

CHARGE/MORTGAGE OF LAND
LAND TITLES ACT

(1) Borrower(s)										
(2) Address and Postal Code of Borrower(s)										
(3) Lender										
(4) Address and Postal Code of Lender										
(5) Legal Description of Mortgaged Land (the "Land")										
(6) Interest/ Estate Charged										
(7) Principal Amount										
(8) Payment Provisions										
(a) Principal Amount				(b) Interest Rate			(c) Calculation period			
(d) Interest Adjustment Date	M	D	Y	(e) Payment Date and Period			(f) First Payment Date	M	D	Y
(g) Last Payment Date	M	D	Y	(h) Amount of Each Payment						
(i) Balance Due Date	M	D	Y							
(9) Standard Mortgage Form										
<p>I (We) acknowledge that this mortgage consists of this Charge/Mortgage of Land and the Standard Mortgage Terms which are registered with the Alberta Government Services Land Title Office under the <i>Land Titles Act</i> as number [●] (the "Standard Mortgage Terms"). I (We) acknowledge that I (we) understand the nature of the foregoing statement and that the mortgage consists of the terms set out herein and the terms set out in the Standard Form Mortgage referred to herein.</p>										
(10) Acknowledgments										
Each Borrower acknowledges:										
(a) I (we) am (are) the registered owner(s) of the Land mortgaged by this Charge/Mortgage of Land.										
(b) I (we) promise and covenant to pay the Principal Amount, Interest and other charges and money secured by the Charge/ Mortgage of Land and to be bound by all of the terms of this Charge/ Mortgage of Land.										
(c) I (we) understand the nature of the statements set out in box 9 and 11 hereof.										
(d) I (we) have been given a copy of the Standard Mortgage Terms referred to in box 9 hereof.										
(e) I (we) mortgage(s) all of my (our) estate and interest in the Land for the purposes of securing the payment of the Principal Amount, Interest and all other amounts secured by this Charge/Mortgage of Land.										

(11) High Ratio Mortgage

This mortgage is a high ratio mortgage to which sections 43(4.1) and (4.2) and 44(4.1) and (4.2) of the *Law of Property Act* apply. You and anyone who, expressly or impliedly, assumes this mortgage from you, could be sued for any obligations under this mortgage if there is a default by you or by a person who assumes this mortgage.

- the above provision is applicable to this mortgage.
- the above provision is not applicable to this mortgage.

(12) Execution

Each Borrower has signed this Mortgage on the ____ day of _____, 20__.

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

(13) Dower – Disposition of Homestead – Consent of Spouse

I, _____, being married to the above named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given me by The Dower Act to the extent necessary to give effect to the said disposition.

Spouse

(14) Certificate of Acknowledgment

1. This document was acknowledged before me by _____ apart from her husband/his wife.

2. _____ has acknowledged to me that she/he:

- (a) Is aware of the nature of the disposition;
- (b) Is aware that The Dower Act gives her/him a life estate in the homestead and the right to prevent disposition of the Homestead by withholding consent;
- (c) Consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by The Dower Act to the extent necessary to give effect to the said disposition;
- (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____ in the Province of Alberta, this ____ day of _____, 20____ .

A Commissioner for Oaths in and for the Province of Alberta

(15) Dower Affidavit

I, _____, of _____, in the Province of Alberta make oath and say:

(a) I am the Borrower named in the within instrument.

(b) I am not married.

OR

Neither myself nor my spouse have resided in the within mentioned land at any time since our marriage.

OR

I am married to _____ being the person who executed the release of dower rights registered in the Land Titles Office on the _____ day of _____, _____ as instrument number _____.

OR

A judgment for damages was obtained against me by my spouse and registered in the Land Titles Office on the _____ day of _____, _____ as instrument number _____.

Sworn before me at the City of _____,)

in the Province of _____,)

this _____ day of _____, 20____)

A Commissioner for Oaths in and for the Province of Alberta

(16) Affidavit of Execution

I, _____, of _____, in the Province of Alberta make oath and say:

(1) THAT I was personally present and did see _____ named in the within instrument, who is/are known to me based on the identification provided, to be the person named therein, duly sign, seal and execute the same for the purposes named therein.

(2) THAT the same was executed at _____ in the Province of _____ and that I am a subscribing witness thereto.

(3) THAT I know the said _____ who is in my belief of the full age of eighteen years.

Sworn before me at the City of _____,)

in the Province of _____,)

this _____ day of _____, 20____)

A Commissioner for Oaths in and for the Province of Alberta

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(witness please sign here)