

I hereby certify this to be a true copy of

the original

ORDER

Dated this

20 day of

FEB - 2013

[Signature]
for Clerk of the Court

Form 27

[Rules 6.3 and 10.52(1)]

Clerk's Stamp:

CLERK OF THE COURT
FILED

FEB 20 2013

JUDICIAL CENTRE
OF CALGARY

COURT FILE NUMBER 1201 15430
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF STANLEY EISENBERG, BRENDA EISENBERG, JACK EISENBERG,
LYNN EISENBERG and EISENBERG'S PROPERTIES LTD.
DEFENDANT 910234 ALBERTA LTD., RANDY CALMUSKY, THERESA
CALMUSKY, KYLE CALMUSKY, CALE HUMENIUK and JORDAN
RINTOUL
DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

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File No. 62616-8

DATE ON WHICH ORDER WAS PRONOUNCED:

February 19, 2013

NAME OF JUSTICE WHO MADE THIS ORDER:

Madam Justice K. M. Horner

ORDER

UPON THE APPLICATION of Grant Thornton Limited, Receiver of 910234 Alberta Ltd. (the "Receiver"); AND UPON HAVING read the Application filed by the Receiver, the Receivership Order granted by the Honourable Justice S. J. LoVecchio on December 12, 2012 (the "Receivership Order"), and the Third Report of the Receiver dated February 13, 2013; AND UPON HEARING counsel for the Receiver and all other interested parties present;

IT IS HEREBY ORDERED THAT:

1. The time for service of the Application and all materials in support is hereby abridged to the date of actual service and service is hereby deemed good and sufficient.

Discharge of Mortgages granted by Crystal Creek and New West

2. Notwithstanding section 191(1) of the *Land Titles Act*, the Registrar of the South Alberta Land Titles Registration District be and is hereby directed that, upon being presented with a certified

true copy of this Order and a discharge statement executed by Grant Thornton Limited, in its capacity as Receiver of 910234 Alberta Ltd. ("910324"), to discharge the mortgages granted to 910234 by Crystal Creek Homes Ltd. and New West Custom Homes & Renovations with respect to the lands legally described as:

- (a) Plan 1014173, Block 10, Lot 51, municipally described as 28 Rockcliffe Grove NW, Calgary, Alberta, mortgage registration number 111 228 326; and
- (b) Plan 1210765, Block 2, Lot 23, municipally described as 300 Spyglass Way, Rocky View County, Alberta, mortgage registration number 121 105 318;

the ("**Mortgages**").

- 3. Presentment of a certified copy of this Order and the discharge statements executed by the Receiver shall be the Registrar's sole and sufficient authority to make and register the said discharge statements for the Mortgages.
- 4. The funds held in trust in respect of the Mortgages are hereby released to the Receiver.

Transfer of Title to 27 Elveden Place SW

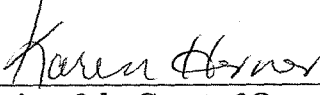
- 5. Notwithstanding section 191(1) of the *Land Titles Act*, the Registrar of the South Alberta Land Titles Registration District be and is hereby directed that, upon being presented with a certified true copy of this Order, to transfer Title to the property legally described as: Plan 0715416, Block 1, Lot 20, and municipally described as 27 Elveden Place SW, Calgary, Alberta, into the name of 910234 Alberta Ltd.
- 6. Presentment of a certified copy of this Order shall be the Registrar's sole and sufficient authority to make and register the said transfer.

Mortgage payments by Trickle Creek

- 7. Trickle Creek Custom Homes Inc. shall pay all current and future mortgage interest payments owing in respect of the mortgage bearing registration number 121 164 817, registered against the property with the municipal address of 356 Spyglass Way, to the Receiver, who shall hold such funds in trust until such time as entitlements to the funds is determined, and such payments shall constitute proper payments of interest under the said mortgage.

Extension of Attachment Order

8. The Ex-Parte Attachment Order, granted by the Honourable Justice K.D. Yamauchi on December 6, 2012, is hereby extended ^{to} April 19, 2013 ^{KT}, ~~until further notice of the Court~~, on the same terms and conditions set out therein, as amended by the December 21, 2012 Order.



Justice of the Court of Queen's Bench of Alberta