

MEMORANDUM OF AGREEMENT TO AMEND EXISTING REGISTRATION
(Grocery Store or Supermarket Property Control) Form 34



Land Titles Registry

1. HOLDER(S) OF PROPERTY CONTROL

see schedule ☐

2. REGISTERED OWNER(S) OF LAND(S) SUBJECT TO ENCUMBRANCE

see schedule ☐

3. AFFECTED ENCUMBRANCE

☐ Caveat

☐ Lease

☐ Other (*specify*): _____

Instrument No. _____

4. CURRENT AFFECTED TITLE(S), LEGAL DESCRIPTION(S) AND MUNICIPAL ADDRESS(ES)

(specify dominant and servient tenements, if applicable)

Title:

Municipal Address:

Legal:

Dominant/Servient (delete if inapplicable)

Title:

Municipal Address:

Legal:

Dominant/Servient (delete if inapplicable)

see schedule ☐

5. DESCRIPTION OF GROCERY STORE OR SUPERMARKET PROPERTY CONTROL(S)

(describe the restrictions imposed by the existing property control(s) and the time period during which they apply)

see schedule ☐

6. DESCRIPTION OF AGREEMENT THAT CREATED THE PROPERTY CONTROL(S)

(provide a description of the agreement(s) that gave rise to the registration being amended)

see schedule ☐

7. AMENDED TERMS (if any)

see schedule ☐

8. SIGNATURE OF HOLDER OF PROPERTY CONTROLsee schedule ☐

1. I am (or am entitled to be) (a/the) holder of the property control.
2. I am of the age of majority.
3. The existing interest claimed or created by the affected encumbrance, and as further described above, is hereby confirmed (delete if inapplicable).
4. I agree to amend the existing interest claimed or created by the affected encumbrance as set out in Boxes 7 and/or 9 herein (delete if inapplicable).
5. The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because:
 - (a) the within land is not farm land as defined in *The Farm Lands Ownership Act*;
 - (b) other (specify section of *The Farm Lands Ownership Act* and provide particulars:
6. I am an employee of the corporation and have the authority to bind same (strike out if inapplicable).

.....
witness signature name/position signature date (YYYY/MM/DD)

.....
witness signature name/position signature date (YYYY/MM/DD)

Prior to signing and witnessing this document, please carefully review the notices in Box 10.

If the witness is not a lawyer practicing in the province/territory where this document is signed (or either a notary public or a practicing lawyer if signed in B.C. or Quebec), an Affidavit of Witness will be required. If this document is signed outside of Canada, please review section 72.9 of *The Real Property Act*.

9. SIGNATURE OF REGISTERED OWNER(S) OF LAND SUBJECT TO PROPERTY CONTROL see schedule ☐
(complete **only** if Box 7 is completed and the amendment broadens the scope or effect of the property control)

1. I am (or am entitled to be) (an/the) owner of the land.
2. I am of the age of majority.
3. I agree to amend the existing interest claimed or created by the affected encumbrance as set out in Box 7 herein.

.....
witness signature name signature date (YYYY/MM/DD)

.....
witness signature name signature date (YYYY/MM/DD)

Prior to signing and witnessing this document, please carefully review the notices in Box 10. If the witness is not a lawyer practicing in the province/territory where this document is signed (or either a notary public or a practicing lawyer if signed in B.C. or Quebec), an Affidavit of Witness will be required. If this document is signed outside of Canada, please review section 72.9 of *The Real Property Act*.

10 IMPORTANT NOTICES

NOTICE TO WITNESSES: By signing as witness you confirm that the person whose signature you witnessed:

1. Is either personally known to you, or that their identity has been proven to you.

AND

2. That they have acknowledged to you that they:
 - (a) are the person named in this instrument;
 - (b) have attained the age of majority in Manitoba; and
 - (c) are authorized to execute this instrument.

By virtue of section 194 of *The Real Property Act*, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to *The Manitoba Evidence Act*.

***The Mortgage Act* provides that the mortgagor can obtain free of charge, from the mortgagee, a statement of the debts secured by this mortgage once every 12 months, or as needed for pay off or sale.**

SINGULAR INCLUDES PLURAL AND VICE VERSA WHERE APPLICABLE. In this document "I" or "me" is to be read as including all parties signing this document whether individual or corporate.

11. CONSENTS OF SUBSEQUENT ENCUMBRANCER(S)see schedule ☐(complete **only** if Box 7 is completed and the amendment broadens the scope or effect of the property control)

_____ as holder of _____ No. _____

hereby consent(s) to the registration of this agreement and agree that the affected /encumbrance as amended shall have priority over my claim or interest.

..... //
witness signature name signature date (YYYY/MM/DD)

..... //
witness signature name signature date (YYYY/MM/DD)

_____ as holder of _____ No. _____

hereby consent(s) to the registration of this agreement and agree that the affected encumbrance as amended shall have priority over my claim or interest.

..... //
witness signature name signature date (YYYY/MM/DD)

..... //
witness signature name signature date (YYYY/MM/DD)

_____ as holder of _____ No. _____

hereby consent(s) to the registration of this agreement and agree that the affected encumbrance as amended shall have priority over my claim or interest.

..... //
witness signature name signature date (YYYY/MM/DD)

..... //
witness signature name signature date (YYYY/MM/DD)

Prior to signing and witnessing this document, please carefully review the notices in Box 10.

If the witness is not a lawyer practicing in the province/territory where this document is signed (or either a notary public or a practicing lawyer if signed in B.C. or Quebec), an Affidavit of Witness will be required. If this document is signed outside of Canada, please review section 72.9 of *The Real Property Act*.

12. INSTRUMENT PRESENTED FOR REGISTRATION BY (include address, postal code, contact person and phone number)