter "SEE SCHEDULE" in Item 2.

EXAMPLE:

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF THE (PID)	MORTGAGED LAND: * (LEGAL DESCRIPTION)
SEE SCHEDULE	

- (8) If a PID number has not been assigned to the parcel, enter "NO PID NUMBER" followed by the legal description.
- (9) Please note that land title office mark up of the parcel being charged is done by PID number only.
- (10) Please ensure that the legal description is entered opposite the PID number of the parcel it describes.

EXAMPLE:

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF THE MORTGAGED LAND: *	
(PID)	(LEGAL DESCRIPTION)
000 123 456	Lot 1, Sec 44, Victoria Dist, Plan 4444
456 798 076	Lot 2, Bl 5, DL 42, Gp 1, NWD, Plan 4434
NO PID NUMBER	Lot 3, Sec 5, Rge 4E, KDYD, Plan 4532

ITEM 3—Borrower(s) [Mortgagor(s)]

- (1) In the case of an individual, enter the full name of the borrower and a mailing address to which the lender may send notices.
- (2) In the case of a corporation, enter its name and its B.C. incorporation or registration number, if any, and a mailing address to which the lender may send notices.

- (3) It is not necessary to set out occupations in this Item.
- (4) A city, town or village by itself is not a sufficient mailing address. Where appropriate, it must contain a street or route number, post office box number or general delivery designation as required by Canada Post. In all cases the mailing address must include a postal code.
- (5) If the borrower is an individual, his or her name should be set out in full as it appears on the title.

EXAMPLE:

3. BORROWER(S) [MORTGAGOR(S)]: *(including postal address(es) and postal code(s)) **

JOHN PAUL SMITH, and MARY JANE SMITH, both of
925 Eden Street, Victoria, B.C. V9A 6P4

- (6) In the case of a corporation that is a B.C. company or that is registered extraprovincially or continued in B.C., enter the B.C. registration number.

EXAMPLE:

3. BORROWER(S) [MORTGAGOR(S)]: *(including postal address(es) and postal code(s)) **

JACK MAX JONES, of P.O. Box 7, Stewart, B.C. L2T 4H7
and ABC CO. LTD., (Inc. No. 2378), 778 Burrard Street,
Vancouver, B.C. T4X 3Z8

EXAMPLE:

3. BORROWER(S) [MORTGAGOR(S)]: *(including postal address(es) and postal code(s))* *

ABC CO. LTD., (Inc. No. 123456), DEF INC.,
(Reg. No. A654321), and GHI INC., all of 789 Seymour
Street, Burnaby B.C. 3P8 X1A

- (7) Preference is that borrower names be printed or typed in capitals.
- (8) If there is insufficient space to enter the names and mailing addresses of all of the borrowers, enter "SEE SCHEDULE" and set out all the names and mailing addresses in a schedule. Do not enter some names and mailing addresses in Item 3 and some in a schedule.

EXAMPLE:

3. BORROWER(S) [MORTGAGOR(S)]: *(including postal address(es) and postal code(s))* *

SEE SCHEDULE

- (9) If the corporation is neither incorporated nor registered in British Columbia, the name of the governing jurisdiction of a corporate borrower must be shown in this Item.

ITEM 4—Lender(s) [Mortgagee(s)]

- (1) In the case of an individual, enter the full name and occupation of each lender (and, if applicable, information respecting joint tenancy). A mailing address (including postal code) must also be entered.
- (2) In the case of a corporation, enter its name and its B.C. incorporation or extraprovincial registration number, if any. If it is not incorporated or registered in B.C., enter a description of its governing jurisdiction. In either case, a mailing address for the lender must be entered in this Item.
- (3) In the case of a lender which has branch offices, a branch office address may be included as part of the description of the lender, but a mailing address must also be given.
- (4) In all cases, the mailing address must include a postal code. It is not sufficient to state only the name of the city, town or village.

- (5) In the case of a lender that has branch offices, a branch office address may be included in the description of the lender, but a mailing address must also be given. If the branch office address and postal address are the same, this should be stated. The name of the governing jurisdiction of a corporate lender must always be entered unless the corporation is incorporated or registered in British Columbia.

EXAMPLE:

4. LENDER(S) [MORTGAGEE(S)]: *(including occupation(s), postal address(es) and postal code(s))**

FOREIGN LOAN COMPANY INC., a Hong Kong corporation having an office at 7000 Stanley Place, Kowloon, Hong Kong and a postal address of Postal Box 755600, Kowloon, Hong Kong

- (6) If the lenders are taking fractional interests, the shares must be expressed as whole fractions. For example, an undivided 1/3 interest expressed as 33.3% is not permitted.

EXAMPLE:

4. LENDER(S) [MORTGAGEE(S)]: *(including occupation(s), postal address(es) and postal code(s))**

CTM, a Canadian chartered bank, having a branch office and postal address at 910 Douglas Street, Victoria, B.C. V9T 7J8, as to an undivided 1/4 interest and MAX ALLEN JONES, Sailor, of 650 Seymour Street, Victoria, B.C. V7A 8Y9, as to an undivided 3/4 interest.

- (7) Preference is for lender names to be printed or typed in capitals.
- (8) If there is insufficient space to enter the names, occupations and mailing addresses of all the lenders, enter "SEE SCHEDULE" and set out all the names, occupations and mailing addresses in a schedule.

EXAMPLE:

4. LENDER(S) [MORTGAGEE(S)]: *(including occupation(s), postal address(es) and postal code(s))* *

SEE SCHEDULE

ITEM 5—Payment Provisions

(1) Complete the boxes in Item 5 as follows:

a. Principal Amount:

Enter the principal amount expressed in figures only.

If the principal amount is not a sum certain, enter "SEE SCHEDULE" and set out the obligation in a schedule.

b. Interest Rate:

Enter the interest rate expressed as a percentage. Decimals or fractions are acceptable.

If a definition of "Prime" or similar reference rate is included in the mortgage terms, interest can be stated as "Prime + 2%" or words to like effect.

c. Interest Adjustment Date:

Enter the interest adjustment date by "year, month, day" in the respective columns.

If there is no interest adjustment date, enter "N/A".

d. Interest Calculation Period:

Enter interest calculation period using dates if necessary (e.g. quarterly, semi-annually, May 15 and Nov. 15).

If there is no interest calculation period, enter "N/A".

e. Payment Dates:

Enter the date and frequency of payments (e.g. "1st day of each month", "1st and 15th day of each month" or "every second Tuesday").

If there are no payment dates, enter "N/A".

f. First Payment Date:

Enter the date on which the first periodic payment is to be made.

If there are no periodic payments, enter "N/A".

- g. Amount of Each Periodic Payment:

Enter the amount of each periodic payment (expressed in figures only).

If there are no periodic payments, enter "N/A".

If the periodic payments are of accrued interest only, enter "Interest only".

- h. *Interest Act (Canada)* Statement:

Enter the appropriate percentage in figures.

If space is insufficient, enter "SEE SCHEDULE" and set out the equivalent percentage in a schedule.

If it is not necessary to make an Interest Act (Canada) Statement, enter "N/A".

- i. Last Payment Date:

Enter the date on which the last periodic payment is to be made.

If there are no periodic payments, enter "N/A".

- j. Assignment of Rents Statement:

If the mortgage contains an assignment of rents which the applicant wishes registered, enter "X" in the "YES" box.

If the assignment is contained in a set of filed mortgage terms, enter and the section or paragraph number of the assignment of rents provision.

If the assignment is contained in a schedule, enter "SEE SCHEDULE" and the page number on which the assignment is set out.

If the mortgage does not contain an assignment of rents, or if it does and the applicant does not want to register it, enter "X" in the "NO" box.

- k. Place of Payment:

Enter the mailing address at which payment of the mortgage money is to be made.

If payment is to be made at the lender's mailing address shown in Item 4, enter "MAILING ADDRESS IN ITEM 4".

- l. Balance Due Date:

Enter the date on which the unpaid balance is due.

If the mortgage is payable on demand, enter "ON DEMAND".

- (2) It is anticipated that the payment provisions of most mortgages can be accommodated in Item 5. In situations where a particular box of this Item cannot be completed conveniently in the space provided, enter "SEE SCHEDULE" in that box and set out the provision in a schedule.
- (3) Please ensure that every box in Item 5 is completed by
- entering the appropriate information, or
 - entering "N/A" or "SEE SCHEDULE" as the circumstances require.

EXAMPLE:

5. PAYMENT PROVISIONS:						
(a) Principal Amount: \$15 000	(b) Interest Rate: 12% per annum	(c) Interest Adjustment Date:	Y	M	D	
			90	1	1	
(d) Interest Calculation Period: Monthly	(e) Payment Dates: month	(f) First Payment 1st day of each	Date:	90	2	1
(g) Amount of each periodic payment: \$333.67	(h) <i>Interest Act</i> (Canada) Statement: The equivalent rate of interest calculated half yearly not in advance is 12.30403% per annum.	(i) Last Payment Date:	94	12	1	
(j) Assignment of Rents which the applicant wants registered YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If YES, page and paragraph number: Page 10, paragraph 13.07	(k) Place of payment: MAILING ADDRESS IN ITEM 4	(l) Balance Due Date:	95	1	1	

EXAMPLE:

5. PAYMENT PROVISIONS:					
(a) Principal Amount: \$1 000 000	(b) Interest Rate: Prime + 2% per annum	(c) Interest Adjustment Date:	Y	M	D
					N/A
(d) Interest Calculation Period: Monthly	15th day of each month	(e) Payment Dates: Date:	90	1	15
(g) Amount of each periodic payment: Interest only	(h) <i>Interest Act</i> (Canada) Statement: The equivalent rate of interest calculated half yearly not in advance is N/A% per annum.	(i) Last Payment Date:			N/A
(j) Assignment of Rents which the applicant wants registered YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If YES, page and paragraph number: Page 3, paragraph 7	(k) Place of payment: 724 Westsea Drive Port Alberni, B.C. V9X 2T8	(l) Balance Due Date:			On Demand

- (4) Where the contents of one or more boxes in Item 5 deferred to a schedule, they shall be set out in the schedule under the same headings and in the same order as they appear in Item 5.
- (5) If the mortgage secures a non-monetary obligation and "SEE SCHEDULE" has been entered in box (a), the obligation may be described in the schedule under the heading "Obligation Secured" rather than the heading "Principal Amount".

ITEM 6—Floating Charge

- (1) If the mortgage contains a floating charge on land, enter "X" in the "YES" box. If it does not, enter "X" in the "NO" box.

ITEM 7—Current or Running Account

- (1) If the mortgage is made to secure a current or running account, enter "X" in the "YES" box. If it is not, enter "X" in the "NO" box.

ITEM 8—Interest Mortgaged

- (1) Enter "X" in the box that indicates the interest of the borrower that is to be charged. At least one of the boxes must be marked in this manner.
- (2) If the mortgaged interest is a fee simple interest, enter "X" in the "Freehold" box. If the mortgaged interest is an interest less than the fee simple, enter "X" in the "Other" box and describe the charge and specify its registration number.

EXAMPLE:

8. INTEREST MORTGAGED:	
FREEHOLD	<input type="checkbox"/>
OTHER (SPECIFY)	<input checked="" type="checkbox"/> * Option to Purchase GD1000

- (3) If the mortgaged interest is an interest less than the fee simple that is to be registered concurrently with the mortgage, enter a description of the instrument creating the interest that is sufficient for the registrar to identify it as the interest mortgaged.

EXAMPLE:

8. INTEREST MORTGAGED:	
FREEHOLD	<input type="checkbox"/>
OTHER (SPECIFY)	<input checked="" type="checkbox"/> * Leasehold created by lease with registration number to be one lower than the within instrument.

- (4) If the mortgaged interest is a fee simple and one or more lesser interests, both boxes may be selected. If there is insufficient space to describe the other specified interests, enter "SEE SCHEDULE" and describe them in a schedule.

ITEM 9—Mortgage Terms

- (1) Part 2 of the mortgage consists of one of
 - a. prescribed standard mortgage terms,
 - b. filed standard mortgage terms, or
 - c. express mortgage terms appended to the mortgage form.
- (2) Since the list in subsection (1) is exhaustive, only one item may be selected.
- (3) Where the prescribed standard mortgage terms or the filed standard mortgage terms are selected, they are considered to be Part 2 of the mortgage. Where express mortgage terms are used, these must be entitled "MORTGAGE TERMS—PART 2" and be attached to Part 1 of the mortgage immediately after any schedules to the mortgage form.
- (4) There are 3 options for completing Item 9:
 - a. if the prescribed standard mortgage terms are to be incorporated, enter "X" in the appropriate box,
 - b. if a set of filed standard mortgage terms is to be incorporated, enter "X" in the appropriate box and enter the filing number assigned to the set by the land title office, or
 - c. if the express mortgage terms are to be attached, enter "X" in the appropriate box and annex them as Part 2.
- (5) A selection of either the prescribed standard mortgage terms or the filed standard mortgage terms will automatically include any addition, deletion or modification to those terms referred to in Item 10.

ITEM 10—Additional or Modified Terms

- (1) Where the prescribed standard mortgage terms or filed standard mortgage terms are to be added to, deleted or modified, the addition, deletion or modification may be entered in Item 10 or in a schedule.
- (2) If all the additional, deleted or modified mortgage terms can be accommodated in the space provided, enter them in Item 10.
- (3) If all the additional, deleted or modified mortgage terms cannot be accommodated in the space provided, enter "SEE SCHEDULE" and set all of them out in a schedule.
- (4) Do not use Item 10 to summarize any mortgage terms or to add to, delete or modify express mortgage terms.

ITEM 11—Prior Encumbrances Permitted by Lender

- (1) If desired, enter a description of any prior encumbrances the lender will permit.

- (2) Completion of this Item is not mandatory and the registrar will not examine any information contained in it or verify it against the register.
- (3) If it is intended to make the mortgage subject to an interest which will be registered after the registration of the mortgage, do not enter a description of it in this Item. Instead, an appropriate form of consent and postponement may be included in the mortgage terms.

EXAMPLE:

11. PRIOR ENCUMBRANCES PERMITTED BY LENDER:

- (a) SRW K9473
- (b) Mortgage Z47934
- (c) Mortgage in the principal sum of \$285 000 in favour of The Royal Bank of Canada
- (d) Certificate dated November 15, 1989 in the sum of \$15 397.43 issued pursuant to the Employment Standards Act.

- (4) If, at the time the mortgage is executed, it is intended to register the mortgage subject to a certificate of pending litigation, the appropriate entry may be made in this Item. If that decision is made after execution, file a separate election as required under section 216(2)(b) of the *Land Title Act*.

ITEM 12—Execution(s)

- (1) Item 12 is to be used for execution of the mortgage document by the borrower and for officer certification.
- (2) If the space provided is not sufficient for execution by all borrowers, then an additional page for execution may be added without reference to the registrar. The additional page must be in Form D. Where a borrower's signature has been certified by an officer, the certification must appear on the same page as the execution.
- (3) The date of execution, given in year, month and day, must be indicated in the space provided in Item 12. Years shall be entered using the last 2 digits (e.g. "89" for 1989). Months shall be designated by number (e.g. "2" for February).

Individual borrower

- (4) For natural persons, under the "Borrower(s) Signature(s)" column, the borrower name must be typed or printed immediately below the signature of the borrower.
- (5) Under the "Officer Signature(s)" column, the name, mailing address and professional capacity (e.g., solicitor, notary or commissioner) must be typed or printed immediately below the signature of the certifying officer.

EXAMPLE:

12. EXECUTION(S): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
<u>Jack Smith</u>				<u>John Peter</u>
Ian Jack Smith	89	3	15	John Peter Doe
100 Burrard Street				
Vancouver, B.C.				
V6C 1A1				
Solicitor				

- (6) Please note that the definition of an officer is limited to a person before whom an affidavit may be sworn under the *Evidence Act*, R.S.B.C. 1996, c. 124, sections 60, 63 and 64.
- (7) The officer signature must appear directly opposite the borrower signature certified by the officer. If one officer is certifying more than one borrower signature, add "as to all signatures" or "as to the signatures of ..." immediately below the officer signature.

EXAMPLE:

12. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
<u>Jack</u>				<u>Peter</u>
William Jack Johns	89	3	15	John Peter Allan
101 Douglas Street				
Victoria, B.C.				
V8A 1A2				<u>Lynn</u>
Notary Public				Mary Lynn Glen
(as to all signatures)				

Corporate borrower

- (8) In the case of a mortgage executed by a corporation, use the format shown in the following example and ensure that the name of the authorized signatory is typed or printed immediately below the signature. Please note that the affixation of a corporate seal is no longer required for *Land Title Act* purposes. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL BORROWER also apply to this form of execution.

EXAMPLE:

12. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
<u>Joe</u> Jim Joe Brown 2500 West Georgia St. Vancouver, B.C. V7C 2P4 Notary Public	89	3	26	ABC Limited by its authorized signatory <u>Lee</u> John Lee Doe

- (9) If a company seal is affixed, it must not obliterate or obscure any signature or information entered in this Item. In the case of a corporate attorney, it is the seal of the attorney that is to be affixed rather than that of the borrower.

Execution by individual attorney

- (10) In the case of a mortgage executed by an attorney, use the appropriate format shown in the following example. If a power of attorney is already filed in the land title office, enter the filing number immediately below the signature. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL BORROWER also apply to this form of execution.

EXAMPLE:

12. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
<u>Mary</u> Sue Mary Love 2727-1499 4th Ave. Prince George, B.C. V2C 4Y9 Solicitor	89	3	13	JOHN LEE DOE by his Attorney JOHN JOE SMITH <u>Joe</u> D.F. 667802

Execution by corporate attorney

(11) In the case of a mortgage executed by a corporate attorney, it must be clear that the signatory is an authorized signatory of the corporate attorney and that the corporate attorney is acting as the attorney for the borrower. The provisions of subsections (5), (6) and (7) under the heading INDIVIDUAL BORROWER also apply to this form of execution.

EXAMPLE:

12. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
<u>Sue</u> Jane Sue Brown 1700-1250 2nd Ave. Kamloops, B.C. V9C 9Y5 Solicitor	89	3	13	JOHN LEE DOE by his Attorney ABC LIMITED by its authorized signatory <u>Joe</u> John Joe Smith

Lack of certification

(12) If the borrower signature cannot be certified by an officer, enter "SEE AFFIDAVIT OF EXECUTION" and attach an affidavit that complies with Part 5 of the *Land Title Act*. Note that the affidavit is part of Form B and must have a page number.

(13) The affidavit must state the reason why officer certification cannot be obtained. The reason must be sufficient for the registrar to accept the affidavit in lieu of the officer certification. In cases where the affidavit evidence of execution is submitted, the registrar is not likely to exercise his discretion unless officer certification is simply impossible to obtain under the circumstances or the mortgage was executed outside British Columbia.

(14) In cases where the mortgage document is executed outside British Columbia, the registrar will accept that it is difficult to obtain an officer certification in all cases and will accept the affidavit of execution in lieu of an officer certification.

EXAMPLE:

12. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Borrower(s) Signature(s)
SEE AFFIDAVIT OF EXECUTION	89	3	13	<u>Charles</u> John Charles Doe

Covenantor or guarantor

(15) (1) A covenantor or guarantor may sign the document within Item 12. The covenantor's or guarantor's name must be typed or printed below the signature. The signature of the covenantor or guarantor need not be certified by an officer for *Land Title Act* purposes.

3.3. Form C General Instrument

LAND TITLE ACT
FORM C
 (Section 233)

Province of
 British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of _____ pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *
(PID) (LEGAL DESCRIPTION)

3. NATURE OF INTEREST: *
DESCRIPTION DOCUMENT REFERENCE (page and paragraph) PERSON ENTITLED TO INTEREST

4. TERMS: Part 2 of the instrument consists of (select one only)

- (a) Filed Standard Charge Terms [] D.F. No.
 (b) Express Charge Terms [] Annexed as Part 2
 (c) Release [] There is no Part 2 of this Instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S): *

6. TRANSFEREES(S): (including postal address(es) and postal code(s)) *

7. ADDITIONAL OR MODIFIED TERMS: *

8. EXECUTION(S): ** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Y	M	D

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Form C General Instrument – General Instructions

- (1) Upon submission of a general instrument in Form C to the land title office, a separate application is not necessary unless it also creates, excepts or reserves an interest in land in favour of the transferor that is capable of registration under the *Land Title Act*, in which case the transferor shall apply to register that interest in Form 17 as approved by the Director.
- (2) Please ensure that every Item of Form C is completed in accordance with the instructions and user guide.
- (3) The general instrument includes
 - a. the general instrument in Form C,
 - b. any additional pages to accommodate party and officer signatures in Form D,
 - c. all pages attached to the general instrument as a schedule in Form E,
 - d. all pages of the express terms, if any, attached to the general instrument as Part 2, and
 - e. an affidavit of execution, if any,and the general instrument shall be arranged in that order.
- (4) Enter the total number of pages that comprise the general instrument in the space provided. Number each page after page 1 of the general instrument consecutively.
- (5) Do not include the number of pages contained in a set of filed standard charge terms that are to be incorporated by reference. Although incorporated by reference, they are not part of the actual general instrument form.

Completion Instructions

ITEM 1—Application

- (1) Enter the name, mailing address (including postal code) and phone number of the applicant or the applicant's solicitor or agent. This must be followed by the signature of that person.
- (2) Under the *Land Title Act*, the "applicant" is the person who is entitled to be the registered owner of the charge or a release of it. This Item constitutes the application to register the general instrument and must be completed by the applicant or the solicitor or agent of the applicant either before or after execution of the instrument. Any refusal notice will be sent to the person named in the application at the mailing address specified.
- (3) If the applicant or the applicant's solicitor or agent is an individual, the name, mailing address (including postal code) and phone number of the individual, followed by his or her signature, must be entered.

- (4) If the applicant or the applicant’s solicitor or agent is not an individual, the name, mailing address (including postal code), phone number and signature of an individual who is authorized to do all acts necessary to effect registration of the general instrument must be entered.

ITEM 2—Parcel Identifier(s) and Legal Description(s) of Land

- (1) In the space provided in Item 2, enter the 9 digit parcel identifier number (PID) of each parcel that is to be charged or that is encumbered with the charge being assigned, modified, enlarged, released, partially released or postponed, followed by the legal description of the land matching the PID number. The PID number is not required if not yet assigned.
- (2) The legal description consists of everything shown in the “Description of Land” segment of a computer title printed below the PID number.
- (3) Preambles such as “All and singular that certain parcel ...” in the legal description are not required. Similarly, reference to a strata lot owner’s share in the common property is not required. Preambles such as “That part of Lot 4 shown on ...” may be used where required.
- (4) State Lot and Plan numbers in figures only. In addition, the following abbreviations are acceptable:

Rge = Range	Tp = Township	N = North	W = West
Bl = Block	Dist = District	S = South	E = East
Gp = Group	Sec = Section	DL = District Lot	
LD = Legal Subdivision		ODYD = Osoyoos Division, Yale District	
W6M = West of the Sixth Meridian		QCD = Queen Charlotte District	
Frac = Fractional		SDYD = Similkameen Division, Yale District	
THSL = Town of Hastings Suburban Lands		TID = Texada Island District	
KDYD = Kamloops Division, Yale District		YDYD = Yale Division, Yale District	
NWD = New Westminster District			

- (5) It is not necessary to include references to water, improvement or assessment districts, or legal notations such as “hereunto annexed is Easement No. ...”.
- (6) The legal description(s) with parcel identifier number(s) must be recorded entirely within Item 2 and must not continue onto a schedule.

- (7) If the space is not sufficient for the parcel identifier number(s) and legal description(s), set out the parcel identifier number(s) and legal description(s) in a schedule and enter "SEE SCHEDULE" in Item 2.

EXAMPLE:

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *	
<i>(PID)</i>	<i>(LEGAL DESCRIPTION)</i>
SEE SCHEDULE	

- (8) If a PID number has not been assigned to the parcel, enter "NO PID NUMBER" followed by the legal description.
- (9) Please note that land title office mark up of the parcel affected is done by PID number only.
- (10) Please ensure that the legal description is entered opposite the PID number of the parcel it describes.
- (11) In the case of a partial release, ensure that the land described in this Item is the only land that is to be released from the charge.

EXAMPLE:

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *	
<i>(PID)</i>	<i>(LEGAL DESCRIPTION)</i>
NO PID NUMBER	Lot 3, Sec 5, Esquimalt Dist, Plan 4532
169 740 266	Lot 1, Sec 44, Rge 4E, ODYD, Plan 4532

ITEM 3—Nature of Interest

- (1) Enter a brief description of the interest and the name of the person entitled to the interest.
- (2) If the general instrument is intended to operate as a release of a registered charge, enter a description of the charge and its registration number and enter "N/A" for the document reference. In most cases the person entitled to the interest will be the registered owner.

EXAMPLE:

3. NATURE OF INTEREST: *		
<i>DESCRIPTION</i>	<i>DOCUMENT REFERENCE</i>	<i>PERSON ENTITLED TO INTEREST</i>
	<i>(page and paragraph)</i>	
Release of Mortgage No. M1160	N/A	Registered Owner

- (3) While the above example states "Release of Mortgage No. M1160" in the Description Column, the words "Discharge of Mortgage No. M1160" are acceptable. In the case of a lease, the words "surrender of Lease No. L1160" will be appropriate.
- (4) Where a charge (e.g., an easement) only affects part of the land described in Item 2, there must be a statement to that effect in the Description of Interest column.
- (5) Where there is a dominant tenement associated with the charge, a description of the dominant tenement, including the PID number, must be set out in the Person Entitled to Interest column.

EXAMPLE:

3. NATURE OF INTEREST: *		
<i>DESCRIPTION</i>	<i>DOCUMENT REFERENCE</i>	<i>PERSON ENTITLED TO INTEREST</i>
	<i>(PAGE AND PARAGRAPH)</i>	
Easement over part shown on Plan 1160		Registered Owner of Lot 1, Sec 5, Rge 4E, ODYD, Plan 4523 (PID No. 170 772 622)

- (6) The following classes of instrument that create or constitute any of the following must be in Form C:
 - a. an assignment of rents that is not part of a mortgage,
 - b. an easement,
 - c. an equitable charge other than a floating charge,
 - d. an agreement to extend a registered mortgage or charge over other land,
 - e. an agreement to modify a charge,
 - f. a priority agreement

- g. a lease, option to lease or agreement to renew a lease,
 - h. an option to purchase,
 - i. a right of first refusal,
 - j. a right to purchase,
 - k. a statutory right of way,
 - l. a positive or negative covenant, other than a statutory building scheme in the form approved by the Director of Land Titles,
 - m. an assignment of a registered charge, other than an assignment of a registered mortgage or a registered judgment in the form approved by the Director of Land Titles, or
 - n. a release or discharge of a charge or interest.
- (7) As a general rule, any instrument that creates a voluntary charge agreed to by the parties or that voluntarily releases a charge must be in Form C. If the signature of the owner of the land affected by the charge is not necessary to create the charge, do not use the general instrument form. Similarly, where the signature of the charge holder is not necessary to affect a release of it, do not use the general instrument form.
- (8) Please note the following:
- a. a debenture security or security agreement that creates a mortgage of specific land must be in Form B;
 - b. a debenture security or security agreement that does not create a mortgage of specific land must be in Form C where it creates an equitable charge other than a floating charge;
 - c. if the equitable charge created by the debenture or security agreement is a floating charge, the instrument need not be in Form C (in which case the application to register shall be in Form 17 in a form approved by the Director);
 - d. a floating charge on land is not registerable until it has crystallized;
 - e. if the instrument is a supplemental debenture or a supplemental security agreement, and it purports to modify or extend a registered charge, the instrument must be in Form C;
 - f. if the instrument is a supplemental debenture or a supplemental security agreement that creates a mortgage of specific land in circumstances where the principal debenture or security agreement is unregistered, the instrument must be in Form B.
- (9) For document reference, enter the general instrument page number and the paragraph number where the interest is created (the words of grant). Where the words creating the interest are contained in a set of filed standard charge terms, enter the filing number of the set and the page and paragraph number where the interest is created.

EXAMPLE:

3. NATURE OF INTEREST: *		
<i>DESCRIPTION</i>	<i>DOCUMENT REFERENCE (PAGE AND PARAGRAPH)</i>	<i>PERSON ENTITLED TO INTEREST</i>
Lease over part bold outline Plan BCP 12345	Standard Charge Terms Pages 2–10, Paragraph 4-19	Transferee
Easement over part hatched Plan BCP 12345	Page 6 Paragraph 6.08	Transferee of lease contained herein

(10) The following list contains examples of instruments that shall not be in Form C (the list is not exhaustive):

- a. builder’s lien;
- b. caveat;
- c. change of name application;
- d. court order;
- e. tax sale notice;
- f. transmission;
- g. any other instrument, the form of which is prescribed
 - (i) under the Act, or
 - (ii) under any other enactment,

where applied for in Form 17 in a form approved by the Director.

(11) Generally, the instruments listed in subsection (10) create involuntary charges or are already prescribed under DR 04-11 Director’s Requirements and Approval for Hardcopy Land Title Forms and Plans. Unless a form of application is dispensed with by the registrar, or is otherwise prescribed, application to register them shall be in Form 17.

(12) If at the time the general instrument is executed it is intended to register the interest subject to a certificate of pending litigation, the appropriate entry may be made in Item 3 under “Nature of Interest”, in the operative part of the instrument that the applicant attaches as Part 2 to the Form C, or in Item 2 (Parcel Identifier and Legal Description of Land). If that decision is made after execution, file a separate election as required under section 216(2)(b) of the *Land Title Act*.

(13) Where the general instrument is intended to

- a. assign a charge,
- b. modify a charge,
- c. postpone a charge, or
- d. release a charge

please enter a brief description of the nature of the transaction and the charges affected by it.

EXAMPLE:

3. NATURE OF INTEREST: *		
<i>DESCRIPTION</i>	<i>DOCUMENT REFERENCE</i> <i>(page and paragraph)</i>	<i>PERSON ENTITLED TO INTEREST</i>
Modification of Lease L4567	Page 6 Paragraph 7-9	Landlord/Tenant
Assignment of Lease L7654	Entire Instrument	Assignee
Priority Agreement granting Mortgage 4321 priority over Mortgage 7655 and Lease 7742	Page 1-3 Paragraph 4-10	Owner: Mortgage No. 4321

ITEM 4—Terms

- (1) Part 2 of the general instrument that creates, assigns, modifies, enlarges or governs the priority of a charge consists of one of
 - a. filed standard charge terms, or
 - b. express charge terms appended as Part 2.
- (2) Since the list in subsection (1) is exhaustive, only one may be selected.
- (3) Where filed standard charge terms are selected, they are considered to be Part 2 of the general instrument. Where express charge terms are used, these must be entitled "TERMS OF INSTRUMENT—PART 2" and be attached to Part 1 of the general instrument immediately after any schedules to Form C.

- (4) In the case of a release, the general instrument will be in Part 1 only. There will be no Part 2. Any saving language describing rights not specifically released may be set out in Item 7.
- (5) In the case of a modification agreement, a priority agreement or surrender of lease, the terms of the modification, priority or surrender of lease are to be treated as express charge terms and are to be appended as Part 2 of the general instrument.
- (6) There are 3 options for completing Item 4:
 - a. if a set of filed standard charge terms is to be incorporated, enter "X" in the appropriate box and enter the filing number assigned to the set by the land title office;
 - b. if express terms are to be attached, enter "X" in the appropriate box and annex them as Part 2;
 - c. if the instrument is intended to release a charge, enter "X" in the appropriate box.
- (7) A selection of filed standard charge terms will include any addition, deletion or modification to those terms referred to in Item 7.

ITEM 5—Transferor(s)

- (1) In the case of an individual, enter the full name of the transferor.
- (2) In the case of a corporation, enter its name and its British Columbia incorporation or registration number, if any.
- (3) It is not necessary to set out occupations or mailing addresses in this Item.
- (4) The "transferor" is the person who
 - a. transfers, assigns, grants or otherwise creates an interest,
 - b. postpones an interest,
 - c. releases or discharges an interest, or
 - d. in the case of the modification of a charge, granted the charge or is the owner of the estate, charge or interest that is encumbered by the charge being modified.
- (5) If the transferor is an individual, his or her name should be set out in full as it appears on the title.
- (6) The mailing address of the transferor need not be entered as part of the description.

EXAMPLE:

5. TRANSFEROR(S): *

JOHN PAUL SMITH and MARY JANE SMITH

- (7) In the case of a corporation that is a British Columbia company or that is registered in British Columbia, enter the British Columbia incorporation or registration number. If it is neither incorporated nor registered in British Columbia, the name of its governing jurisdiction may be entered in this Item.

EXAMPLE:

5. TRANSFEROR(S): *

ABC CO. LTD., (Inc. No. 2378) and DEF LIMITED, a
company incorporated in California, U.S.A.

- (8) Preference is for transferor names to be printed or typed in capitals.
- (9) If there is insufficient space to enter the names of all of the transferors, enter "SEE SCHEDULE" and set out all the names in a schedule. Do not set out some names in Item 4 and some in a schedule.

EXAMPLE:

5. TRANSFEROR(S): *

SEE SCHEDULE

- (10) In the case of a release of charge, enter the full name of the charge holder in this Item.
- (11) In the case of a priority agreement, enter the full name of the charge holder granting the priority in this Item.
- (12) In the case of a modification agreement, enter the name of the registered owner of the estate, charge or interest that is encumbered by the charge being modified in this Item.

ITEM 6—Transferee(s)

- (1) In the case of an individual, enter the full name and occupation of the transferee (and, if applicable, information respecting joint tenancy), together with a mailing address for the transferee.
- (2) In the case of a corporation, enter its full name and British Columbia incorporation or registration number. If it is not incorporated or registered in British Columbia, enter a description of its governing jurisdiction. In either case, a mailing address for the transferee must be entered in this Item.
- (3) In all cases, the mailing address must include a postal code. It is not sufficient to state only the name of the city, town or village.
- (4) In the case of a transferee which has branch offices, a branch office address may be included as part of the description of the transferee, but a postal address must also be shown. The name of the governing jurisdiction of a corporation must always be entered unless the corporation is incorporated or registered in British Columbia.

EXAMPLE:

6. TRANSFEREE(S): *(including postal address(es) and postal code(s))**

CTM, a Canadian chartered bank, having a branch office at
910 Douglas Street, Victoria, B.C. and a mailing address of
P.O. Box 99, Station A, Victoria, B.C. V9T 7J8

- (5) If the transferees are taking fractional interests, the shares must be expressed as a whole fraction. For example, an undivided 1/3 interest expressed as 33.3% is not permitted.
- (6) Preference is that transferee names be printed or typed in capitals .
- (7) If there is insufficient space to enter the names, occupations and mailing addresses of all the transferees, enter "SEE SCHEDULE" and set out all the names, occupations and addresses in a schedule.

EXAMPLE:

6. TRANSFEREE(S): *(including postal address(es) and postal code(s))**

SEE SCHEDULE

- (8) In the case of a release of charge, enter the full name of the owner of the encumbered estate or interest in this Item. Where that person is the fee simple owner, the

words "Registered Owner" will be sufficient. It is not necessary to specify that person's occupation, mailing address and postal code.

- (9) In the case of a priority agreement, enter the name of the holder of the charge or interest for which the priority is given in this Item.
- (10) In the case of a modification agreement, enter the name of the registered owner of the charge being modified or the registered owner of the estate or interest benefiting from the charge being modified.

ITEM 7—Additional or Modified Terms

- (1) Where the filed standard charge terms are to be added to, deleted or modified, the addition, deletion or modification may be entered in Item 7 or in a schedule.
- (2) If all of the additional, deleted or modified charge terms can be accommodated in the space provided, enter them in Item 7.
- (3) If all of the additional, deleted or modified charge terms cannot be accommodated in the space provided, enter "SEE SCHEDULE" and set all of them out in a schedule.
- (4) Do not use Item 7 to summarize any charge terms or to add to, delete or modify express terms.
- (5) Saving language may be added where appropriate. For example, in a release of mortgage, the mortgagee may wish to add express words to set out that the contractual obligation to pay is not affected in those cases where only the security is to be released.

ITEM 8—Execution(s)

- (1) Item 8 is to be used for the signature of all persons required to execute the general instrument and for officer certification.
- (2) If the space provided is not sufficient for the signature of all persons required to execute the general instrument, then an additional page may be added to accommodate the additional signatures. The additional page must be in Form D. Where a signature of a party is certified by an officer, the certification must appear on the same page as the party signature.
- (3) The date of execution, given in year, month and day, must be indicated in the space provided in Item 8. Years shall be entered using the last 2 digits (e.g., "89" for 1989). Months shall be designated by number (e.g., "2" for February).

Individual transferor or transferee

- (4) For natural persons, under the "Party(ies) Signature(s)" column, the party name must be printed or typed immediately below the signature.

- (5) Under the "Officer Signature(s)" column the name, mailing address and professional capacity (e.g., solicitor, notary public or commissioner) must be typed or printed immediately below the signature of the certifying officer.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
<u>Jack Smith</u> Ian Jack Smith 100 Burrard Street Vancouver, BC V6C 1A1 Solicitor	89	3	15	<u>John Peter</u> John Peter Doe

- (6) Please note that the definition of an officer is limited to a person before whom an affidavit may be sworn under the *Evidence Act*, R.S.B.C. 1996, c. 124, sections 60, 63 and 64.
- (7) The officer signature must appear directly opposite the party signature certified by the officer. If one officer is certifying the signature of more than one party, add "as to all signatures" or "as to the signatures of ..." immediately below the officer signature.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
<u>Jack</u> William Jack Johns 101 Douglas Street Victoria, BC V8A 1A2 Notary Public	89	4	3	<u>Peter</u> John Peter Allan
(as to all signatures)				<u>Lynn</u> Mary Lynn Glen

Corporate transferor or transferee

- (8) In the case of a general instrument executed by a corporation, use the format shown in the following example and ensure that the name of the authorized signatory is typed

or printed immediately below the signature. Please note that the affixation of a corporate seal is no longer required for *Land Title Act* purposes. The provisions of subsections (2), (3) and (4) under the heading "INDIVIDUAL TRANSFEROR OR TRANSFEREE" also apply to this form of execution.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
<u>Joe</u> Jim Joe Brown 2500 West Georgia St. Vancouver, BC V7L 2P4 Notary Public	89	3	26	ABC Limited by its authorized signatory <u>Lee</u> John Lee Doe

(9) If a company seal is to be affixed, please ensure that it does not obliterate or obscure any signature or information entered in this Item. In the case of a corporate attorney, it is the seal of the attorney that is to be affixed rather than that of the party for whom the attorney acts.

Execution by individual attorney

(10) (1) In the case of a general instrument executed by an attorney, use the appropriate format shown in the following example. If a power of attorney is already filed in the land title office, enter the filing number immediately below the signature. The provisions of subsections (5), (6) and (7) under the heading "INDIVIDUAL TRANSFEROR OR TRANSFEREE" also apply to this form of execution.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
<u>Mary</u> Sue Mary Davis 2727-1499 4th Avenue Prince George, B.C. V2L 4Y9 Notary Public	89	3	13	JOHN LEE DOE by his Attorney JOHN JOE SMITH <u>Joe</u> D.F. 667801

Execution by corporate attorney

(11) In the case of a general instrument executed by a corporate attorney, it must be clear that the signatory is an authorized signatory of the corporate attorney and that the corporation is acting as the attorney for the party. The provisions of subsections (5), (6) and (7) under the heading "INDIVIDUAL TRANSFEROR OR TRANSFEREE" also apply to this form of execution.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
<u>Sue</u> Jane Sue Brown 1700-1250 2nd Ave. Kamloops, B.C. V9C 9Y5 Solicitor	89	3	13	JOHN LEE DOE by his Attorney ABC LIMITED by its authorized signatory JOHN JOE SMITH
				<u>Joe</u> John Joe Smith DF 676802

Lack of certification

- (12) If the transferor(s)/transferee(s) signature(s) cannot be certified by an officer, enter "SEE AFFIDAVIT OF EXECUTION" and attach an affidavit that complies with Part 5 of the *Land Title Act*. Note that the affidavit is part of Form C and must have a page number.
- (13) The affidavit must state the reason why officer certification cannot be obtained. The reason must be sufficient for the registrar to accept the affidavit in lieu of the officer certification. In those cases where the affidavit evidence of execution is submitted, the registrar is not likely to exercise his discretion unless officer certification is simply impossible to obtain under the circumstances or the general instrument was executed outside British Columbia.
- (14) In those cases where the general instrument is executed outside British Columbia, the registrar will accept that it is difficult to obtain an officer certification in all cases and will accept the affidavit of execution in lieu of an officer certification.

EXAMPLE:

8. Execution(s): **				
	Execution Date			
	Y	M	D	
Officer Signature(s)				Party(ies) Signature(s)
SEE AFFIDAVIT OF EXECUTION	89	3	13	<u>Charles</u> John Charles Doe

3.5. Form E Schedule

LAND TITLE ACT
FORM E

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

Form E Schedule – Completion Instructions

- (1) Each page of the schedule must be numbered in the top right corner.
- (2) The page numbers assigned to the schedule must be in sequence with the numbers assigned to the preceding page(s) of the transfer form.
- (3) Attachments to a freehold transfer or mortgage form must be in the following order:
 - a. additional page or pages to accommodate additional signatures and officer certification, if any, in Form D;
 - b. one or more schedules, in Form E;
 - c. express mortgage terms, if any;
 - d. affidavit of execution, if any.
- (4) Attachments to a general instrument form must be in the following order:
 - a. additional page or pages to accommodate additional signatures and officer certifications, if any, in Form D;
 - b. one or more schedules, if any, in Form E;
 - c. attachment containing the terms of the instrument;
 - d. affidavit of execution, if any.
- (5) Entries in a schedule in Form E must be
 - a. labelled by subheadings identical to those in the freehold transfer, mortgage or general instrument form to which Form E is attached, and
 - b. made in the same order as they would have been in the freehold transfer, mortgage or general instrument form to which Form E is attached.
- (6) The schedule in Form E is only to be used to set out information that, due to limited space, cannot be accommodated in the freehold transfer, mortgage or general instrument form.
- (7) The schedule in Form E is not to be confused with the attachment to the general instrument form that contains the terms of the instrument. This attachment may be labelled "TERMS OF INSTRUMENT" and attached immediately after any schedule.
- (8) Do not assign number or letter designations (such as "Schedule A" or "Schedule 1") to different pages or parts of the schedule. These are not necessary.
- (9) All labelled subheadings must be in block capitals and be numbered in accordance with the Item number of the transfer form to which Form E is attached.
- (10) Special covenants (such as those of a guarantor) that do not correspond to an Item of a transfer form may be set out at the end of the schedule and labelled accordingly.

- (11) At the bottom of the last page of the last attachment to the transfer form, type or print "END OF DOCUMENT".
- (12) The standard mortgage terms set out in Land Title Act (Board of Directors) Regulation, s.5 Schedule B are prescribed for the purposes of section 227 of the Act and shall be referred to as the "prescribed standard mortgage terms".

Appendix – Preferred Forms of Affidavit

[In the case of a transfer form that is executed by an individual]

1. I am 16 years of age or older and am acquainted with the person named in the instrument as the transferor.
2. I am acquainted with the signature of the transferor and believe that the signature subscribed to the instrument is the signature of the transferor.
3. The signature of the transferor was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., “the instrument was executed by the transferor outside British Columbia”).

[In the case of a transfer form that is executed by a corporation]

1. I am 19 years of age or older and am a person named in the instrument as an authorized signatory of the transferor and was authorized by the transferor to execute the instrument.
2. Any other person who executed the instrument for the transferor was authorized to do so by the transferor.
3. The transferor existed at the time the instrument was executed and is legally entitled to hold and dispose of land in British Columbia.
4. My signature was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., “the instrument was executed outside British Columbia”).

[In the case of a transfer form that is executed by an individual attorney on behalf of an individual transferor]

1. I am the attorney of the transferor under a subsisting power of attorney and am 19 years of age or older.
2. I am the person named in the instrument as the attorney of the transferor and, at the time I executed the instrument, I had no knowledge of

(in a case where the power is not enduring)

(a) the death, bankruptcy or mental infirmity of the transferor;

(in a case where the power is enduring)

(a) the death or bankruptcy of the transferor or of a termination of my authority under the power of attorney by the operation of section 8(2) of the *Power of Attorney Act*; or

(b) a revocation of the power of attorney by the transferor.

3. My signature was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., “the instrument was executed outside British Columbia”).

[In the case of a transfer form that is executed by an individual who is an attorney of a corporate transferor]

1. I am the attorney of the transferor under a subsisting power of attorney and am 19 years of age or older.
2. I am the person named in the instrument as the attorney of the transferor and, at the time the instrument was executed, the transferor existed and I had no knowledge of the dissolution or bankruptcy of the transferor or of a revocation of the power of attorney by the transferor.

3. The transferor is legally entitled to hold and dispose of land in British Columbia.
4. My signature was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., "the instrument was executed outside British Columbia").

[In the case of a transfer form that is executed by a corporate attorney of an individual transferor]

1. _____ (Name of Corporate Attorney) is the attorney of the transferor under a subsisting power of attorney.
2. I am an authorized signatory of the person named in the instrument as the attorney of the transferor and, at the time the instrument was executed, neither I nor the attorney had knowledge of

(in a case where the power is not enduring)

(a) the death, bankruptcy or mental infirmity of the transferor;

(in a case where the power is enduring)

(a) the death or bankruptcy of the transferor or of a termination of my authority under the power of attorney by the operation of section 8(2) of the *Power of Attorney Act*; or

(b) a revocation of the power of attorney by the transferor.

3. I was authorized by the attorney to execute the instrument and the attorney existed at the time I executed the instrument.
4. My signature was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., "the instrument was executed outside British Columbia").

[In the case of a transfer form that is executed by a corporate attorney of a corporate transferor]

1. _____ (Name of Corporate Attorney) is the attorney for the transferor under a subsisting power of attorney.
2. I am an authorized signatory of the attorney of the transferor and, at the time I executed the instrument, neither I nor the attorney had any knowledge of the dissolution or bankruptcy of the transferor or of a revocation of the power of attorney by the transferor.
3. I was authorized by the attorney to execute the instrument and both the attorney and the transferor existed at the time I executed the instrument.
4. The transferor is legally entitled to hold and dispose of land in British Columbia.
5. My signature was not certified by an officer under Part 5 of the *Land Title Act*, R.S.B.C. 1996, c. 250 because (set out reason, e.g., "the instrument was executed outside British Columbia").