



Solicitor's Final Report on Title

TO: ATB Financial
 CLOSING DATE: _____
 LOAN / LINE OF CREDIT APPLICATION NO.: _____
 DESCRIPTION OF PROPERTY: _____

Complete pages 1 to 3 and the Schedule A applicable to selection below.

Select One:

<input type="checkbox"/> Real Property Report and Certificate of Compliance	<input type="checkbox"/> Western Law Societies' Conveyancing Protocol (Alberta)	<input type="checkbox"/> With Title Insurance
<input type="checkbox"/> Condominiums <i>(please check one of the three in number 1 below that applies)</i>		

For All Land Secured Financing

1. Pursuant to your instructions and trust conditions, as solicitors for ATB Financial, and as applicable below *(select one)*

- Further to our Interim Report dated _____, 20____, *or*
- Solicitors' Opinion Western Law Societies' Conveyancing Protocol (Alberta) dated _____, 20____; *or*
- With Title Insurance

I / we advise that we have registered and completed for the purpose of funding the referenced loan / line of credit in the following manner:

LOAN / LINE OF CREDIT DETAILS

The security for the loan / line of credit has been properly registered as follows:

Mortgagor(s): _____
 Civic Address of Mortgaged Property: _____
 Brief Legal Description: _____
 Registration No.: _____
 Interest Adjustment Date: _____
 Name of Tax Office: _____
 Tax Roll Number: _____
 Mortgage Amount: _____
 Date of Mortgage: _____

Additional Security Details

If applicable, details of additional security and registration are noted in Schedule "A".

2. OPINION

I am / We are of the opinion that:

ENFORCEABILITY

The security for the loan / line of credit constitutes a valid and enforceable obligation of the Mortgagor(s), in accordance with its terms, subject only to the prior encumbrances noted on Schedule A.



JUDGMENTS

As of the date of this final report there were no outstanding registered builder’s liens, judgments, writs of execution, bankruptcy proceedings or other registered claims against the property that would adversely affect your security.

QUALIFICATIONS TO TITLE

We believe that there will be no secondary financing registered against this property on closing and confirm that we have no knowledge of any secondary financing as of the date hereof that has been arranged to assist in the completion of the transaction.

ZONING

The land use either conforms with all local municipal zoning by-laws, or any exceptions have been approved by the authorized authorities.

TAXES

All assessed municipal property and school taxes have been paid to the _____ day of _____, 20_____.

INSURANCE

The property is insured for the guaranteed replacement value of any building thereon against fire and extended risks and that the loss is payable to ATB Financial as _____ mortgagee in accordance with the standard mortgage clause the details of which include:

Company: _____

Policy No.: _____

Amount: _____

Expiry Date: _____

Agent: _____

(Additional requirements if any): _____

CONDOMINIUM

If the security is a condominium unit, we confirm that on the date of the advance of loan / line of credit funds, there was no arrears of common expenses or liens claimed by the Condominium Corporation against the subject unit or that the solicitor for the sellers has undertaken to pay the same or that we undertake to pay the same from the funds. We have reviewed the certificate of insurance that confirms there is currently in force fire and extended perils coverage over the entire condominium complex and individual unit coverage for the interior of the unit.



Name of Lawyer

Signature of Lawyer

Name of Law Firm

Date

Mailing Address:

Phone Number

Fax Number

Name of Lawyer

Signature of Lawyer

Name of Law Firm

Date

Mailing Address:

Phone Number

Fax Number



Schedule A to Solicitor’s Final Report on Title Real Property Report and Certificate of Compliance

CERTIFICATION / OPINION

I / We certify and am / are of the opinion that:

TITLE

The Mortgagors have good title to the property, subject only to the implied encumbrances of Section 61 of the *Land Titles Act (Alberta)*, free and clear of all encumbrances whatsoever except for your mortgage in _____ position and the encumbrances listed below which do not affect the priority of your mortgage;

- (a) _____
- (b) _____
- (c) _____
- (d) _____

ATB Financial has a good and valid _____ mortgage and charge on the property for the full amount of the monies advanced; and

All known restrictions placed on use of the loan / line of credit proceeds have been complied with.

We confirm a copy of the mortgage and any other applicable security and disclosure documents have been delivered to the Mortgagor(s) and any guarantor.

ADDITIONAL SECURITY (has been taken as per your instructions and registered as required)

ENCROACHMENTS

There are no encroachments affecting the said Lands.

SURVEY

The location of the improvements and structures are within the boundaries of the said Lands.

ADVANCE

Loan / line of credit proceeds were advanced in accordance with your instructions and the Direction to Pay on day of _____, 20_____.

ENCLOSURES

In order to complete your file, we enclose the following documents (as requested or listed and not provided in the interim report):

- Certified Copy of Title confirming discharge of all non-permitted registrations
- Property Insurance Binder Letter



Schedule A To Solicitor’s Final Report On Title Western Law Societies’ Conveyancing Protocol (Alberta)

CERTIFICATION / OPINION

I / We certify and am / are of the opinion that:

TITLE

The Mortgagors have good title to the property, subject only to the implied encumbrances of Section 61 of the *Land Titles Act (Alberta)*, free and clear of all encumbrances whatsoever except for your mortgage in _____ position and the encumbrances listed below which do not affect the priority of your mortgage;

- (a) _____
- (b) _____
- (c) _____
- (d) _____

ATB Financial has a good and valid _____ mortgage and charge on the property for the full amount of the monies advanced; and

All known restrictions placed on use of the loan / line of credit proceeds have been complied with.

We confirm a copy of the mortgage and any other applicable security and disclosure documents have been delivered to the Mortgagor(s) and any guarantor.

ADDITIONAL SECURITY (has been taken and registered as per your instructions and registered as required)

WESTERN LAW SOCIETIES’ CONVEYANCING PROTOCOL (ALBERTA)

I / We have complied with Western Law Societies’ Conveyancing Protocol (Alberta) in the conduct of this transaction and your instructions subject to any qualifications noted below which have been accepted by you. As indicated in our prior opinion dated _____, 20____ (a signed copy is attached), the loan / line of credit was properly funded and funds disbursed in accordance with the Western Law Societies’ Conveyancing Protocol (Alberta).

ENCROACHMENTS

There are no encroachments affecting the said Lands.

ADVANCE

Loan / line of credit proceeds were advanced in accordance with your instructions and the Direction to Pay on day of _____, 20____.



ENCLOSURES

In order to complete your file, we enclose the following documents (as required or listed and not provided in the interim report):

Direction to Pay

Certified Copy of Title confirming discharge of any non-permitted registrations

Fully executed original copy of Form 3238, Personal Line of Credit Agreement **or** Form 3538, Loan Agreement with Form 3544, Options Schedule attached **or** both

Tax Certificate

Property Insurance Binder Letter

Consent to Multiple Party Representation (by Purchaser / Borrower)

Waiver of Real Property Report and Compliance Certificate in accordance with Protocol (by Purchaser / Borrower)



Schedule A To Solicitor's Final Report On Title Title Insurance

CERTIFICATION / OPINION

I / We certify and am / are of the opinion that:

TITLE

I / We have arranged Title Insurance coverage with _____
for the benefit of ATB Financial and, as such, ATB Financial has a _____ mortgage and charge on the said Lands
subject only to the following prior encumbrances, which will be adequately dealt with by the aforementioned title
insurer and which, as a result, do not adversely affect your security. The final report of the aforementioned title
insurer to be delivered to ATB Financial will include a copy of the title insurance policy

- (a) _____
- (b) _____
- (c) _____
- (d) _____

We confirm a copy of the mortgage and any other applicable security and disclosure documents have been delivered to the Mortgagor(s) and any guarantor; and

All known restrictions placed on use of the loan / line of credit proceeds have been complied with.

ADDITIONAL SECURITY (has been taken as per your instructions and registered as required)

ENCROACHMENTS

Any encroachments affecting the said property will be adequately dealt with by the aforementioned title insurance, and will not adversely affect your security.

SURVEY

The location of any improvements and structures within the boundaries of the said property will be adequately dealt with by the aforementioned title insurer, and will not adversely affect your security.

ADVANCE

Loan / line of credit proceeds were advanced in accordance with your instructions and the Direction to Pay on day of _____, 20____.



ENCLOSURES

In order to complete your file, we enclose the following documents (as required or listed and not provided in the interim report):

Direction to Pay

Certified Copy of Title confirming discharge of any non-permitted registrations

Fully executed original copy of Form 3238, Personal Line of Credit Agreement or Form 3538, Loan Agreement with Form 3544, Options Schedule attached or both

Tax Certificate

Property Insurance Binder Letter

Consent to Multiple Party Representation (by Purchaser / Borrower)

Copy of Title Insurance Policy



Schedule A To Solicitor's Final Report On Title Condominium

<input type="checkbox"/> Without Real Property Report and Certificate of Compliance	<input type="checkbox"/> Western Law Societies' Conveyancing Protocol (Alberta)	<input type="checkbox"/> With Title Insurance
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CERTIFICATION / OPINION

I / We certify and am / are of the opinion that:

TITLE

The Mortgagors have good title to the property, subject only to the implied encumbrances of Section 61 of the *Land Titles Act (Alberta)*, free and clear of all encumbrances whatsoever except for your mortgage in _____ position and the encumbrances listed below which do not affect the priority of your mortgage;

- (a) _____
- (b) _____
- (c) _____
- (d) _____

ATB Financial has a good and valid _____ mortgage and charge on the property for the full amount of the monies advanced; and

All known restrictions placed on use of the loan / line of credit proceeds have been complied with.

We confirm a copy of the mortgage and any other applicable security and disclosure documents have been delivered to the Mortgagor(s) and any guarantor.

ADDITIONAL SECURITY (has been taken as per your instructions and registered as required)

ENCROACHMENTS

There are no encroachments affecting the said Lands.

ADVANCE

Loan / line of credit proceeds were advanced in accordance with your instructions and the Direction to Pay on day of _____, 20_____.

ENCLOSURES

In order to complete your file, we enclose the following documents (as required or listed and not provided in the interim report):

- Certified Copy of Title confirming discharge of all non-permitted registrations
- Property Insurance Binder Letter
- Direction to Pay



Fully executed original copy of Form 3238, Personal Line of Credit Agreement or Form 3538, Loan Agreement with Form 3544, Options Schedule attached or both
Tax Certificate
Estoppel Certificate
Information Statement
Consent to Multiple Party Representation (by Purchaser / Borrower)
Waiver of Real Property Report and Compliance Certificate in accordance with Protocol (by Purchaser / Borrower)