



MUSQUEAM INDIAN BAND

Musqueam Land Code Registrations
Form No. 05a2 - Consent to Mortgage (Parcel 'A')

APPROVED AS TO THE FORM BY THE
MUSQUEAM INDIAN BAND PURSUANT
TO THE MUSQUEAM LAND CODE

Signature:

Date:

VersionControl-NOV-2017

1. APPLICATION

Name of Applicant:

Date:

Phone No.:

Email Address:

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

PIN(s)	Legal Description(s)	Plan No.(s)	Reserve Name & No.(s)
LOT	PARCEL 'A'	CLSR	MUSQUEAM INDIAN RESERVE NO. 2

3. INTEREST MORTGAGED

Description (Type of Interest & Registration No.)

LEASE ASSIGNMENT No.

4. BORROWER(S) [MORTGAGOR(S)]

Name(s)

Postal Address(es) and postal code(s)

5. LENDER(S) [MORTGAGEE(S)]

Name

Postal Address(es) and postal code(s)

6. MORTGAGE TERMS:

Part 2 of this mortgage consists of the mortgage terms attached and any additional or modified terms in a schedule annexed to this mortgage.

7. DECLARATION

By my signature below, I hereby make this solemn declaration, and acknowledge that any error or misrepresentation in this application or the information I provide could result in voiding this application for registration as well as resulting in other legal consequences. I declare that:

- (1) The information contained in this application form is correct;
- (2) I acknowledge that I have been advised to seek independent legal advice;
- (3) I agree to comply with the Musqueam Land Code and am not aware of any conflict between the proposed registration and any provision of the Musqueam Land Code or related Musqueam Laws;
- (4) I acknowledge that neither Musqueam Indian Band nor any Musqueam Councillor, employee or contractor involved in registering Interests, documents, instruments or transactions:
 - (a) bears any responsibility for determining whether legal interests submitted for registration are in good standing or the terms have been complied with;
 - (b) are responsible for ensuring the validity and accuracy of anything submitted for registration; or
 - (c) shall, in any way, be responsible or liable for ensuring that a document or instrument which affects or purports to affect Musqueam Lands: (i) is validly made; (ii) complies with the Land Code; (iii) complies with the Federal Regulation; (iv) should be registered or recorded; or (v) will be accepted for registration or recording.

8. EXECUTION(S)

Officer Signature(s)

EXECUTION DATE

Mortgagor(s) Signature(s)

YYYY MM DD

As to the signature(s)

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 that you have verified the identities of the signatories.



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9. CONSENT BY MUSQUEAM COUNCIL			
PIN(s)	Legal Description(s)	Plan No.(s)	Reserve Name & No.(s)
	LOT PARCEL 'A'	CLSR	MUSQUEAM INDIAN RESERVE NO. 2
Description (Type of Interest & Registration No.)		LEASE ASSIGNMENT No.	
<p>A. The lessees under the Lease have executed a mortgage attached hereto (the "Mortgage");</p> <p>B. Section 9 of Parcel A leases from 1966 and section 8 of Parcel A leases from 1976 of the Lease states that there shall be no mortgage of the lessees' leasehold interest in the Lease without the consent of the Minister;</p> <p>C. Musqueam Indian Band passed the Musqueam Land Code dated for reference June 28, 2012 in accordance with the Framework Agreement on First Nation Land Management between Musqueam Indian Band and Canada and ratified on behalf of the Government of Canada by the <i>First Nations Land Management Act</i>, S.C. 1999 c.24; and</p> <p>D. The Musqueam Land Code came into effect on June 5, 2017 and Musqueam Indian Band has full authority over Musqueam First Nation Land and transactions on the lands;</p> <p>NOW THEREFORE THE MUSQUEAM INDIAN BAND HEREBY CONSENTS to the Mortgage</p> <p>BY SUCH CONSENT, HOWEVER, the Musqueam Indian Band shall not be deemed to have waived or impaired any obligation of any party, its successors and assigns, owing any obligation arising from the Lease to Her Majesty or the Musqueam Indian Band, nor to have waived or impaired any right or remedy of Her Majesty or the Musqueam Indian Band arising from the Lease, nor to have approved of the form or any of the terms of the Mortgage, except insofar as the terms pertaining to the leasehold interest contained in the Lease, it being expressly declared that the sole purpose of this Consent is merely to meet the requirements of Section 9 of Parcel A leases from 1966 and Section 8 of Parcel A leases from 1976.</p> <p>This consent does not constitute validation nor registration of the instrument or document which still must be submitted for registration under the Musqueam Land Code and Musqueam laws and policies.</p> <p style="text-align: right;">Signed in Musqueam Territory, in Vancouver, B.C.</p>			
Officer Signature(s)	EXECUTION DATE		Council Signature
	YYYY	MM	DD
<hr/> <p style="text-align: center;">As to the signature(s)</p>			

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 that you have verified the identities of the signatories.



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10. BAND COUNCIL RESOLUTION			
<i>BCR No.:</i>	<i>Lands File Reference:</i>		
PIN(s)	Legal Description(s) LOT PARCEL 'A'	Plan No.(s) CLSR	Reserve Name & No.(s) MUSQUEAM INDIAN RESERVE NO. 2
Description (Type of Interest & Registration No.)		LEASE ASSIGNMENT No.	
<p>WHEREAS:</p> <p>A. The lessees under the Lease have executed a mortgage attached hereto (the "Mortgage");</p> <p>B. Section 9 of Parcel A leases from 1966 and section 8 of Parcel A leases from 1976 states that there shall be no mortgage of the lessees' leasehold interest in the Lease without the consent of the Minister;</p> <p>C. Musqueam Indian Band passed the Musqueam Land Code dated for reference June 28, 2012 in accordance with the Framework Agreement on First Nation Land Management between Musqueam Indian Band and Canada and ratified on behalf of the Government of Canada by the First Nations Land Management Act, S.C. 1999 c.24; and</p> <p>D. The Musqueam Land Code came into effect on June 5, 2017 and Musqueam Indian Band has full authority over Musqueam First Nation Land and transactions on the lands;</p> <p>NOW THEREFORE the Council of the Musqueam Indian Band hereby:</p> <ol style="list-style-type: none"> 1. Consents to the Mortgage; and 2. Authorizes any Councillor to sign the Consent by Musqueam Council. 			
<p>HEREBY APPROVED by Council at a duly convened meeting held on: YYYY MM DD</p> <p>Signed in Musqueam Territory, in Vancouver, B.C.</p> <p style="text-align: center;">_____</p> <p><i>A quorum consists of 5 Councillors</i></p>			
<p>_____</p> <p>Chief</p>			
<p>_____</p> <p>Councillor</p>			
<p>_____</p> <p>Councillor</p>			
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