

TAX SALE REPORTING LETTER

Tax Sale No. 112

To: The Municipality of the District of Lunenburg

Re: Tax Sale Property Accounts

Date: September 3, 2024

Name: James Robert Smith and Beverly Ann Smith

Assessment Account No: 09873996

Property: PID 60414455, Dean Road, Hebbville, Nova Scotia

Title: I have carried out title investigations on the subject property. The title is not land registered. There is evidence that James Robert Smith and Beverly Ann Smith are the registered interest holders (owners) of the subject property. James Robert Smith and Beverly Ann Smith acquired title to the subject property via deed (appears to be no description of tenancy – so as tenants in common) recorded in Book 757, page 5 at the Lunenburg County Land Registration Office. (see the very last lot in the deed description) The subject property appears to abut the public highway. Beverly Ann Smith is now deceased. The paper title is not marketable without resolving Beverly Ann Smith's estate, which has not yet been probated.

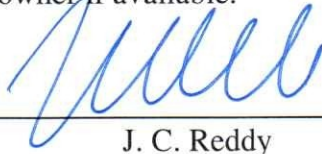
Encumbrances:

- 1) There is a Mortgage (from the previous owner) in favour of the Bank of Montreal in the face amount of \$ 39,000.00 and recorded at the Lunenburg County Land Registration office in Book 505 Page 242.
- 2) There is a Mortgage in favour of the Toronto Dominion Bank in the face amount of \$49,478.37 and recorded at the Lunenburg County Land Registration office in Book 757 Page 9.
- 3) There is a judgement in favour of the Toronto Dominion Bank in the face amount of \$5494.24 and registered at the Lunenburg County Land Registration office as Document No. 120634341 (2022). This was assigned in 2023 to Canada Mortgage Housing Corporation and registered at the Lunenburg County Land Registration office as Document No. 121989710.

Marital Status: Beverly Ann Smith passed away in 2019. James Robert Smith's marital status at this time is unknown.

Survey: There is no survey on file. Plan 6236 graphically depicts the subject property but is not a survey of the subject lot. The deed description does not conform to modern standards and is subject to a modern survey.

Property Mapping: A copy of the property mapping is attached for your file which will include the address of the assessed owner if available.

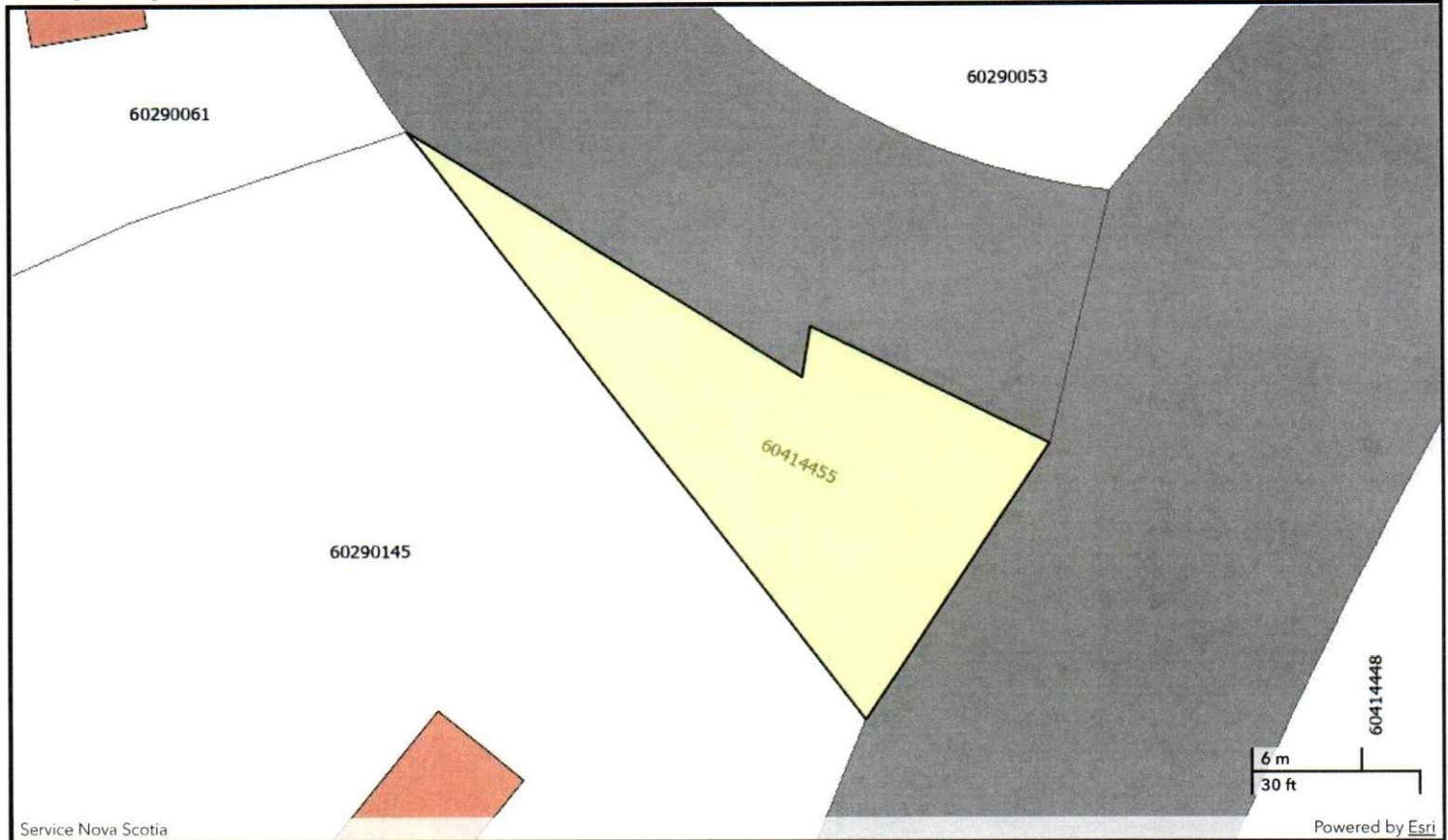


J. C. Reddy

******This title search and attached materials have been prepared for the benefit of the Municipality of the District of Lunenburg. The Municipality of the District of Lunenburg will not be held responsible for any third party reliance on these materials as they are being provided for informational purposes only. Any interested third parties are cautioned and strongly encouraged to procure their own professional advice (including, but not limited to, legal advice and/or surveying advice) in connection with this and/or any other tax sale property.**

Property Online Map

Date: **October 8, 2024 14:27:12**



PID: 60414455
County: LUNENBURG COUNTY
LR: NOT LAND REGISTRATION

Address: DEAN ROAD
HEBBVILLE
Owner: BEVERLY ANN SMITH
JAMES ROBERT SMITH

AAN: 09873996
Value: \$200.00 (2024 RESOURCE TAXABLE)

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online Version 1.0

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If you have comments regarding our site please direct them to: propertyonline@novascotia.ca
Please feel free to [Submit Problems](#) you find with the Property Online web site.

757/5

003391

LUNenburg COUNTY REGISTER OF DEEDS	3391	757	5-8
I certify that this document was registered as shown here.	Document #	Book	Page
Jaan Shanketta Registrar	JUL - 4 2000		3:56 PM
	1994	05	1997

THIS WARRANTY DEED made this 28th day of June,
 A.D., 2000.

BETWEEN:

IAN W. MACLEOD and CATHERINE LYNN MACLEOD
 husband and wife, both of Bridgewater, in the County of Lunenburg
 and Province of Nova Scotia;

(hereinafter called the "GRANTOR")

- and -

JAMES ROBERT SMITH and BEVERLY ANN SMITH,
 husband and wife, both of Hebbville, in the County of
 Lunenburg and Province of Nova Scotia;

(hereinafter called the "GRANTEE")

WITNESSETH THAT in consideration of One Dollar and other good
 and valuable consideration;

THE GRANTOR hereby conveys to the GRANTEE the lands
 described in Schedule "A" to this Warranty Deed and hereby consents to this disposition,
 pursuant to the Matrimonial Property Act of Nova Scotia.

THE GRANTOR covenants with the GRANTEE that the GRANTEE
 shall have quiet enjoyment of the lands, that the GRANTOR has good title in fee simple to
 the lands and the right to convey them as hereby conveyed, that the lands are free from
 encumbrances, and that the GRANTOR will procure such further assurances as may be
 reasonably required.

IN THIS WARRANTY DEED the singular includes the plural and
 the masculine includes the feminine, with the intent that this WARRANTY DEED shall be
 read with all the appropriate changes of number and gender.

IN WITNESS WHEREOF the Grantors have hereunto set their
 hands and affixed their seals the day and year first above written.

SIGNED, SEALED & DELIVERED
 - in the presence of -

_____) Ian W. MacLeod ●
) IAN W. MACLEOD
) _____)
) Catherine MacLeod ●
) CATHERINE LYNN MACLEOD
)
)

-2-

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

ON THIS 28th day of June, A.D., 2000 before me, the subscriber personally came and appeared, G. F. Philip Romney, a subscribing witness to the foregoing Indenture, who having been by me duly sworn made oath and said that Ian W. MacLeod and Catherine Lynn MacLeod, of the parties thereto, signed, sealed, and delivered the same in his presence.

Lori D. Smith

LORI D. SMITH
A Commissioner of the Supreme
Court of Nova Scotia

AFFIDAVIT OF STATUS

CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

We, Ian W. MacLeod and Catherine Lynn MacLeod, make oath and say as follows:

1. THAT we are the Grantors, in the foregoing Indenture and are of the full age of nineteen (19) years.
2. THAT we are now and intend to be at the date of closing, residents of Canada within the meaning of the Income Tax Act (Canada).
3. THAT for the purpose of this my Affidavit, "spouse" means either of a man or a woman who:
 - (I) are married to each other;
 - (II) are married to each other by marriage that is voidable and has not been annulled by a declaration of nullity; or
 - (III) have gone through a form of marriage with each other, in good faith, that is void and are cohabitating or have cohabited within the preceding year.
4. THAT as of the date hereof, we are the spouses of each other as defined herein.

SWORN TO at Bridgewater, in)
the County of Lunenburg, and)
Province of Nova Scotia, this)
28th day of June,)
A. D., 2000, before me,)

G. F. Philip Romney)

G. F. PHILIP ROMNEY
A BARRISTER OF THE SUPREME
COURT OF NOVA SCOTIA

Ian W. MacLeod
IAN W. MACLEOD

Catherine Lynn MacLeod
CATHERINE LYNN MACLEOD

SCHEDULE "A"

"BEGINNING at a stake and stones on the side of the road leading to Hebb's Mills;

"THENCE running North three degrees West (N 03° W) twelve (12) chains to an Ash Stump;

"THENCE North Eighty-two degrees West (N 82° W) to Jacob Hebb's line and the Sucker Brook (so called);

"THENCE Southwardly the several courses of said Brook to Abraham Hebb's line and the mill yard;

"THENCE Eastwardly along said Abraham Hebb's line to a road;

"THENCE Southwardly on said road to the road aforesaid leading from Hebb's Mills;

"THENCE Eastwardly along the said Mill Road to the place of beginning. Saving and reserving the right-of-way through the above-described premises the road now opened as per Deed from C. Edwin Kaulback, Executor of the Estate of the late John Henry Kaulback, deceased, bearing date the 19th day of May, A.D. 1899 and registered in Liber 45 folio 335 will more fully appear."

EXCEPTING, however, thereout and therefrom such parts thereof as have been conveyed by Deeds recorded up to the date of this Deed by Drucilla Hebb and by her two descendants in title, namely, Beatrice Hebb and Evelyn May Croft.

SECOND LOT:

That real property which was conveyed by Rupert C. S. Kaulback, sole surviving Executor, Estate of C. Edwin Kaulback, to Stannage Hebb by Deed dated May 8th, 1930 and recorded on October 27th, 1930 in Book 99, at Page 250, under Number 377 and which is therein particularly described thus: "That certain piece or parcel of land situate near Hebb's Mills, in the County of Lunenburg and bounded as follows: viz- Northeastwardly by lands at present in the occupation of Aaron Hebb; Southeastwardly by Conquerall Lake; Southwestwardly by lands formerly owned by Abraham Hebb and Northwestwardly by Hebb's Lake, being a tract of land lately occupied by Stephen Hebb and Elias Hebb jointly, this being the Northeastern half, containing in said half one hundred and thirty (130) acres, more or less." EXCEPTING, however, thereout and therefrom such parts thereof as have been conveyed by Stannage Hebb and by his two descendants in title, namely, Beatrice Hebb and Evelyn May Croft, prior to the date of this Indenture.

Stannage Hebb died intestate on or about December 6th, 1950 survived as his sole heirs-at-law and next of kin by his two daughters, Beatrice Hebb and Evelyn May Croft. Beatrice Hebb died intestate on or about August 28th, 1967 survived by Evelyn May Croft as her sole heir-at-law and next of kin.

Drucilla Hebb, wife of Stannage Hebb, died intestate in the year 1939 survived by the said Evelyn May Croft and Beatrice Hebb as her sole heirs-at-law.

Beatrice Hebb died intestate on the 28th day of August, 1967 survived by Evelyn May Croft as her sole heir-at-law.

*J.W.M.
C.A.M.
A*

SAVING AND EXCEPTING THEREFROM the following pieces of land -

That land conveyed to Wayne Kent Naugler by a Deed dated the 6th of July, 1971 recorded at the Registry of Deeds at Bridgewater on the 22nd day of August, 1979 in Book 272, at Page 585.

Also that land conveyed to David Lawrence Oickle by a Deed dated the 24th of August, 1971 and recorded at Bridgewater in Book 148, at Page 209 on the 26th day of August, 1971.

Also that piece of land conveyed to Barry Lohnes by a Deed dated the 27th of June, 1975 and recorded at Bridgewater on the 8th day of July, 1976 in Book 224, at Page 821.

Also that land conveyed to David Naugler by a Deed as yet unrecorded.

The land herein conveyed being more particularly described as follows:

All the property contained within the following boundaries:
Northwardly by property of Barry Lohnes, Eastwardly by Public Highway No. 103; Southwardly by Old Public Highway No. 3, commonly known as "Walter Hebb Road"; and Westwardly by listed Public Highway leading to property of Andrew E. Hebb, known as the "Dune Road".

ALSO a triangular shape lot of land lying at the Eastern intersection of the aforesaid Old Public Highway No. 3, known as the Walter Hebb Road with the listed Public Highway leading to property of Andrew E. Hebb, commonly known as the Dune Road, and bounded Westwardly by property now or formerly of the late Russell Bond.

J.M.M.
C.L.M.
h

↑
JWS
↓

006107

262

505/242
NMR

This Mortgage

made this 14th day of July, A.D. 1991

Between

IAN W. MacLEOD and CATHERINE L. MacLEOD, of Hebbville, in the County of Lunenburg and Province of Nova Scotia;

hereinafter called the "MORTGAGOR"

OF THE ONE PART

— and —

BANK OF MONTREAL, a chartered bank, with head office at Montreal, in the Province of Quebec, and a branch office at Bridgewater, Nova Scotia; hereinafter called the "MORTGAGEE"

OF THE OTHER PART

— and —

hereinafter called the "RELEASOR"

WHEREAS the said mortgagors are the owners ^{OF THE OTHER PART} of the lands hereinafter described and have consented to mortgage the same to the Mortgagee for the purpose of indemnifying the mortgagee with respect to the payment of a promissory note, a copy of which is attached hereto and marked, or any part thereof, or any note or notes which may hereafter be given by way of renewal of the said note, or of any interest to accrue thereunder or otherwise howsoever;

WITNESSETH that in consideration of the sum of Thirty-nine Thousand Dollars (\$39,000.00),

the Mortgagor hereby mortgages to the Mortgagee the lands described in the Schedule "A" hereto annexed.

PROVIDED THIS MORTGAGE SHALL BE VOID upon payment to the Mortgagee of the said full sum of Thirty-nine Thousand Dollars

with interest at Eleven and Three-Quarters per centum (11.75 per annum, in the manner and

at the times mentioned and provided in said note

~~calculated half yearly in advance xxxxxx~~
a true copy of which is hereunto appended and marked Schedule "B" and do also perform all the terms and covenants herein provided to be performed by the mortgagors, their heirs, executors and administrators or any of them.

Province of Nova Scotia
County of Lunenburg
I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Bridgewater in the County of Lunenburg, N.S. at 2:20 o'clock P.M., on the 31st day of July, A.D. 1991 in Book No. 505 at pages 242-250 as Document Number 6107
[Signature]
Registrar of Deeds for the Registration District of Lunenburg County

Delete, if blended payments

SAVING AND EXCEPTING THEREFROM the following pieces of land -

That land conveyed to Wayne Kent Naugler by a Deed dated the 6th of July, 1971 recorded at the Registry of Deeds at Bridgewater on the 22nd day of August, 1979 in Book 272, at Page 585.

Also that land conveyed to David Lawrence Oickle by a Deed dated the 24th of August, 1971 and recorded at Bridgewater in Book 148, at Page 209 on the 26th day of August, 1971.

Also that piece of land conveyed to Barry Lohnes by a Deed dated the 27th of June, 1975 and recorded at Bridgewater on the 8th day of July, 1976 in Book 224, at Page 821.

Also that land conveyed to David Naugler by a Deed as yet "unrecorded.

The land herein conveyed being more particularly described as follows:

All the property contained within the following boundaries; Northwardly by property of Barry Lohnes, Eastwardly by Public Highway No. 103; Southwardly by Old Public Highway No. 3, commonly known as "Walter Road"; and Westwardly by listed Public Highway leading to property of Andrew E. Hebb, known as the "Dame Road".

ALSO a triangular shape lot of land lying at the Eastern intersection of the aforesaid Old Public Highway No. 3, known as the Walter Road with the listed Public Highway leading to property of Andrew E. Hebb commonly known as the Dame Road, and bounded Westwardly by property now formerly of the late Russell Bond.

ALSO EXCEPTING AND RESERVING THEREFROM a parcel of land conveyed to David Naugler by deed dated September 24, 1985 and recorded at the Office of the Registry of Deeds at Bridgewater, N. S., on September 25, 1985 in Book 369, Page 229, No. 8221.

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

MacLEOD

WE, IAN W. MacLEOD and CATHERINE L. , make
oath and say as follows:

- 1. THAT^{we} the mortgagors in the foregoing Mortgage and are of the full age of nineteen years;
- 2. THAT we are now, and intend to be at the date of closing, resident of Canada within the meaning of the Income Tax Act (Canada);
- 3. THAT for the purpose of this our Affidavit "spouse" means either of a man or a woman who:
 - (a) are married to each other;
 - (b) are married to each other by a marriage that is voidable and has not been annulled by a declaration of nullity; or
 - (c) have gone through a form of marriage with each other, in good faith, that is void and are cohabiting or have cohabited within the preceding year;

DELETE
WHICHEVER
NUMBER 4
IS NOT
APPLICABLE

4. THAT we are the spouses of each other and we have no other spouse, as defined herein.

~~4. THAT as of the date hereof, I am not a spouse.~~

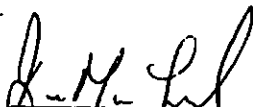
~~4. THAT the property described in the within Indenture is the matrimonial home of myself and my spouse, and my said spouse has released all his or her rights with respect thereto pursuant to the Matrimonial Property Act by executing a Separation Agreement or Marriage Contract to that effect and I have no other spouse as defined herein.~~


~~4. THAT the property described in the within Indenture has never been occupied by me and my spouse, as our matrimonial home and I have no other spouse as defined herein.~~


~~4. THAT an instrument executed by myself and my spouse, designating property not described in the within Indenture as our matrimonial home dated the day of , 19 is registered pursuant to Section 7 of the Matrimonial Property Act (Nova Scotia) at the Registry of Deeds in Book Page and has not been cancelled and the property described in this Indenture has not been designated by myself and my said spouse and I have no other spouse as defined herein.~~

~~4. THAT the within disposition was authorized or the property has been released as a matrimonial home by order of the court dated the day of , 19 and recorded at the Registry of Deeds in at Book Page~~

SWORN TO at Bridgewater in the
County of Lunenburg Province
of Nova Scotia, this 19th
day of July, 1991,
before me,


IAN W. MacLEOD


A Barrister of the Supreme
Court of Nova Scotia


CATHERINE L. MacLEOD

GERTRUDE S. SNYDER
A COMMISSIONER OF
THE SUPREME COURT OF NOVA SCOTIA

ORIGINAL

Form 46

Purpose: To record a judgment in the judgment roll by recording a Certificate of Judgment executed by the prothonotary

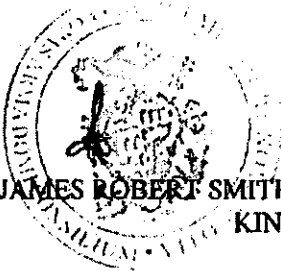
(Instrument code: 707)

For Office Use

Registration district: Lunenburg
 Submitter's user number: 14820
 Submitter's name: Luke C. Godin

NMR
 # 120634341
 2022/05/24

Court file #	Hfx No. 494036
Name of court	Supreme Court of Nova Scotia



THE TORONTO-DOMINION BANK

Plaintiff

and

JAMES ROBERT SMITH AND THE ESTATE OF BEVERLY ANN SMITH, AS REPRESENTED BY STEPHEN KINGSTON, IN HIS CAPACITY AS PERSONAL REPRESENTATIVE

Defendants

Judgment creditor information

Company name: The Toronto-Dominion Bank

Address (must include a valid Canada Post mailing address where judgment creditor can be served, and must include the civic address if available):

Mailing address:						Court Administration MAY 17 2022 Halifax, N.S.
	PO Box:	876	Town	Dartmouth		
	Province	Nova Scotia		Postal Code	B2Y 3Z5	
Civic address: (if different from mailing address)	Street name and number		600-99 Wyse Road			
	Town Dartmouth		Province	Nova Scotia		

Name of lawyer (must be included if the creditor is/was represented): Luke C. Godin

Other information (must include at least one other piece of information that tends to distinguish the judgment creditor from all others): 902-469-9500

Judgment debtor information

Name (must include first and last name; must include middle name or initial if available):

(first) James (middle) Robert (last) Smith

Address (must include a valid Canada Post mailing address where judgment debtor can be served, and must include the civic address if available):

Mailing address:				
	PO Box:		Town	
	Province		Postal Code	B4V 6W5
Civic address: (if different from mailing address)	Street name and number	2 Dean Road		
	Town Hebbville	Province	Nova Scotia	

Name of lawyer (must be included if the debtor is/was represented):
n/a

Other information (must include at least one other piece of information that tends to distinguish the judgment debtor from all others): Date of Birth: February 25, 1954

Debt	\$	5,494.24
Interest	\$	0.00
Costs	\$	0.00
Judgment	\$	5,494.24

I hereby certify that judgment has been entered in the above-noted action for the (select one and insert name of judgment creditor) plaintiff/defendant The Toronto-Dominion Bank against the (select one and insert name of judgment debtor) defendant/plaintiff James Robert Smith, for (insert amount of debt) \$5,494.24 and pre-judgment interest of \$0.00 and \$0.00 costs of suit, amounting in all to \$5,494.24.

I further certify that the foregoing is a true abstract of the original judgment in the above-noted action, entered in the records of the court at Halifax, Nova Scotia, which judgment was duly signed on May 12, 2022.

Given under seal of the Court at Halifax, Nova Scotia on May 12, 2022.



Signature of (Deputy) Prothonotary

JEAN GOSLING
Deputy Prothonotary

(Insert name, address and contact information for lawyer/individual recording the judgment.)

<i>Name:</i>	Luke C. Godin
<i>Address:</i>	99 Wyse Road, Suite 600 Dartmouth, NS B3A 4S5
<i>Phone:</i>	(902) 469-9500
<i>E-mail:</i>	lgodin@boyneclarke.ca
<i>Fax:</i>	(902) 463-7500

3

NMR

Form 48B

Purpose: To record a judgment-related document (documents other than judgments or partial or full discharges) in the judgment roll and parcel register, if applicable

For Office Use

Registration district: Lunenburg

Submitter's user number: 14820

Submitter's name: Luke C. Godin

LUNENBURG COUNTY LAND REGISTRATION OFFICE
 I certify that this document was registered or recorded as shown here.
 Rebecca Bond, Registrar

[Signature] *[Signature]*

121989710 LRO RODE
 Document #

FEB 01 2023 10:18
 MM DD YYYY Time

1. Recording in the judgment roll (selection of one box is mandatory):

I request that the document indicated below, which is attached to this form, be recorded in the judgment roll:

- statutory declaration respecting judgments;
- assignment of judgment;
- postponement of judgment;
- partial release of judgment;
- judgment amendment;
- order for judgment;
- order to set aside judgment;
- assignment of bankruptcy;
- discharge of bankruptcy

Dated at Dartmouth, in the County of Halifax, Province of Nova Scotia, the 31 day of January, 2023.

[Signature]

Signature of submitter
 Name: Luke C. Godin

Address: BOYNECLARKE LLP
P.O. Box 876 Dartmouth Main
Halifax Regional Municipality
NS B2Y 3Z5

Phone: (902) 460-3404

E-mail: lgodin@boyneclarke.ca

Fax: (902) 463-7500

ASSIGNMENT

THIS ASSIGNMENT made this ^{JANUARY 2023} 24 day of ~~November, 2022,~~

BETWEEN:

THE TORONTO-DOMINION BANK

(the "Assignor")

- and -

CANADA MORTGAGE AND HOUSING CORPORATION

(the "Assignee")

WHEREAS the Assignor, on or about May 12, 2022, recovered a Judgment in the Supreme Court of Nova Scotia under Hfx No. 494036, against James Robert Smith for the sum of \$5,494.24 (the "Judgment"), which is registered in the office of the Registrar of Deeds for Lunenburg County, Nova Scotia, as Document No. 120634341 on May 24, 2022;

AND WHEREAS the Assignor has agreed to assign the Judgment wherever registered and all benefits derived thereunto to the Assignee;

NOW THIS INDENTURE WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the Assignee to the Assignor, the receipt whereof is hereby acknowledged, the Assignor hereby assigns and sets over absolutely unto the Assignee all of the interest of the Assignor in the Judgment, and every sum of money now due and hereafter due by virtue thereof, for principal, interest and costs, and all benefits to be derived therefrom.

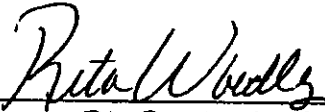
The Assignor covenants that it has not previously assigned the Judgment nor delivered a Release to the Judgment Debtor of any obligations under the Judgment and, save as aforesaid, the Assignor does not make any other covenant or representation with respect to the Judgment.

The Assignor covenants that it will, upon request and at the cost of the Assignee, do, perform and execute every act necessary for further assuring the assignment of the Judgment to the Assignee, as the Assignee may require.


This Indenture shall be binding upon and shall enure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the Assignor has caused this Indenture to be duly executed as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

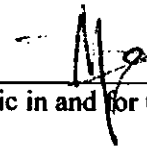

Witness **RITA WOODLEY**

THE TORONTO-DOMINION BANK

Per: 
~~USA Bradley Mark~~
Bradley Mark
Per: _____

PROVINCE OF ONTARIO

JANUARY 2023
I HEREBY CERTIFY THAT on the **24** day of ~~November, 2022~~^{Jan} ~~2022~~²⁰²³ The Toronto-Dominion Bank, one of the parties hereto, caused the same to be executed in its name and on its behalf and its corporate seal to be hereunto affixed by its proper officer(s) in my presence and I have signed as a witness to such execution.


A Notary Public in and for the Province
of Ontario

SyMa Andy-Nwanze Thomas,
a Commissioner, etc., Province of Ontario,
for The Toronto-Dominion Bank,
Expires August 27, 2024.

003392

757/9

CMHC 1002 8/94
Nova Scotia
Mortgage

NMC

Mortgage

Reference 6407927

This Indenture, made (in duplicate) the 30th day of June
~~One Thousand Nine Hundred and Ninety~~ two thousand.

IN PURSUANCE OF THE ACT RESPECTING SHORT FORMS OF CONVEYANCES
and of the NATIONAL HOUSING ACT

BETWEEN:

JAMES ROBERT SMITH and BEVERLY ANN SMITH, husband and wife,
both of Hebbville, in the County of Lunenburg and Province
of Nova Scotia;

(hereinafter called the Mortgagor)

OF THE FIRST PART:

and

THE TORONTO-DOMINION BANK;

(hereinafter called the Mortgagee)

OF THE SECOND PART:

and

(spouse of the Mortgagor)

OF THE THIRD PART:

Witnesseth that in consideration of the sum of (\$49,478.37)

Forty Nine Thousand Four Hundred Seventy Eight Dollars and Thirty Seven --dollars of lawful money

of Canada, now paid by the Mortgagee to the Mortgagor, the receipt whereof is hereby acknowledged, the Mortgagor (who conveys as beneficial and sole owner) doth grant and mortgage unto the Mortgagee and the successors and assigns of the Mortgagee forever,

All and singular that certain parcel or tract of land and premises situate, lying and being

in the Community of Hebbville in the County of Lunenburg
and being composed of the property described in Schedule "B" attached hereto.

LUNENBURG COUNTY REGISTRY OF DEEDS	3392	757	9-17
I certify that this document was registered as shown here.	Document #	Book	Page
Joan Plunkett Registrar	JUL - 4 2000		3:56 AM
	MM DD YYYY		Time

Together with all and singular the buildings, tenements, hereditaments and appurtenances to the same belonging, or in anywise appertaining, with the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all the estate, right, title, interest, claim, property and demand both at law and in equity of the Mortgagor of, in, to or out of the same and any part thereof.

SAVING AND EXCEPTING THEREFROM the following pieces of land -

That land conveyed to Wayne Kent Naugler by a Deed dated the 6th of July, 1971 recorded at the Registry of Deeds at Bridgewater on the 22nd day of August, 1979 in Book 272, at Page 585.

Also that land conveyed to David Lawrence Oickle by a Deed dated the 24th of August, 1971 and recorded at Bridgewater in Book 118, at Page 209 on the 26th day of August, 1971.

Also that piece of land conveyed to Barry Lohnes by a Deed dated the 27th of June, 1975 and recorded at Bridgewater on the 8th day of July, 1976 in Book 224, at Page 821.

Also that land conveyed to David Naugler by a Deed as yet unrecorded.

The land herein conveyed being more particularly described as follows:

All the property contained within the following boundaries:
Northwardly by property of Barry Lohnes, Eastwardly by Public Highway No. 103; Southwardly by Old Public Highway No. 3, commonly known as "Walter Hebb Road"; and Westwardly by Listed Public Highway leading to property of Andrew E. Hebb, known as the "Dune Road".

ALSO a triangular shape lot of land lying at the eastern intersection of the aforesaid Old Public Highway No. 3, known as the Walter Hebb Road with the Listed Public Highway leading to property of Andrew E. Hebb, commonly known as the Dune Road, and bounded Westwardly by property now or formerly of the late Russell Bond.

CANADA
PROVINCE OF NOVA SCOTIA

COUNTY OF LUNENBURG

S.S.

On this 30th day of June, 2000
came and appeared Lori D. Smith before me the subscriber personally
a subscribing witness to the foregoing indenture who, having been by me duly sworn, made oath and said that

James Robert Smith and Beverly Ann Smith

the parties thereto signed, sealed and delivered the same in her

presence:
Bard L. Hatt
A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT AS TO AGE AND SPOUSAL STATUS
BARD L. HATT
A COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

We James Robert Smith and Beverly Ann Smith of the Community of Hebbville in the County of Lunenburg
MAKE OATH AND SAY:

When we executed the attached mortgage,
we were at least nineteen years old,
and within the meaning of Section 2(g) of the Matrimonial Property Act,

Strike out inapplicable clauses
a) ~~xxxxxx~~ ~~xxxxxx~~
b) ~~xxxxxx~~ ~~xxxxxx~~

c) We were spouses of one another.

Not a matrimonial home, etc. see footnote

(SEVERALLY) SWORN before me at the
Town of Bridgewater
in the County of Lunenburg and
Province of Nova Scotia;

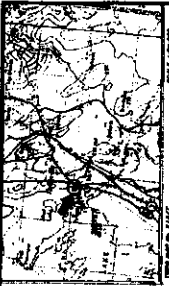
this 30th day of June, 2000

Lori D. Smith
COMMISSIONER

James R. Smith
JAMES ROBERT SMITH
Beverly Ann Smith
BEVERLY ANN SMITH

LORI D. SMITH
Commissioner of the Supreme Court of Nova Scotia

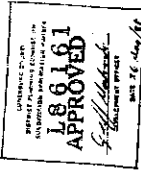
Where spouse does not join in or consent, see Section 8 of the Matrimonial Property Act (or complete separate affidavit).



THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS ACCURATE AND COMPLETE.

NOTE:
 THIS SURVEY IS SUBJECT TO THE SURVEY ACT AND REGULATIONS THEREUNDER.

NOTE:
 THIS SURVEY IS SUBJECT TO THE SURVEY ACT AND REGULATIONS THEREUNDER.



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 AUG 26 1988

LEGEND	SYMBOL	DESCRIPTION
1	—	Boundary of Survey
2	—	Boundary of Other Survey
3	—	Boundary of Public Highway
4	—	Boundary of Water Course
5	—	Boundary of Other Land
6	—	Boundary of Other Survey
7	—	Boundary of Other Survey
8	—	Boundary of Other Survey
9	—	Boundary of Other Survey
10	—	Boundary of Other Survey
11	—	Boundary of Other Survey
12	—	Boundary of Other Survey
13	—	Boundary of Other Survey
14	—	Boundary of Other Survey
15	—	Boundary of Other Survey
16	—	Boundary of Other Survey
17	—	Boundary of Other Survey
18	—	Boundary of Other Survey
19	—	Boundary of Other Survey
20	—	Boundary of Other Survey

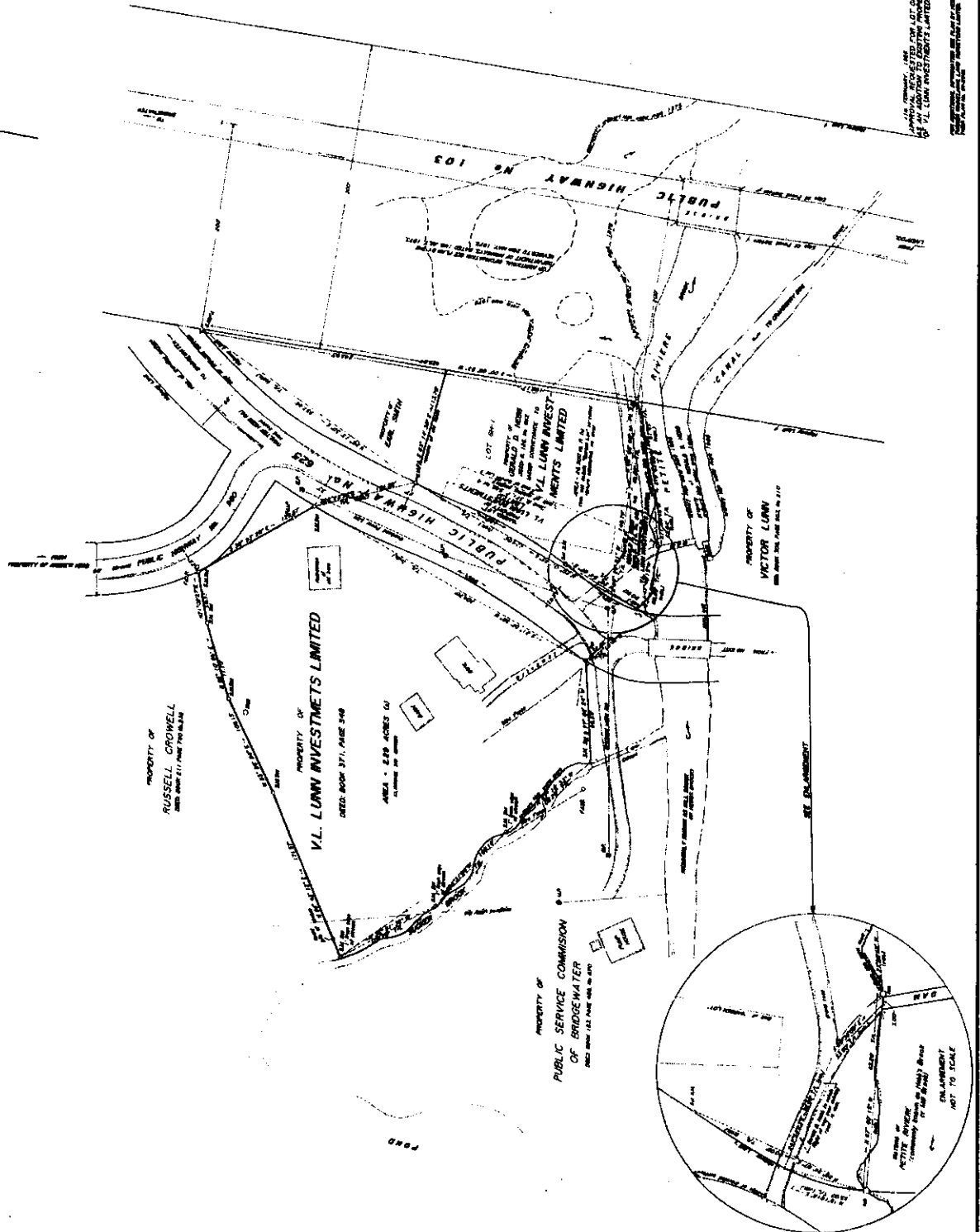
PLAN OF SURVEY
 SHOWING PROPERTY OF V. L. LUNN INVESTMENTS LIMITED AT HERBVILLE, LUNN CO. NOVA SCOTIA AND PROPERTY OF GERALD D. HEBB UNDER CONVEYANCE TO V. L. LUNN INVESTMENTS LIMITED, LOT 6H-1.

SURVEYOR'S CERTIFICATE

HEBB TURNER HIMMELMAN
 LAND SURVEYORS LIMITED

1-177

6236



THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS ACCURATE AND COMPLETE.

NOTE:
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