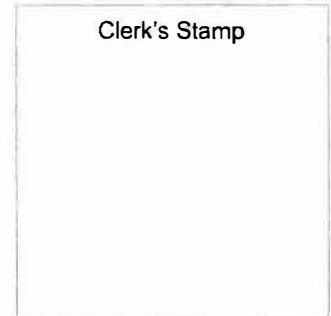


COURT FILE NUMBER 2301-01408
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF(S)/RESPONDENT ROYAL BANK OF CANADA
DEFENDANT(S)/APPLICANTS BRM CANADA GROUP INC.; SAIMA QADEER and CHOUDHRY QADEER AKRAM
DOCUMENT **AFFIDAVIT**



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT RELIANCE LEGAL GROUP LLP
Barristers and Solicitors
Unit 1101, 3961 – 52nd Avenue NE
Calgary, Alberta
T:403 285-7070
F:403 590 7800

Affidavit of CHOUDHRY QADEER AKRAM
Sworn on 18 day of December, 2023

I, CHOUDRY QADEER AKRAM, of the City of Calgary, in the Province of Alberta, SWEAR AND SAY THAT:

BACKGROUND:

1. I am the directing mind and litigation representative of the Defendants, BRM CANADA GROUP INC. ("BRM"), in this action, and as such have personal knowledge of the facts and matters sworn in this Affidavit in support thereof, except where they are stated to be based on information and belief, in which case I believe them to be true.
2. I make this Affidavit to oppose the Plaintiff's application to appoint a receiver/manager on the lands owned by BRM and subject of the within Court of King's Bench action ("Action").
3. BRM is the registered owner of lands legally described as:

CONDOMINIUM PLAN 0814562
UNITS 23-29, 31-44 AND 36
AND ALL APPLICABLE ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY

EXCEPTING THEREOUT ALL MINES AND MINERALS
(the "Property")

4. The Royal Bank of Canada ("RBC") is a chartered bank incorporated un the *Bank Act*, SC 1991, 45, Schedule I, which is extra-provincially registered to carry on business in the Province of Alberta, with branches located in the City of Calgary and elsewhere throughout the Province of Alberta and Canada.

Historical Relationship Between RBC and BRM

5. BRM has owned and operated the Property since December 2008 ("Date of Purchase").
6. Around the Date of Purchase, RBC had provided financing to BRM wherein the Property was to be used as security for funds advanced to BRM from RBC. Please see attached as **Exhibit "A"** copies of historical titles to a few of the units of the Property indicating transfer of lands to BRM in December 2008 and an RBC mortgage registered on some of the units of the Property as early as March 2009.
7. Thereafter, and at several points between the Date of Purchase and present date, RBC advanced further funds to BRM to be secured by the Property. Specifically, further mortgages were registered by RBC on units of the Property as follows:
 - a. March 23, 2009 in amount of \$597,000;
 - b. March 22, 2012 in amount of \$1,495,000;
 - c. November 20, 2019 in amount of \$3,900,000;
8. At all material times, BRM has always paid to RBC the ongoing required payments to keep any RBC mortgage in good standing.
9. Since 2009, BRM has honoured any required mortgage payments required by RBC in relation to the Property.

Covid-19 Issues

10. As a result of issues arising from the Covid-19 pandemic, several tenants located in the Property struggled to maintain their ongoing rent payment obligations to BRM. BRM thereafter temporarily struggled to maintain payments to RBC for a brief period of time ("BRM Covid-19 Issues").
11. At all material times, the status of BRM and the BRM Covid-19 Issues were communicated to RBC. Thereafter, BRM actively took steps to assist current tenants in maintaining their rent obligations to BRM or otherwise to find new tenants to replace previous tenant businesses in order to continue an appropriate income for the Property ("BRM's Efforts to Restabilize the Property").

12. Notwithstanding the Covid-19 Issues, BRM maintained their payments on any debt obligations to RBC.
13. Notwithstanding having corresponded with RBC about the Covid-19 Issues and BRM having made the payments to RBC, RBC notified BRM of intention to not renew the mortgage currently secured by the Property.
14. We advised RBC that BRM was trying to obtain further financing to payout RBC, but that as a result of the BRM Covid-19 Issues securing additional reasonable financing was proving to be difficult as any subsequent financiers desire more duration to see that the Property's income is now stabilized.
15. As RBC has financed the Property and has maintained a business relationship with BRM for the last 14 years, BRM has requested RBC to maintain the current financing and has even made large lump some payment to RBC for their consideration in continuing financing the Property.
16. At all material times since 2009, BRM has paid all ongoing maintenance payments as required to RBC.

Minimal Risk to RBC / Appraisals of Property

17. I verily believe that the risk to RBC is minimal in continuing to allow BRM to manage the Property and make ongoing payments to RBC as required.
18. In April 2023, in an effort to seek subsequent financing to payout RBC, BRM was required to obtain an appraisal report indicating the market value of the Property.
19. An appraisal report of the current market valuation of the Property was produced by a fully licensed and accredited appraiser which stated that the current market value of the Property was EIGHT MILLION (\$8,000,000) DOLLARS as at April 18, 2023 ("2023 Appraisal"). See attached as **Exhibit "B"** a copy of the 2023 Appraisal.
20. Based on the 2023 Appraisal, there is currently more than FOUR MILLION (\$4,000,000) DOLLARS in equity in the Property to secure any indebtedness ("Significant Property Equity").
21. In advancing further mortgage funds to BRM in 2019, RBC relied upon an appraisal produced from Altus Group in August 2019 wherein the stated current market value of the Property was SEVEN MILLION TWO HUNDRED THOUSAND (\$7,200,000) DOLLARS as at August 20, 2019 ("2019 Appraisal"). See attached as **Exhibit "C"** a draft copy of the 2019 Appraisal.

22. Given the large amount of equity in the Property, I verily believe that there is sufficient protection of RBC's funds while litigation takes place.
23. BRM has continuously represented to RBC that ongoing payments will be made. Additionally, an additional payment of ONE HUNDRED SIXTY SIX THOUSAND (\$166,000) DOLLARS was made to pay down amounts outstanding on the indebtedness.
24. BRM is NOT insolvent. In addition to the Significant Property Equity, BRM's current tenants pay substantial amounts of rent over and above the ongoing maintenance payments required by RBC. See attached as **Exhibit "D"** a copy of the current rent roll of the Property.

Likelihood of Maximizing Returns to the Parties

25. I have been managing the Property since 2008 and have worked with the tenants of the Property to make sure that all rents are paid. Most of the tenants of the Property are ethnic businesses wherein I am also a member of the same ethnic community.
26. Myself and my family work in a business in the Property and are on site almost every day.
27. In late September 2023, counsel for RBC sent the tenants of the Property notice via registered mail indicating that all rents should be paid directly to counsel for RBC ("Assignment of Rents Notice"). Which caused confusion among the tenants and disrupted the normal way tenants have paid their rent.
28. At all material times I have paid all obligations associated with ownership and management of the Property. All payments are current, including:
 - a. Maintaining appropriate insurance and payment of premiums thereto;
 - b. Property tax payments are paid in full;
 - c. All utilities are paid to current billing date;
 - d. Maintenance and repair of property is kept in good working order.
29. Until the beginning of the within Action, RBC would withdraw the monthly mortgage payment and interest payments directly from the accounts of BRM ("Monthly Principal and Interest Payments"). Recently, RBC has unilaterally decided to stop withdrawing the Monthly Principal and Interest Payments.
30. At all times, BRM has represented to RBC that any required Monthly Principal and Interest Payments were available for RBC to withdraw from the accounts of BRM.

31. We are very capable of managing the Property in a professional manner and do not require to pay additional fees that would be incurred by a receiver and or their managing agent.
32. I know to be true that the likelihood of maximizing returns to the parties would be to allow BRM to continue to manage the Property.

Prejudice / Irreparable Harm

33. The value of Property is significantly higher than the amount outstanding on mortgage funds to RBC. RBC's funds are secured by several million dollars in equity in the Property.
34. BRM has successfully managed the Property for approximately 15 years and has kept the Property in good repair.
35. There is no prejudice to RBC if BRM is allowed to continue to manage the Property.
36. Should the Property be placed into the control of a receiver BRM could be prejudiced and/or be subject to irreparable harm in several ways:
 - a. Tenants, from my ethnic community, may choose to vacate the premises rather than deal with corporate receiver;
 - b. The receiver may not focus on leasing the current vacant units in the Property. Leasing the vacant units is a critical component to BRM obtaining subsequent financing;
 - c. Should the receiver be granted power to sell the Property BRM would be significantly prejudiced and subject to irreparable harm;
 - d. My family's business operates from the Property. Any disposition of the Property will significantly disrupt my family's business and possibly render several of my family members as being unemployed.
37. Over the past few years BRM has completed close to \$1,000,000 in improvements to the building. Should a receiver be granted power of sale, BRM is at risk of losing this amount of leasehold improvements.

Additional Matters

38. Counsel for RBC alleges that BRM has obstructed collection efforts pursuant to their Assignment of Rents Notice. This is wholly denied. In fact, BRM and myself have made efforts to assist RBC in their collection efforts. On several occasions, when I was made aware that some tenants had not made their rent payments to RBC, I gave notice to tenants to make their rent payments as required to RBC. See attached as **Exhibit "E"** copy of text messages to tenant indicating direction to pay rent for RBC.
39. I verily believe that it is more beneficial and convenient for both parties to allow for BRM to continue managing the Property as, *inter alia*:
- a. we are on site nearly daily;
 - b. I already have a business relationship with the tenants;
 - c. I am from the same ethnic community as the majority of the tenants;
 - d. my family's business operates from the Property;
 - e. BRM has special knowledge and skills to perform the required management tasks at the Property.
40. I make this affidavit to oppose an application by the Plaintiff seeking an Order to place the Property into receivership.

SWORN (OR AFFIRMED) BEFORE
ME at Calgary, Alberta, this 18 day
of December, 2023.

Commissioner for Oaths in and for the
Province of Alberta

Taylor L. Johnson
Barrister & Solicitor



Choudhry Qadeer Akram

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

081 468 111

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		CALGARY ALBERTA
951 290 491	19/12/1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY. AS TO PORTION OR PLAN:9512984
951 290 503	19/12/1995	CAVEAT RE : RESTRICTIVE COVENANT
951 290 507	19/12/1995	RESTRICTIVE COVENANT
991 173 859	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
991 173 860	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
001 149 308	05/06/2000	CAVEAT RE : RESTRICTIVE COVENANT
001 149 309	05/06/2000	RESTRICTIVE COVENANT
001 355 281	11/12/2000	EASEMENT OVER/FOR BENEFIT: UNITS 1 AND 2
031 104 701	01/04/2003	CHANGE BLANK ADDRESS AFFECTS INSTRUMENT: 791170649
041 298 544	11/08/2004	MORTGAGE MORTGAGEE - TAKAFUL CANADA INC. 2200 SOUTH SHERIDAN WAY MISSISSAUGA ONTARIO L5J2M4 ORIGINAL PRINCIPAL AMOUNT: \$850,000
051 011 800	11/01/2005	UTILITY RIGHT OF WAY GRANTEE - ENMAX POWER CORPORATION. 141-50 AVE SE CALGARY ALBERTA AS TO PORTION OR PLAN:0510083
051 258 877	20/07/2005	EASEMENT OVER & FOR THE BENEFIT OF: SEE INSTRUMENT
081 324 523	29/08/2008	BUILDER'S LIEN LIENOR - MOHAMMED HAKDA C/O ZIMMERMAN & COMPANY 201, 1812-4TH STREET SW

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

081 468 111

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		CALGARY ALBERTA T2S1W1 AMOUNT: \$120,000
081 468 114	19/12/2008	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS CORP. C/O SHORY LAW OFFICE 212 4851 WESTWINDS DRIVE N.E. CALGARY ALBERTA T3J4L4 AGENT - DEVINDER SHORY
091 002 804	05/01/2009	DISCHARGE OF MORTGAGE 041298544
091 028 118	29/01/2009	DISCHARGE OF BUILDER'S LIEN 081324523
091 076 904	23/03/2009	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON ST W, 3 FLOOR TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$597,000
091 076 905	23/03/2009	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 180 WELLINGTON ST W, 3 FLOOR TORONTO ONTARIO M5J1J1 AGENT - ROBERT T FOOKS
091 091 719	06/04/2009	POSTPONEMENT OF CAVE 081468114 TO MORT 091076904 CAVE 091076905
121 069 025	22/03/2012	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$1,495,000
121 069 026	22/03/2012	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4

081 468 111

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		AGENT - JONATHAN D WARREN.
121 069 027	22/03/2012	CAVEAT RE : LEASE INTEREST CAVEATOR - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1 AGENT - JONATHAN D WARREN.
121 069 028	22/03/2012	DISCHARGE OF CAVEAT 081468114 AND POSTPONEMENT 091091719
121 110 050	09/05/2012	DISCHARGE OF MORTGAGE 091076904
121 110 051	09/05/2012	DISCHARGE OF CAVEAT 091076905
151 280 113	28/10/2015	CAVEAT RE : CONDOMINIUM FEES CAVEATOR - CONDOMINIUM CORPORATION NO. 0013187. C/O ACCREDITED CONDOMINIUM MANAGEMENT SERVICES LTD. 8, 11010-46 ST SE CALGARY ALBERTA T2C1G4 AGENT - ACCREDITED CONDOMINIUM MANAGEMENT SERVICES LTD.
161 104 951	04/05/2016	DISCHARGE OF CAVEAT 151280113
191 206 654	09/10/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS CORP. 120 SADDLECREST GARDENS NE CALGARY ALBERTA T3J0C3
191 235 752	20/11/2019	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 ORIGINAL PRINCIPAL AMOUNT: \$3,900,000
191 235 753	20/11/2019	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO

(CONTINUED)

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

191 235 754 20/11/2019 CAVEAT
RE : LEASE INTEREST
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

201 002 903 07/01/2020 POSTPONEMENT
OF CAVE 191206654
TO MORT 191235752 CAVE 191235753
CAVE 191235754

201 095 044 25/05/2020 DISCHARGE OF MORTGAGE 121069025

201 095 045 25/05/2020 DISCHARGE OF CAVEAT 121069026
AND CAVEAT 121069027

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL
PLAN SHEET

TOTAL INSTRUMENTS: 036

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 15 DAY OF
DECEMBER, 2023 AT 02:41 P.M.

ORDER NUMBER: 49160832

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



HISTORICAL LAND TITLE CERTIFICATE
CURRENT TITLE WITH HISTORICAL DATA

S
LINC SHORT LEGAL TITLE NUMBER
0033 519 746 0814562;24 081 468 112

LEGAL DESCRIPTION
CONDOMINIUM PLAN 0814562
UNIT 24
AND 232 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;29;25;3;SE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 081 378 776 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
081 468 112	19/12/2008	TRANSFER OF LAND	\$294,000	SEE INSTRUMENT

OWNERS

BRM CANADA GROUP INC.
OF 204 DEER RIDGE WAY S.E.
CALGARY
ALBERTA T2J 5Y6

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
771 147 064	20/10/1977	ZONING REGULATIONS SUBJECT TO CALGARY INTERNATIONAL AIRPORT ZONING REGULATIONS
791 170 649	12/10/1979	CAVEAT RE : AGREEMENT UNDER PLANNING ACT CAVEATOR - THE CITY OF CALGARY. BOX 2100 323-7 AVE SE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

081 468 112

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		CALGARY ALBERTA
951 290 491	19/12/1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY. AS TO PORTION OR PLAN:9512984
951 290 503	19/12/1995	CAVEAT RE : RESTRICTIVE COVENANT
951 290 507	19/12/1995	RESTRICTIVE COVENANT
991 173 859	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
991 173 860	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
001 149 308	05/06/2000	CAVEAT RE : RESTRICTIVE COVENANT
001 149 309	05/06/2000	RESTRICTIVE COVENANT
001 355 281	11/12/2000	EASEMENT OVER/FOR BENEFIT: UNITS 1 AND 2
031 104 701	01/04/2003	CHANGE BLANK ADDRESS AFFECTS INSTRUMENT: 791170649
041 298 544	11/08/2004	MORTGAGE MORTGAGEE - TAKAFUL CANADA INC. 2200 SOUTH SHERIDAN WAY MISSISSAUGA ONTARIO L5J2M4 ORIGINAL PRINCIPAL AMOUNT: \$850,000
051 011 800	11/01/2005	UTILITY RIGHT OF WAY GRANTEE - ENMAX POWER CORPORATION. 141-50 AVE SE CALGARY ALBERTA AS TO PORTION OR PLAN:0510083
051 258 877	20/07/2005	EASEMENT OVER & FOR THE BENEFIT OF: SEE INSTRUMENT
081 324 523	29/08/2008	BUILDER'S LIEN LIENOR - MOHAMMED HAKDA C/O ZIMMERMAN & COMPANY 201, 1812-4TH STREET SW

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

081 468 112

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

CALGARY
ALBERTA T2S1W1
AMOUNT: \$120,000

081 468 114 19/12/2008 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS
CORP.
C/O SHORY LAW OFFICE
212 4851 WESTWINDS DRIVE N.E.
CALGARY
ALBERTA T3J4L4
AGENT - DEVINDER SHORY

091 002 810 05/01/2009 DISCHARGE OF MORTGAGE 041298544

091 028 118 29/01/2009 DISCHARGE OF BUILDER'S LIEN 081324523

091 076 904 23/03/2009 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
180 WELLINGTON ST W, 3 FLOOR
TORONTO
ONTARIO M5J1J1
ORIGINAL PRINCIPAL AMOUNT: \$597,000

091 076 905 23/03/2009 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - ROYAL BANK OF CANADA.
180 WELLINGTON ST W, 3 FLOOR
TORONTO
ONTARIO M5J1J1
AGENT - ROBERT T FOOKS

091 091 719 06/04/2009 POSTPONEMENT
OF CAVE 081468114
TO MORT 091076904 CAVE 091076905

121 069 025 22/03/2012 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
180 WELLINGTON STREET W, 10TH FLOOR
TORONTO
ONTARIO M5J1J1
ORIGINAL PRINCIPAL AMOUNT: \$1,495,000

121 069 026 22/03/2012 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - ROYAL BANK OF CANADA.
180 WELLINGTON STREET W, 10TH FLOOR
TORONTO
ONTARIO M5J1J1

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4

081 468 112

REGISTRATION

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191 206 654	09/10/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS CORP. 120 SADDLECREST GARDENS NE CALGARY ALBERTA T3J0C3
191 235 752	20/11/2019	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 ORIGINAL PRINCIPAL AMOUNT: \$3,900,000
191 235 753	20/11/2019	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO

(CONTINUED)

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

191 235 754	20/11/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 AGENT - JONATHAN D WARREN
201 002 903	07/01/2020	POSTPONEMENT OF CAVE 191206654 TO MORT 191235752 CAVE 191235753 CAVE 191235754
201 095 044	25/05/2020	DISCHARGE OF MORTGAGE 121069025
201 095 045	25/05/2020	DISCHARGE OF CAVEAT 121069026 AND CAVEAT 121069027

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL
PLAN SHEET

TOTAL INSTRUMENTS: 036

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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



HISTORICAL LAND TITLE CERTIFICATE
CURRENT TITLE WITH HISTORICAL DATA

S
LINC SHORT LEGAL TITLE NUMBER
0033 519 761 0814562;26 121 069 022

LEGAL DESCRIPTION

CONDOMINIUM PLAN 0814562

UNIT 26

AND 315 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

ATS REFERENCE: 4;29;25;3;SE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 101 037 203

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
121 069 022	22/03/2012	TRANSFER OF LAND	\$380,000	CASH & MORTGAGE

OWNERS

BRM CANADA GROUP INC.
OF 204 DEER RIDGE WAY S.E.
CALGARY
ALBERTA T2J 5Y6

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
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791 170 649	12/10/1979	CAVEAT RE : AGREEMENT UNDER PLANNING ACT CAVEATOR - THE CITY OF CALGARY. BOX 2100 323-7 AVE SE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

121 069 022

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		CALGARY ALBERTA
951 290 491	19/12/1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY. AS TO PORTION OR PLAN:9512984
951 290 503	19/12/1995	CAVEAT RE : RESTRICTIVE COVENANT
951 290 507	19/12/1995	RESTRICTIVE COVENANT
991 173 859	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
991 173 860	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
001 149 308	05/06/2000	CAVEAT RE : RESTRICTIVE COVENANT
001 149 309	05/06/2000	RESTRICTIVE COVENANT
001 355 281	11/12/2000	EASEMENT OVER/FOR BENEFIT: UNITS 1 AND 2
031 104 701	01/04/2003	CHANGE BLANK ADDRESS AFFECTS INSTRUMENT: 791170649
051 011 800	11/01/2005	UTILITY RIGHT OF WAY GRANTEE - ENMAX POWER CORPORATION. 141-50 AVE SE CALGARY ALBERTA AS TO PORTION OR PLAN:0510083
051 258 877	20/07/2005	EASEMENT OVER & FOR THE BENEFIT OF: SEE INSTRUMENT
111 173 635	11/07/2011	MORTGAGE MORTGAGEE - BOW VALLEY CREDIT UNION LTD. 104-1 AVE NE AIRDRIE ALBERTA T4B0R6 ORIGINAL PRINCIPAL AMOUNT: \$159,500
111 173 636	11/07/2011	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - BOW VALLEY CREDIT UNION LTD. 104-1 AVE NE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

121 069 022

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		AIRDRIE ALBERTA T4B0R6 AGENT - ALAN G WARNOCK
121 069 025	22/03/2012	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$1,495,000
121 069 026	22/03/2012	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1 AGENT - JONATHAN D WARREN.
121 069 027	22/03/2012	CAVEAT RE : LEASE INTEREST CAVEATOR - ROYAL BANK OF CANADA. 180 WELLINGTON STREET W, 10TH FLOOR TORONTO ONTARIO M5J1J1 AGENT - JONATHAN D WARREN.
121 212 418	17/08/2012	DISCHARGE OF MORTGAGE 111173635
121 212 419	17/08/2012	DISCHARGE OF CAVEAT 111173636
151 280 098	28/10/2015	CAVEAT RE : CONDOMINIUM FEES CAVEATOR - CONDOMINIUM CORPORATION NO. 0013187. C/O ACCREDITED CONDOMINIUM MANAGEMENT SERVICES LTD. 8, 11010-46 ST SE CALGARY ALBERTA T2C1G4 AGENT - ACCREDITED CONDOMINIUM MANAGEMENT SERVICES LTD.
161 104 950	04/05/2016	DISCHARGE OF CAVEAT 151280098
191 206 654	09/10/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS CORP. 120 SADDLECREST GARDENS NE CALGARY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4

121 069 022

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ALBERTA T3J0C3

191 235 752 20/11/2019 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
ORIGINAL PRINCIPAL AMOUNT: \$3,900,000

191 235 753 20/11/2019 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

191 235 754 20/11/2019 CAVEAT
RE : LEASE INTEREST
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

201 002 903 07/01/2020 POSTPONEMENT
OF CAVE 191206654
TO MORT 191235752 CAVE 191235753
CAVE 191235754

201 095 044 25/05/2020 DISCHARGE OF MORTGAGE 121069025

201 095 045 25/05/2020 DISCHARGE OF CAVEAT 121069026
AND CAVEAT 121069027

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL
PLAN SHEET

TOTAL INSTRUMENTS: 029

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 15 DAY OF
DECEMBER, 2023 AT 02:41 P.M.

ORDER NUMBER: 49160832

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
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SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



HISTORICAL LAND TITLE CERTIFICATE
CURRENT TITLE WITH HISTORICAL DATA

S
LINC SHORT LEGAL TITLE NUMBER
0033 519 860 0814562;36 131 059 645

LEGAL DESCRIPTION
CONDOMINIUM PLAN 0814562
UNIT 36
AND 168 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;29;25;3;SE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 121 165 041

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 059 645	13/03/2013	TRANSFER OF LAND	\$250,000	\$250,000

OWNERS

BRM CANADA GROUP INC.
OF 204 DEER RIDGE WAY S.E.
CALGARY
ALBERTA T2J 5Y6

(DATA UPDATED BY: CHANGE OF ADDRESS 181090582)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
771 147 064	20/10/1977	ZONING REGULATIONS SUBJECT TO CALGARY INTERNATIONAL AIRPORT ZONING REGULATIONS
791 170 649	12/10/1979	CAVEAT RE : AGREEMENT UNDER PLANNING ACT CAVEATOR - THE CITY OF CALGARY. BOX 2100 323-7 AVE SE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
131 059 645

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
		CALGARY ALBERTA
951 290 491	19/12/1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY. AS TO PORTION OR PLAN:9512984
951 290 503	19/12/1995	CAVEAT RE : RESTRICTIVE COVENANT
951 290 507	19/12/1995	RESTRICTIVE COVENANT
991 173 859	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
991 173 860	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
001 149 308	05/06/2000	CAVEAT RE : RESTRICTIVE COVENANT
001 149 309	05/06/2000	RESTRICTIVE COVENANT
001 355 281	11/12/2000	EASEMENT OVER/FOR BENEFIT: UNITS 1 AND 2
031 104 701	01/04/2003	CHANGE BLANK ADDRESS AFFECTS INSTRUMENT: 791170649
051 011 800	11/01/2005	UTILITY RIGHT OF WAY GRANTEE - ENMAX POWER CORPORATION. 141-50 AVE SE CALGARY ALBERTA AS TO PORTION OR PLAN:0510083
051 258 877	20/07/2005	EASEMENT OVER & FOR THE BENEFIT OF: SEE INSTRUMENT
091 030 275	02/02/2009	MORTGAGE MORTGAGEE - DALBAG GREWAL 307 EASTLAKE VIEW PLACE CHESTERMERE ALBERTA T1X1W2 ORIGINAL PRINCIPAL AMOUNT: \$145,000
091 044 217	17/02/2009	TRANSFER OF MORTGAGE 091030275 TRANSFEREE - DALBAG GREWAL 307 EASTLAKE VIEW PLACE CHESTERMERE

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

131 059 645

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ALBERTA T1X1W2

091 208 629 21/07/2009 CAVEAT
RE : CONDOMINIUM FEES
CAVEATOR - CONDOMINIUM CORPORATION NO. 0013187.
MOHINDER MANHAS
300, 5075 FALCONRIDGE BLVD NE
CALGARY
ALBERTA T3J3K9
AGENT - GEOFFREY HORNE
(DATA UPDATED BY: CHANGE OF ADDRESS 121120474)

091 325 802 29/10/2009 CERTIFICATE OF LIS PENDENS
AFFECTS INSTRUMENT: 091208629

121 120 474 18/05/2012 CHANGE OF ADDRESS FOR SERVICE
RE: CONDOMINIUM CORPORATION NO. 0013187.
MOHINDER MANHAS
300, 5075 FALCONRIDGE BLVD NE
CALGARY
ALBERTA T3J3K9
AFFECTS INSTRUMENT: 091208629

121 138 475 06/06/2012 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - PAWANDEEP SINGH SANDHU
1699 BAYWATER PARK SW
AIRDRIE
ALBERTA T4B0B3

121 197 786 02/08/2012 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - BRM CANADA GROUP INC.
C/O ANAND SARA
#145, 1935-32ND AVENUE NE
CALGARY
ALBERTA T2E7C8

131 059 646 13/03/2013 DISCHARGE OF CAVEAT 121138475

131 060 720 14/03/2013 DISCHARGE OF MORTGAGE 091030275
AND TRANSFER OF 091044217

141 259 764 25/09/2014 DISCHARGE OF CAVEAT 121197786

141 259 776 25/09/2014 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
10 YORK MILLS ROAD, 3RD FLOOR
TORONTO
ONTARIO M2P0A4

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4

131 059 645

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ORIGINAL PRINCIPAL AMOUNT: \$427,000

141 259 777 25/09/2014 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

141 259 778 25/09/2014 CAVEAT
RE : LEASE INTEREST
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
AGENT - JONATHAN D WARREN

161 104 943 04/05/2016 DISCHARGE OF CAVEAT 091208629
AND CHANGE OF ADDRESS FOR SERVICE 121120474

181 090 582 03/05/2018 CHANGE OF ADDRESS FOR SERVICE
RE: BRM CANADA GROUP INC.
204 DEER RIDGE WAY S.E.
CALGARY
ALBERTA T2J5Y6
AFFECTS INSTRUMENT: 131059645

191 104 451 04/06/2019 DISCHARGE OF CERTIFICATE OF LIS PENDENS 091325802

191 206 654 09/10/2019 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS
CORP.
120 SADDLECREST GARDENS NE
CALGARY
ALBERTA T3J0C3

191 235 752 20/11/2019 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO
ONTARIO M2P0A4
ORIGINAL PRINCIPAL AMOUNT: \$3,900,000

191 235 753 20/11/2019 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - ROYAL BANK OF CANADA.
36 YORK MILLS ROAD, 4TH FLOOR
TORONTO

(CONTINUED)

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

		ONTARIO M2P0A4 AGENT - JONATHAN D WARREN
191 235 754	20/11/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 AGENT - JONATHAN D WARREN
201 002 903	07/01/2020	POSTPONEMENT OF CAVE 191206654 TO MORT 191235752 CAVE 191235753 CAVE 191235754
201 095 024	25/05/2020	DISCHARGE OF MORTGAGE 141259776
201 095 025	25/05/2020	DISCHARGE OF CAVEAT 141259777 AND CAVEAT 141259778

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL PLAN SHEET

TOTAL INSTRUMENTS: 036

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF DECEMBER, 2023 AT 02:44 P.M.

ORDER NUMBER: 49160877

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



CURRENT APPRAISAL REPORT
11 CONDOMINIUM BAYS - 2102, 2106, 2110, 2214, 2118, 2122, 2126,
3103, 3107, 3115 AND 3119
5150 47 STREET NE CALGARY,
CALGARY, ALBERTA



Prepared For:

Canadian Western Bank

Prepared By:

Richard D. Sieben AACI, P App.

This is Exhibit " B " referred to
in the affidavit of
CAUDRY GADGER AKRAM
Sworn before me this 18 day of
DECEMBER, 2023

Reliance Legal Group LLP
Taylor L. Johnson
Barrister & Solicitor



April 10, 2023

Canadian Western Bank

File 2312211

Dear Sir:

Re: Appraisal of 11 condominium bays - 2102, 2106, 2110, 2214, 2118, 2122, 2126, 3103, 3107, 3115 and 3119 - 5150 47 Street NE Calgary, Alberta

In accordance with your authorization, we have completed a current appraisal report regarding the above referenced property. The purpose of the appraisal is to estimate the current market value of the subject property, as condominium ownership.

The intended use of this appraisal is to provide Canadian Western Bank with an estimate of the current market value of the subject properties for financing purposes. The intended users of this report are limited to the Canadian Western Bank. Unauthorized use of the data, analyses and conclusions presented in this report is strictly prohibited.

Based on an inspection of the properties and the research and analyses undertaken, we have formed the opinion that as of April 18, 2023 subject to the Critical Assumptions and Limiting Conditions contained herein; the subject property has an estimated Market Value of:

EIGHT MILLION DOLLARS

This is an Appraisal Report that is intended to comply with the reporting requirements set forth in the Canadian Uniform Standards of Professional Appraisal Practice. The information contained in this report is specific to the needs of the client and for the stated intended use. RDS Appraisal Group and its affiliates are not responsible for unauthorized use of this report.

Respectfully submitted,
RDS Appraisal Group.

Richard D. Sieben, AACI, P App.

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2.0 EXECUTIVE SUMMARY

The subject property is located in Westwinds Business Park in a complex comprising 11 condominium bay units with a total floor area of 21,064 square feet.

Municipal Address	: 2102, 2106, 2110, 2214, 2118, 2122, 2126, 3103, 3107, 3115 and 3119 - 5150 47 Street NE Calgary, Alberta T3J 4N4
Legal Description	: Condominium Plan 0814562 Units 23-29, 31-33 and 36 and Σ 2962 undivided one ten thousandth shares in the common property Excepting thereout all mines and minerals
Ownership	: 396982 Alberta Ltd. BRM Canada Group Inc. Assume same ownership on the remaining unsearched 10 titles
Purpose	: Estimate Current Market Value
Property Rights Appraised	: Condominium ownership
Effective Date	: April 18, 2023
Report Date	: May 10, 2023
Intended Use	: Financing

PROPERTY DESCRIPTION

Site Description	: 85,412 square feet. (1.96 acres)
Improvement Description	: 11 commercial bays comprising 21,064 square feet
Blueprint building area	: Σ 18,762square feet
Net Rentable Area	: Σ 21,064 square feet, more or less.
Year Built	: 2008
Remaining Physical Life	: 40 - 50 Years
Assessment/Property Taxes	: Σ \$4,898,000 (2022) / Σ \$107,439.66 (2022)

* Σ (sigma) = sum of...

2.0 EXECUTIVE SUMMARY

Land Use Classification : Direct Control 103Z92 Site 2
Highest and Best Use : Its present use is its highest and best use.

VALUATION

Income Approach : \$8,000,000
Direct Comparison Approach : \$8,000,000
Final Value Estimate : \$8,000,000

2.0 TERMS OF REFERENCE

2.1 SUBJECT PROPERTY

The subject property comprises a total of 11 industrial-commercial bay units within a condominium complex located in Westwinds Business Park.

2.2 INTENDED USE OF THE REPORT

The intended use of this appraisal is to provide Canadian Western Bank with an estimate of the current market value of the subject property for financing. The intended users of this report are limited to Canadian Western Bank. Unauthorized use of the data, analyses and conclusions presented in this report is strictly prohibited.

2.3 PURPOSE OF THE ASSIGNMENT

The purpose of this appraisal is to estimate the market value of the condominium ownership in the subject property as at April 18, 2023.

2.4 PROPERTY RIGHTS APPRAISED

The valuation of real property includes both physical real estate and rights that one or more individuals, partnerships, or corporations may have or contemplate having in the ownership or use of land and improvements. Special attention is given to any limitations of ownership rights, such as easements, encroachments, liens, or leases. The property rights appraised in this report are that of a Condominium Ownership.

A **condominium ownership** is defined as:

The property rights appraised in this report are that of Condominium ownership. Condominium ownership is defined as:

“Each owner holds title to their own unit and an undivided partial interest in common area of the property. Usually defined by local legislation as to how the boundaries of the units are drawn up, how the unit entitlement is calculated, how the strata/condominium association/corporation will operate, and the responsibilities of the officers. Owners pay a monthly strata fee allocated for general maintenance and a reserve for major replacements: roof, painting, equipment, etc. Stratas are common in residential, commercial, industrial and mixed-use buildings (i.e., residential and retail/office uses combined). Almost all real estate can be stratified if allowed under the local legislation.”

Source: THE APPRAISAL OF REAL ESTATE 3RD CANADIAN EDITION BUSI 330 – Chuck Dunn

2.0 TERMS OF REFERENCE

2.5 DEFINITION OF VALUE

The value of the property determined in this report is Market Value, which is defined as:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1.) *buyer and seller are typically motivated;*
- 2.) *both parties are well informed or well advised, and acting in what they consider their own best interests;*
- 3.) *a **reasonable time** is allowed for **exposure** in the open market;*
- 4.) *payment is made in terms of cash in Canadian dollars or in terms of financial arrangements comparable thereto; and*
- 5.) *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”*

Source: CUSPAP

Market value as defined by International Valuation Standards:

“Market value is the estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arms-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.”

Source: IVS

2.6 EFFECTIVE DATE OF VALUE

The Effective Date of valuation is April 18, 2023.

2.7 SCOPE OF WORK

The scope of this appraisal refers to the extent of the process of collecting, confirming, and reporting data and summarized following:

Terms of Reference

The client requested a brief reporting format, as such; descriptions of location and building improvements and analysis have been summarized.

2.0 TERMS OF REFERENCE

Inspection and Identification of the property

The property was viewed and inspected on April 18, 2023 and again on May 3, 2023. Photos were taken by Richard D. Sieben. The inspection consisted of the interior and exterior inspection of the commercial building.

The identification of the property includes review of the current random certificate of title and municipal assessment and tax information.

Type of Analysis

This current appraisal complies with the Canadian Standards of the Appraisal Institute of Canada. We are competent in this type of appraisal analysis and have appraised this type of property previously. This report contains summary information with respect to the factual information and analyses.

Data Research

We received our instruction and information on the property from Rajesh Goyal. Publications produced by the City of Calgary provided information on applicable land use controls. Measurements and photographs were taken by the appraiser and relied upon condominium survey plans. Sources of market evidence included, as appropriate, the local real estate board, CoStar, Land Titles Office transactions, real estate agents and vendors, purchasers active in the market, other appraisers and what is typical in this market.

Audits and Technical Investigation

We did not complete technical investigation such as:

- Detailed inspections or engineering review of the structure, roof or mechanical systems;
- An environmental review of the property;
- A site or building survey;
- Investigation into the bearing qualities of the soils; or
- Audits of financial and legal arrangements as reported.
- Condominium bylaws including a reserve fund study and estoppel certificate were not provided or reviewed.

Verification of Third Party Information

The analysis set out in this report relied on written and verbal information obtained from a variety of sources we considered reliable.

2.0 TERMS OF REFERENCE

2.8 CRITICAL ASSUMPTIONS

The full text entitled Limiting Conditions and Assumptions, included in the Addenda, is considered primary critical assumptions. **If you do not fully agree with and accept all of the Limiting Conditions contained in this report and all of the Critical Assumptions set forth below, do not use this report.**

- 1.) The appraiser's function is to provide a present market value indication of the subject property based on observations of the real estate market. This appraisal report is an economic study to estimate value as defined herein. It is not an engineering, environmental, construction, legal, audit or architectural study nor a survey and expertise in these areas, among others, is not implied.
- 2.) All sales data, including land sales, are analyzed and reported on a cash equivalent basis. Extraordinary or non-market terms of any sale have been considered where found.
- 3.) A variety of other assumptions are necessary in the valuation process. These assumptions are made throughout the report where necessary and deemed appropriate. Only that information which has been verified by this office is considered and as a result, this report may **NOT** contain up to the minute offerings or transactions.
- 4.) The subject is considered available for new financing for the purpose of this appraisal report.
- 5.) The value estimate herein relies on information provided. We assume the information is correct and have relied on this data.
- 6.) The assumption is made there are no pledges, charges, liens or special assessments outstanding or in the process of being registered against the property. It is assumed the subject property complies in all material aspects with any restrictive covenants and has been built in compliance with all requirements of law, including all zoning, land classification, building, planning, fire and health regulations and codes of all levels of government having jurisdiction with respect thereto.
- 7.) The report assumes there are no encumbrances, easements, rights-of-way, building restrictions, work orders or other notices of violation of law outstanding, or pending legal action, suit, or any other requirement of law preventing occupancy or imposing any other adverse affect on the operation of the property, so as to affect value.
- 8.) Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyls, petroleum

2.0 TERMS OF REFERENCE

leakage, or agricultural chemicals, which may be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. Neither responsibility is assumed for such conditions, nor for any expertise, nor engineering knowledge required discovering them.

- 9.) It is assumed the rental income is in perpetuity for the Income Approach.
- 10.) Only one title of 11 units was randomly searched. The appraiser assumes similar registrations and the same ownership. The appraiser reserves the right to alter or change report if there is new information
- 10.) Covid – 19 Limiting conditions removed. No adverse effect on the real estate economy.
- 11.) This report conforms to Canadian Uniform Standards of professional Practice (CUSPAP)

3.0 FACTUAL DATA

3.1 IDENTIFICATION OF THE PROPERTY

Municipal Address : 2102, 2106, 2110, 2214, 2118, 2122, 2126, 3103, 3107, 3115
and 3119 - 5150 47 Street NE
Calgary, Alberta T3J 4N4

Legal Description :

CONDOMINIUM PLAN 0814562
UNITS 23-29, 31-33 AND 36
AND *Σ2962 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY
EXCEPTING THEREOUT ALL MINES AND MINERALS

The above legal description(s) is all from 11 titles. Only one random title was pulled.

Registered Owner(s)

396982 ALBERTA LTD.
OF 200, 1029-17 AVENUE SW
CALGARY
ALBERTA T2T 0A9

History

Uniform Standards of Professional Appraisal Practice require investigation and analysis of transactions involving the subject property within three years prior to the effective date of appraisal.

According to the random Certificate of Title of unit 36, there have been no transfers of ownerships during the past three years. We have searched all the preview titles and none indicate any transfer of ownerships during the past three years.

*Σ (sigma) = sum of...

3.0 FACTUAL DATA

Encumbrances, Liens, and Interests

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
771 147 064	20/10/1977	ZONING REGULATIONS SUBJECT TO CALGARY INTERNATIONAL AIRPORT ZONING REGULATIONS
791 170 649	12/10/1979	CAVEAT RE : AGREEMENT UNDER PLANNING ACT CAVEATOR - THE CITY OF CALGARY. BOX 2100 323-7 AVE SE CALGARY ALBERTA
951 290 491	19/12/1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF CALGARY. AS TO PORTION OR PLAN:9512984
951 290 503	19/12/1995	CAVEAT RE : RESTRICTIVE COVENANT
951 290 507	19/12/1995	RESTRICTIVE COVENANT
991 173 859	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
991 173 860	22/06/1999	CAVEAT RE : RESTRICTIVE COVENANT
001 149 308	05/06/2000	CAVEAT RE : RESTRICTIVE COVENANT
001 149 309	05/06/2000	RESTRICTIVE COVENANT
001 355 281	11/12/2000	EASEMENT OVER/FOR BENEFIT: UNITS 1 AND 2
051 011 800	11/01/2005	UTILITY RIGHT OF WAY GRANTEE - ENMAX POWER CORPORATION. 141-50 AVE SE CALGARY ALBERTA AS TO PORTION OR PLAN:0510083
051 258 877	20/07/2005	EASEMENT OVER & FOR THE BENEFIT OF: SEE INSTRUMENT
191 206 654	09/10/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - APNA - PUNJAB GROCERY & MOVIES & GIFTS CORP. 120 SADDLECREST GARDENS NE CALGARY ALBERTA T3J0C3
191 235 752	20/11/2019	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 ORIGINAL PRINCIPAL AMOUNT: \$3,900,000

3.0 FACTUAL DATA

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
131 059 645

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
191 235 753	20/11/2019	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 AGENT - JONATHAN D WARREN
191 235 754	20/11/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO ONTARIO M2P0A4 AGENT - JONATHAN D WARREN
201 002 903	07/01/2020	POSTPONEMENT OF CAVE 191206654 TO MORT 191235752 CAVE 191235753 CAVE 191235754

* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL
PLAN SHEET

TOTAL INSTRUMENTS: 017

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 25 DAY OF APRIL,
2023 AT 12:53 P.M.

ORDER NUMBER: 47061588

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

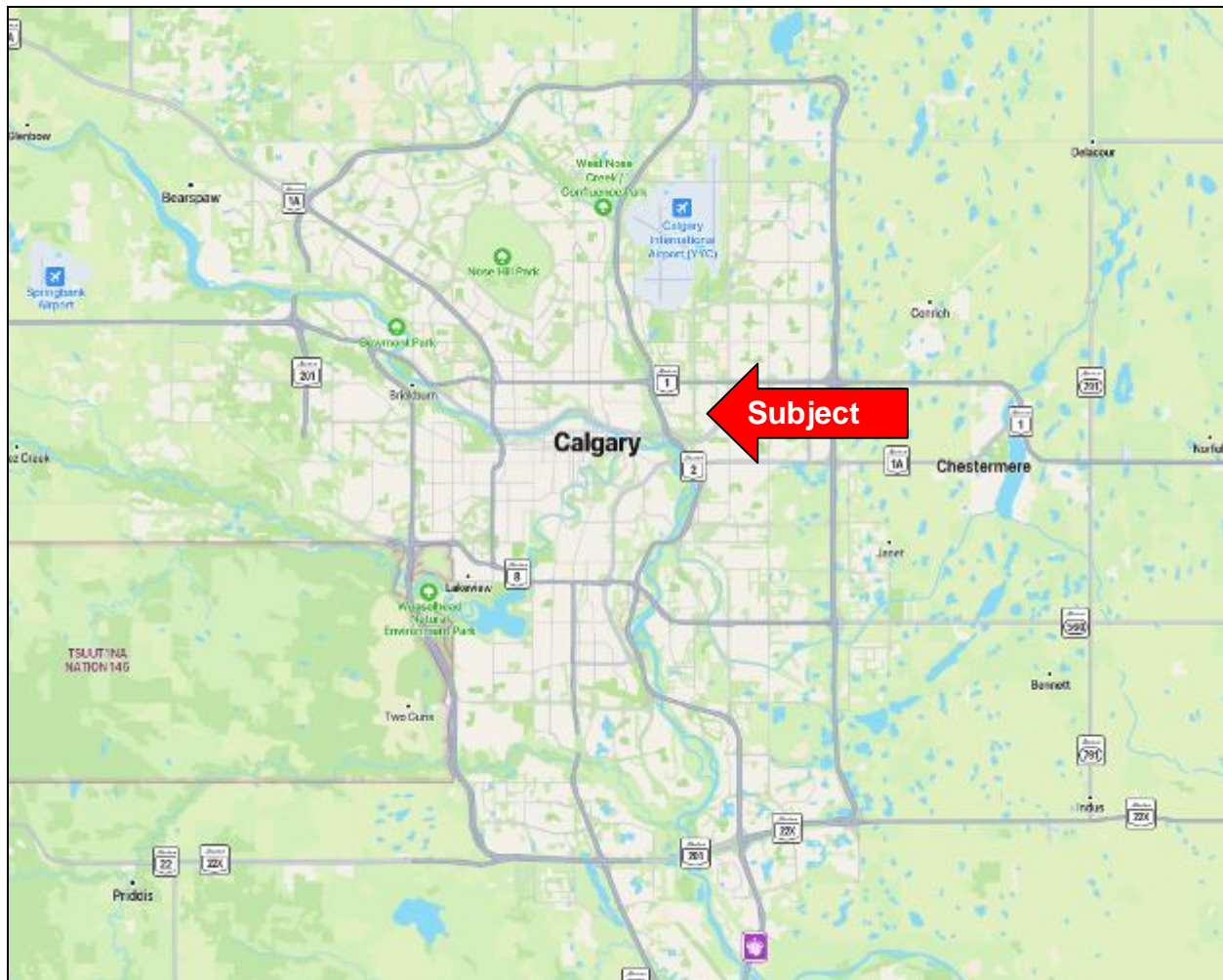
According to this random Certificate of Title there are a total of 17 instruments. They include zoning regulations that pertain to the airport, restrictive covenants, utility rights of ways, easements, purchaser's interest, mortgage, assignments of rents and lease interest. The appraiser assumes the remaining ten titles have similar registrations and reserves the right to alter or change report if new information is provided. However encumbrances, liens, and interests are summarized according to three broad categories; tenant encumbrances, miscellaneous encumbrances, and financial encumbrances. The registered encumbrances include financial and miscellaneous and are assumed do not separately nor collectively affects the marketability of the subject property.

3.0 FACTUAL DATA

3.2 CITY DATA

Source: Wikipedia, Alberta First and Colliers

Calgary is a city in the western Canadian province of Alberta. It is situated at the confluence of the Bow River and the Elbow River in the south of the province, in an area of foothills and prairie, about 80 kilometres east of the front ranges of the Canadian Rockies, roughly 300 kilometres south of the provincial capital of Edmonton and approximately 240 kilometres north of the Canada–United States border. The city anchors the south end of the Statistics Canada-defined urban area, the Calgary–Edmonton Corridor.



The Calgary Metropolitan Area had a population of roughly 1,581,000 in the beginning of 2021, making it Alberta's most-populous city and the second most-populous in western Canada. In 2016, Calgary had a metropolitan population of 1,392,609, making

3.0 FACTUAL DATA

it the fourth-largest census metropolitan area (CMA) in Canada, though with a stand-alone population of 1,239,220, the City of Calgary was Canada's third-largest city in 2016.



Calgary Skyline 2021

Calgary's economy includes activity in the energy, financial services, film and television, transportation and logistics, technology, manufacturing, aerospace, health and wellness, retail, and tourism sectors. The Calgary Metropolitan Region is home to Canada's second-highest number of corporate head offices among the country's 800 largest corporations including Canadian Pacific Railway, Westjet Corporation, many oil and gas companies, just to name several. In 2015 Calgary had the highest number of millionaires per capita of any major Canadian city. In 1988 it became the first Canadian city to host the Winter Olympic Games.

The Economist Intelligence Unit ranked Calgary the most livable city in North America in both 2018 and 2019. Calgary has been a top 5 contender for this title for the last 10 years.

The turn of the century brought questions of province-hood the top of mind in Calgary. On September 1, 1905, Alberta was proclaimed a province with a provisional capital in Edmonton; it would be left up to the Legislature to choose the permanent location. One of the first decisions of the new Alberta Legislature was the capital, and although William Henry Cushing advocated strongly for Calgary, the resulting vote saw Edmonton win the capital 16–8. Calgarians were disappointed on the city not being named the capital, and focused their attention on the formation of the provincial university. However, the efforts by the community could not sway the government, and the University of Alberta was founded in the City of Strathcona, Premier Rutherford's home, which was subsequently amalgamated into the City of Edmonton in 1912.

3.0 FACTUAL DATA

Calgary was not to be left without higher education facilities as the provincial Normal School opened in the McDougall School building in 1905. In 1910, R. B. Bennett introduced a bill in the Alberta Legislature to incorporate the "Calgary University"; however there was significant opposition to two degree-granting institutions in such a small province. A commission was appointed to evaluate the Calgary proposal which found the second university to be unnecessary, however, the commission did recommend the formation of the Provincial Institute of Technology and Art in Calgary (SAIT), which was formed later in 1915.



Stephen Avenue – Calgary’s pedestrian street

Built-up areas of Calgary between 1905 and 1912 were serviced by power and water, the City continued a program of paving and sidewalk laying and with the CPR constructed a series of subways under the tracks to connect the town with streetcars. The first three motor buses hit Calgary streets in 1907, and two years later the municipally owned street railway system, fit with seven miles of track opened in Calgary. The immediately popular street railway system reached 250,000 passengers per month by 1910. The privately owned MacArthur Bridge (precursor to the Centre Street Bridge over the Bow River) opened in 1907 which provided for residential expansion north of the Bow River. The early-1910s saw real estate speculation hit Calgary once again, with property prices rising significantly with growing municipal investment, CPR's decision to construct a car shop at Ogden set to employ over 5,000 people, the projected arrival of the Grand Trunk Pacific and Canadian Northern Railways in the city and Calgary's growing reputation as a growing economic hub. The period between 1906 and 1911 was the largest population growth period in the city's history, expanding from 11,967 to 43,704 inhabitants in the five-year period. Several ambitious projects were started during this period including a new City Hall, the Hudson's Bay Department Store, the Grain Exchange Building, and the Palliser Hotel, this period also corresponded to the

3.0 FACTUAL DATA

end of the "Sandstone City" era as steel frames and terracotta facades such as the Burns Building (1913) which were prevalent in other North American cities overtook the unique sandstone character of Calgary.

The 1970s energy crisis resulted in significant investment and growth in Calgary. By 1981, 45 per cent of the Calgary labour force was made up of management, administrative or clerical staff, above the national average of 35 per cent. Calgary's population grew with the opportunity the oil boom brought, the 20-year period from 1966 to 1986 saw the population increase from 330,575 to 636,107 residents.



Canada Olympic Plaza

The economic boom saw a number of high-rises popup on the Calgary skyline. The flurry of construction saw Calgary open more office space in 1979 than New York City and Chicago combined. While the end of the oil boom can be tied with the National Energy Program implemented by Prime Minister Pierre Trudeau's government, the end of the construction boom was tied to the completion of the Petro-Canada Centre in 1984. The two tower granite Petro-Canada Centre, commonly referred to by locals as *Red Square* alluding to the city's hostile view of the state-owned petroleum company, saw the larger 53-storey west tower rise to 215 metres and become the largest building in Calgary for 26 years, and a smaller 32-storey east tower rise 130 metres.

The City further expanded the C-Train system, planning began in 1981 and the northeast leg of the system was approved on to be operational in time for the 1988 Olympics. The boom could not last forever. The 1980s oil glut caused by falling demand and the National Energy Program marked the end of Calgary's boom. In 1983 Calgary City Council announced service cuts to ease the \$16 million deficit, 421 city employees were laid off, unemployment rose from 5 to 11 per cent between November 1981 and November 1982, eventually peaking at 14.9 per cent in March 1983. The decline was so swift that the city's population went down for the first time in history from April 1982 to

3.0 FACTUAL DATA

April 1983, and 3,331 homes were foreclosed by financial institutions in 1983. Low oil prices in the 1980s prevented a full economic recovery until the 1990s.

Amongst the most invigorating news of the decade came on May 21, 1980 when Nelson Skalbania announced the relocation of the Atlanta Flames hockey club to become the Calgary Flames. sold the team to Skalbania for US\$16 million, a record sale price for an NHL team at the time. The team was successful right away making the playoffs each year in the first 10 years in Calgary. The Flames fell short of the Stanley Cup in 1986 to the Montreal Canadiens, but finally won the team's only Stanley Cup in 1989.

Thanks in part to escalating oil prices, the economy in Calgary and Alberta were booming until the end of 2009, and the region of nearly 1.1 million people was home to the fastest growing economy in the country. While the oil and gas industry comprise an important part of the economy, the city has invested a great deal into other areas such as tourism and high-tech manufacturing. Over 3.1 million people now visit the city annually for its many festivals and attractions, especially the Calgary Stampede. The nearby mountain resort towns of Banff, Lake Louise, and Canmore are also becoming increasingly popular with tourists, and are bringing people into Calgary as a result. Other modern industries include light manufacturing, high-tech, film, e-commerce, transportation, and services.

Widespread flooding throughout southern Alberta, including on the Bow and Elbow rivers, forced the evacuation of over 75,000 city residents on June 21, 2013, and left large areas of the city, including downtown, without power.



Flood of June 2013

3.0 FACTUAL DATA

Transportation

Air

Calgary is a gateway to many destinations throughout North America. Direct flights are offered to many European destinations, such as Munich, Frankfurt, Amsterdam and London with connections to Paris, Moscow, St. Petersburg, Munich, Milan, Rome and many other European destinations provided by Lufthansa and KLM Airlines.

Calgary is serviced by one International Airport and one Regional Airport. In addition to a modern terminal, the Calgary International Airport has award-winning, first-class cargo facilities and services for any needs, including a premier livestock handling facility, on-airport refrigeration facilities and 24/7 operations with no curfew.

Five Trade Parks on airport land promote and support economic development and enhance businesses' abilities to reach over 50 million people within one day's travel by truck. Calgary is the only Canadian city with 24/7 air cargo service to Asia and Europe.



Calgary International Airport – Always expanding

Highways/Roads

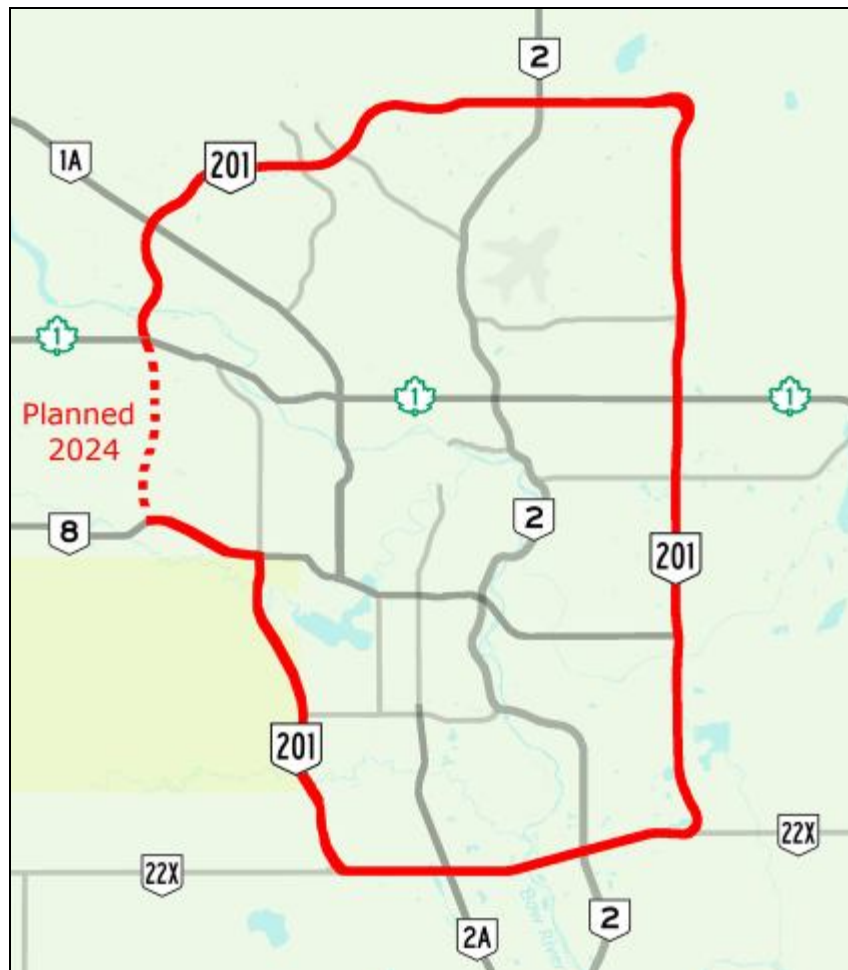
Two of North America's largest highways run through Calgary: The Canamex Highway and the TransCanada Highway. A 4,000 kilometre network of municipal streets and roads makes up the City of Calgary.

3.0 FACTUAL DATA

The Canamex Highway is the cornerstone for efficient transportation of goods, services, people and information between Western Canada, the U.S. and Mexico. It is a 6,000 kilometre (3,500 miles) trade corridor. By 2009, the Alberta government will have spent \$1.4 billion to upgrade the Canamex corridor in the province. It is four-laned from the USA Montana border to the BC border.

The TransCanada Highway is the world's longest national highway. It runs 7,700 kilometres (4,800 miles) east/west across the country from St. John's Newfoundland to Victoria, British Columbia. All of Trans-Canada in Alberta is four-laned. In British Columbia plans of four-laning the entire Trans-Canada Highway is in progress.

A major project that was recently build was the northeast/west and north-south/east leg of the Stoney Trail Ring Road that provides good access to all major freeways and Alberta thoroughfares. The Stoney Trail has good access to many of the industrial parks in Calgary, especially in the northeast, such as the subject. This is causing new construction of industrial parks in the north and southeast quadrants. The final leg of the ring road is nearing completion.



Current status of Stoney – Tsuu T'ina Trail

3.0 FACTUAL DATA



Deerfoot Trail

Transit

The Calgary Transit system provides safe transportation to thousands of Calgarians using the C-Train or buses. Over the past 23 years, the C-Train has become the backbone of the Calgary Transit system and is widely regarded as one of the most successful Light Rail Transit (LRT) systems in the world. Since 2002, The City of Calgary has committed more than \$600 million to maintain, upgrade and expand Calgary's transportation system, which also includes a city-wide transit system (buses, handi-buses and Light Rail Transit) that provides more than 80 million passenger trips per year. Recently the LRT extended its west line to 69 Street SW in Signal Hill. There are plans to extend the north-east line to the airport sometime in the near future.



Calgary LRT

3.0 FACTUAL DATA

A new weekend and holiday public transit service between Calgary and Banff, with stops in Okotoks, Cochrane and Canmore is in progress. The Calgary Regional Partnership, Parks Canada, and several municipalities involved in the pilot project are still working out details, including fares and exactly when the coaches will start running this spring. On It Regional Transit service will be providing bus and transit service from Okotoks to Banff. A commuter rail service from Banff to Calgary is in the study stages and could be a possibility if there is enough demand for this service.



On-It Regional Transit Service
Okotoks to Banff

Rail

People, products and services are moved throughout North America by Calgary's railways. Canadian Pacific Railway (CP) and Canadian National Railway (CN) are Canada's two major freight railways. CP, which moved its head office to Calgary in 1996, recently opened a new intermodal facility that gives unparalleled access to western Canadian, American and Mexican markets: 50,000 rail cars a week pass through the facility with more predicted for the future. CP's Automotive Compound and its Reload Centre Network Management Centre are also located in Calgary. These facilities utilize innovative technology and communication systems to track the movement of goods to ensure their timely delivery. CN is Canada's largest railway however their market share in Calgary is small compared to CP. They recently abandoned their Saskatoon-Calgary branch-line and rerouted their operations on the Three Hills subdivision to Camrose.

3.0 FACTUAL DATA



CPR rail yard facilities Alyth Yard Calgary

These facilities utilize innovative technology and communication systems to track the movement of goods to ensure their timely delivery. CN is Canada’s largest railway however their market share in Calgary is small compared to CP. They recently abandoned their Saskatoon-Calgary branch-line and rerouted their operations on the Three Hills subdivision to Camrose.



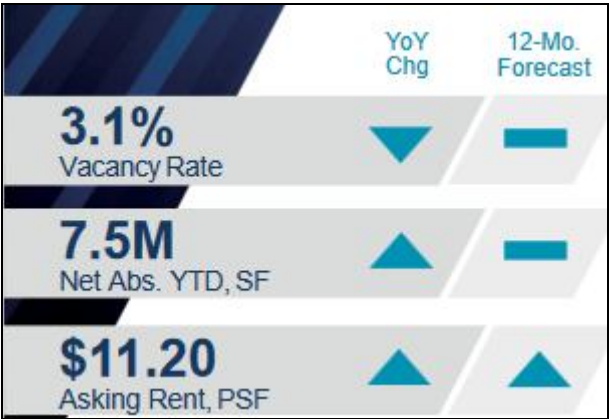
CN’s new state-of-the-art logistics facility – Conrich AB

3.0 FACTUAL DATA

The bulk of CN operations are in Edmonton and northern regions. A new construction of the intermodal main facility in Conrich has recently been completed. It is the third largest CNR railway logistics in Canada and has the latest state of the art technology. There is increase interest to develop industrial lands near the new intermodal facility. There are also discussions in place to build a high-speed rail service between Calgary and Edmonton.

Market outlook - fourth quarter 2022 (Source – Cushman and Wakefield)

Following a strong rebound from 2021 to 2022, the Calgary economy was well-positioned but cooling at the end of the year. Real GDP growth, which was estimated at 4.1% in 2021 and 8.6% in 2022, was forecasted to slow significantly below the 10-average 3.25% in 2023 yet remain positive according to Moody’s Analytics. While supply chain delays had began to resolve, some businesses continued to face cost challenges against the stubborn 7.3% inflation. The Calgary labour force shed approximately 17,200 jobs in the fourth quarter of 2022 after steadily growing through the first three quarters.



The Calgary industrial market navigated record-high demand and a shortage of distribution space in 2022. Developers moved quickly to meet demand, and a total 5.5 million square feet (*msf) of new industrial space was delivered throughout the year. With another 7.8 msf under construction at year-end, tenants who could not find suitable space in 2022 may see more options on the market by the end of 2023.

*(thousand square feet)

A total 9.5 msf of annual new leasing activity was recorded in 2022, surpassing the 9.0 msf leased in 2021. By mid-year, options for prospective large-bay tenants had been depleted and overall transaction volume slowed slightly as a result. Overall net absorption reached 7.5 msf in 2022, a 30% increase year-over-year (YOY), after industrial users occupied another 3.6 msf in the fourth quarter. While vacant options were still limited across the market from a year prior, tenants looking for space under

3.0 FACTUAL DATA

5,000 square feet (sf) began to see more options and steadier rental rates in the last quarter. The overall vacancy rate dropped to 3.1% as the year closed, down 190 basis points YOY and the lowest rate recorded since 2008. The continuous stretch of steadily declining vacancy—eight consecutive quarters—was the longest on record and expected to continue into the first half of 2023 despite record new supply deliveries in 2022. The 2.6 msf of speculative industrial construction delivered in 2022 was almost 95% leased or sold at year-end, while the 4.4 msf set to deliver in 2023 was already 35% pre-leased.

Due to tight market conditions, the average net rental rate increased \$1.22 to \$11.20 per-square-foot (psf) in 2022 for 12.2% growth YOY. Large-bay tenants saw the steepest increases amid fierce competition and premium rates for new construction. Industrial sale prices likewise surged an estimated 10% psf as transaction volume increased nearly 15% YOY. Investors drove demand, while owner-user sales remained relatively steady compared to 2021 as rising interest rates limited affordability.



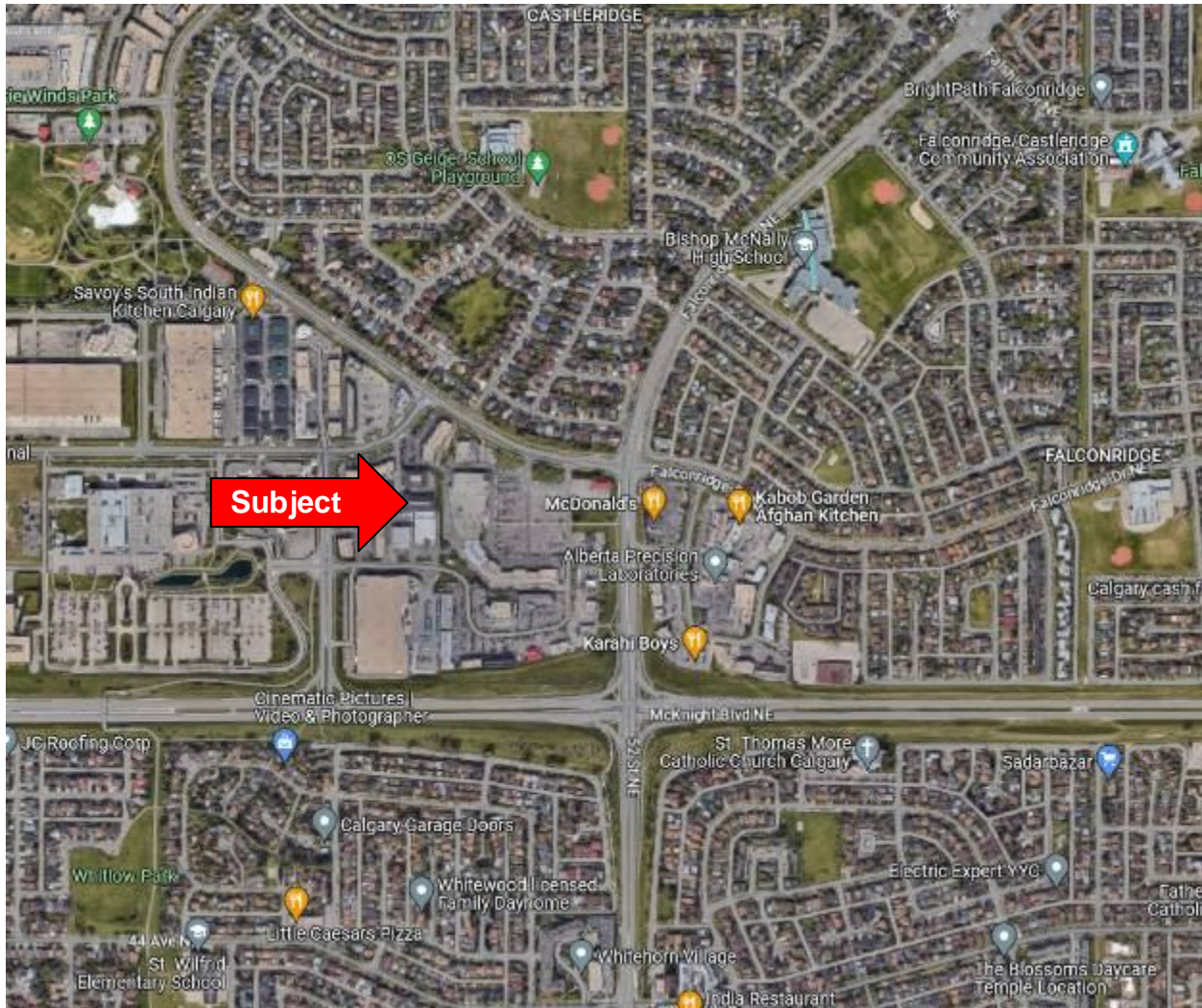
Conclusion

The real estate market in the industrial-commercial sector appears to be on the upswing in Calgary and its greater area. We are finding that the industrial market is outperforming the office market. However as real estate appraisers we are not fortune – tellers in this business and have no way to predict the outcome in the long term. The reader of this report is advised to proceed with caution based on the information in this report and any new information from Real Estate media sources such as CMHC, the Calgary Real Estate Board and market reports from reliable sources such as Colliers, CBRE, Avison and Young, CoStar, Cushman and Wakefield, et al.

3.0 FACTUAL DATA

3.3 NEIGHBOURHOOD DATA

Westwind is an industrial/business park located in Calgary's northeast quadrant. It is bordered by McKnight Boulevard to the south, Castleridge Boulevard and 54 Avenue to the north, Metis Trail to the west, and Falconridge Boulevard to the east. The business park is home to many businesses including butcher shops, restaurants, paralegal immigration and law centres, real estate offices, automotive services, just to name a few.



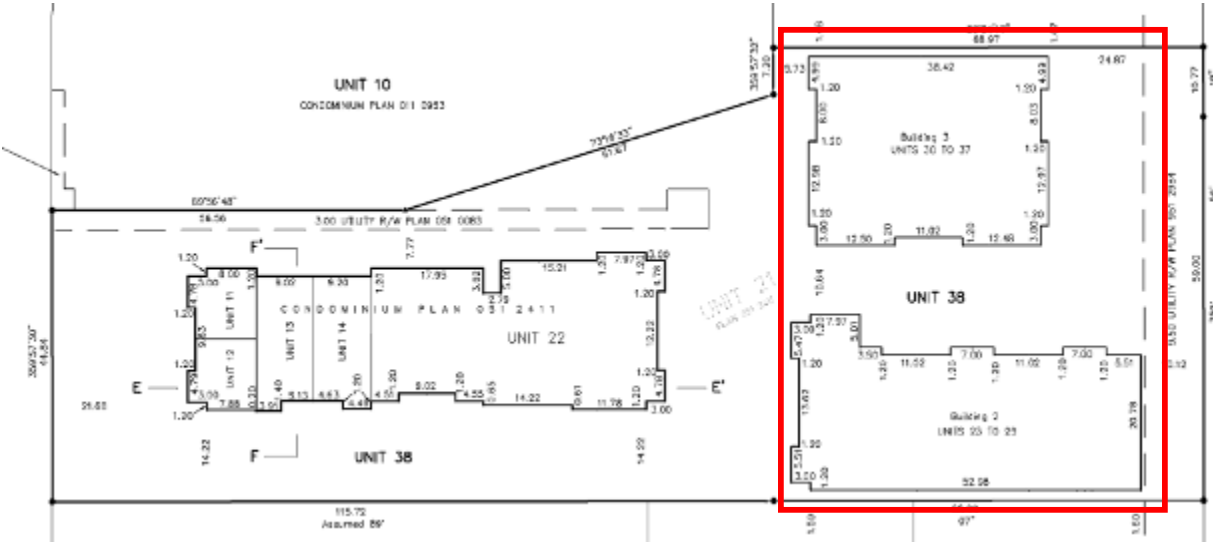
Westwinds was established in the 1990s and 2000s. It is now 100 percent complete. Nearby amenities include public transit and LRT, fire and police protection, popular West Winds Park and playground and a shopping centre. The business park offers on of the most affordable basic leases to many of the industrial and business properties making Westwinds very attractive to start a business.

3.0 FACTUAL DATA

Street Improvements

The subject condominium parcel is an interior common lot with access off 47 Street NE.

Common Site Plan



Ingress\Egress

Access to the subject is from 47th Street NE.

Site Improvements

Site consists of three industrial/commercial complexes.

Parking

There is ample parking available.

Unapparent Conditions

There are no known environmental reports, studies, or other investigations or soil surveys which may have been carried out on the property and which may have indicated the existence or possibility of contamination. There are no known environmental concerns or stigma (negative intangible value) attached to the area. In undertaking this assignment, it is assumed that no actual or potential contaminate uses

3.0 FACTUAL DATA

have ever been carried out on the property. Furthermore, no investigation was carried out into the past or present uses of either the subject or of any adjacent properties to establish whether there is any potential for contamination from any uses on any sites adjacent to the subject and, therefore, it is assumed that none exist. Should it subsequently be established that contamination is, or has been present on, from, near or to the subject property, then this report and the market value conclusion could be altered significantly.

Street Scenes



Complex approach

3.0 FACTUAL DATA



47 Street NE looking north



47 Street looking south

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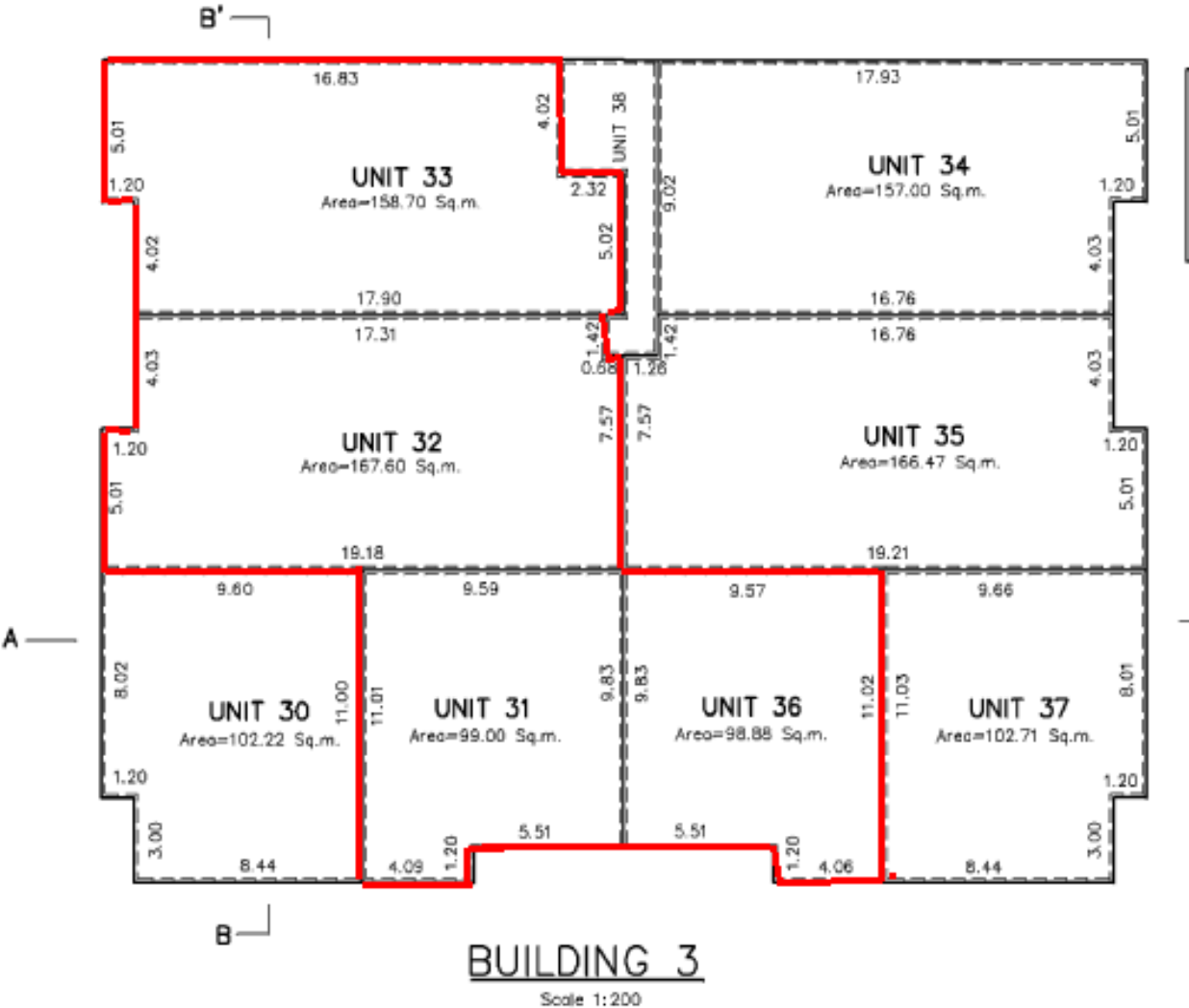
Across the subject complex

3.0 FACTUAL DATA

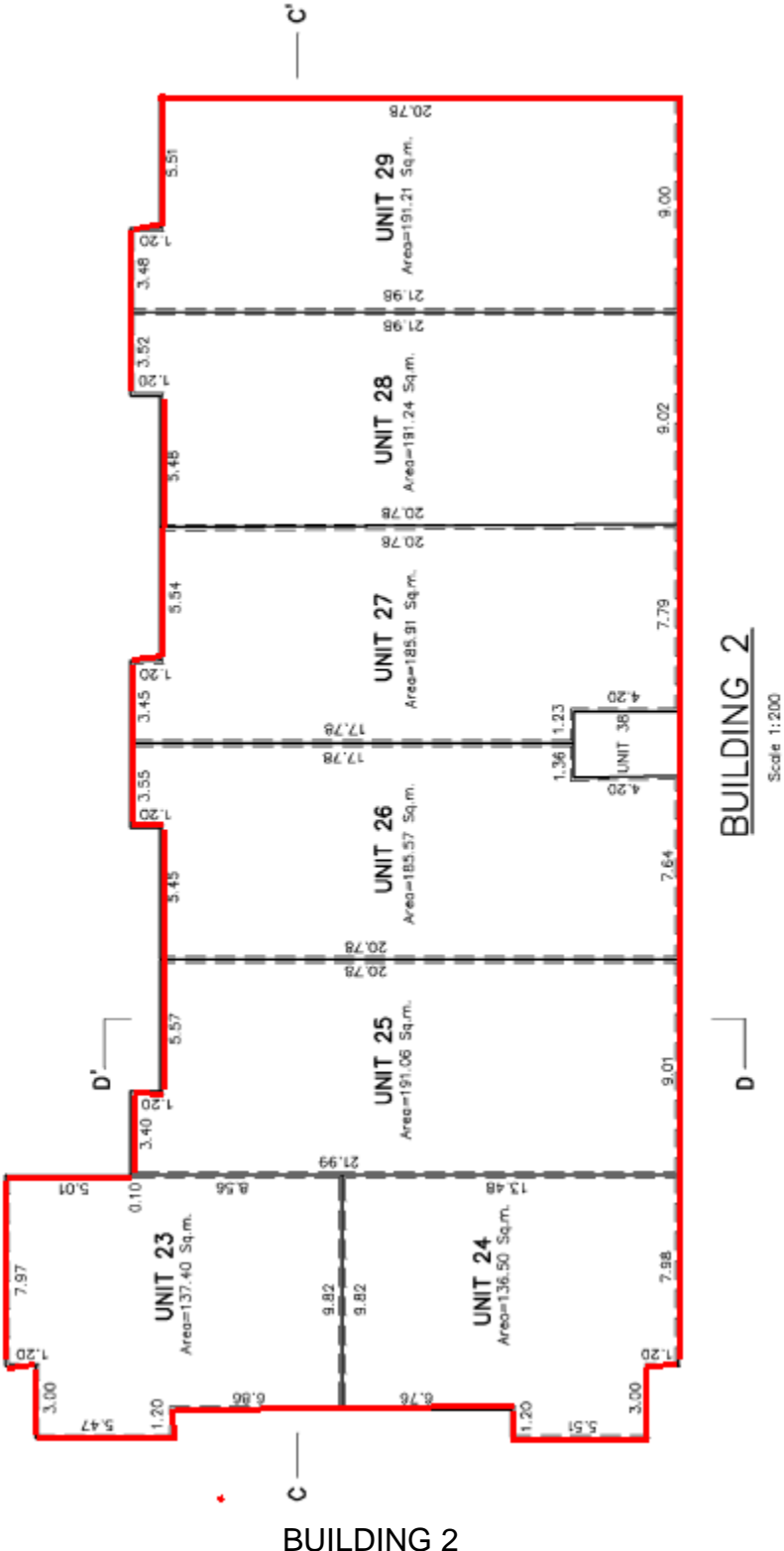
3.5 IMPROVEMENT DESCRIPTION

The subject property is a convenience store and gas bar with a building that comprises 1,574 square feet. It is an older single-level building that was constructed in 1955. Since the gas station has been “branded”, the building has received many upgrades and renovations to both exterior and interior. Two permits were issued in 2012 with a declared value of \$200,000.

Sketch



3.0 FACTUAL DATA



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Exterior Photos



Subject property



Subject property

3.0 FACTUAL DATA



Subject property

Following is a brief description of the building:

- Year Built : Circa 2007
- Foundation : Reinforced concrete grade beam foundation with slab on grade floor.
- Construction : Cinder block
- Blueprint floor area : Σ 18,762 square feet, more or less.
- Net Rentable Area: Σ 21,064 square feet, more or less.
- Roof : Gable roof with asphalt shingles.
- Doors : Subject unit has a pedestrian door in the store front. There is a rear door for staff.
- Heating/Plumbing : Roof top heating and cooling units. One standard hot water tank.
- Electrical : Assume adequate for each unit
- Interior finishes : Ceramic tile and vinyl plank floors, painted gyprock walls, and gyprock and acoustic tile ceiling.

3.0 FACTUAL DATA

Photos



Subject interior



Subject interior

3.0 FACTUAL DATA



Subject interior



Subject interior

3.0 FACTUAL DATA



Subject interior



Mezzanine

3.0 FACTUAL DATA



Subject interior



Typical washroom – one for each unit

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Subject interior



Subject interior

3.0 FACTUAL DATA



Walk-in cooler entrance



Walk-in cooler interior

3.0 FACTUAL DATA



Electrical and washroom



Subject interior - warehouse

3.0 FACTUAL DATA



Walk-in cooler



Overhead space heater

3.0 FACTUAL DATA



Retail showroom



Shop

3.0 FACTUAL DATA



Shop



Typical office

3.0 FACTUAL DATA



Retail showroom



Shop
Equipment not included

3.0 FACTUAL DATA



Automotive shop



Indoor automotive storage

3.0 FACTUAL DATA



Automotive showroom



Automotive showroom

3.0 FACTUAL DATA



Automotive shop



Office

3.0 FACTUAL DATA



Loft over automotive shop



Automotive shop from loft

3.0 FACTUAL DATA



Typical washroom



Upper floor over restaurant

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Upper floor

Age and Condition

The subject condominium units were built circa 2007 and they are considered to be in above average condition.

3.6 REMAINING PHYSICAL LIFE

Physical life is the period of time over which a new structure may reasonably be expected to be competitive in the market in the use for which it was designed. It is the period of time over which it may be utilized to the point where it becomes economic to undertake refurbishment or complete structural reconstruction. Based on recognized cost guides, Based on a 55 year economic life of the gas bar, the remaining economic life is estimated at 35 years.

3.7 ASSESSMENT AND TAXES

The City of Calgary Assessment business unit estimates the market value of the property for the purpose of distributing fair and equitable taxation. The Assessment business unit annually prepares, communicates and defends property and business assessments for the municipality of Calgary using the market value standard for property and typical net annual rental value for business. In determining non-residential

3.0 FACTUAL DATA

assessments, we use one of three approaches to value, depending on the type of non-residential property:

Direct Comparison Approach – sales of similar properties.

Income approach – capitalize the income being generated by the property.

Cost approach – land value plus the depreciated replacement cost of the property.

However, there are some difficulties to their methods of assessment. Often there are no building inspections from the assessors and much of their information is based on building permits and what is typical in the neighbourhood. For example, some mezzanines are constructed without a building permit and are overlooked in the appraisal process. Current and five year previous assessment and taxes for all 11 units are contained on the next page...

1) 2106 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$362,000.00 ↓	\$7,940.33 ↑
2021	\$369,500.00 ↑	\$7,614.50 ↓
2019	\$354,500.00 ↑	\$7,806.70 ↑
2018	\$343,500.00 ↑	\$6,672.97 ↑
2017	\$315,500.00 ↑	\$5,598.39 ↑
2016	\$295,500.00 ↓	\$4,708.67 ↑

2) 2102 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$361,000.00 ↓	\$7,918.39 ↑
2021	\$368,000.00 ↑	\$7,583.59 ↓
2019	\$353,500.00 ↑	\$7,784.67 ↑
2018	\$342,500.00 ↑	\$6,653.54 ↑
2017	\$314,500.00 ↑	\$5,580.65 ↑
2016	\$294,000.00 ↓	\$4,684.77 ↑

3.0 FACTUAL DATA

3) 2110 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$487,000.00 ↓	\$10,682.15 ↑
2021	\$490,000.00 ↑	\$10,097.72 ↓
2019	\$465,500.00 ↑	\$10,251.10 ↑
2018	\$421,000.00 ↑	\$8,178.51 ↑
2017	\$387,500.00 ↑	\$6,876.00 ↑
2016	\$369,500.00 ↓	\$5,887.84 ↑

4) 2114 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$512,000.00 ↑	\$11,230.51 ↑
2021	\$505,500.00 ↓	\$10,417.14 ↓
2019	\$577,000.00 ↑	\$12,706.53 ↑
2018	\$410,000.00 ↑	\$7,964.82 ↑
2017	\$378,500.00 ↑	\$6,716.29 ↑
2016	\$361,500.00 ↓	\$5,760.36 ↑

5) 2118 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$482,500.00 ↓	\$10,583.44 ↑
2021	\$484,500.00 ↑	\$9,984.38 ↓
2019	\$481,000.00 ↑	\$10,592.44 ↑
2018	\$410,500.00 ↑	\$7,974.54 ↑
2017	\$378,500.00 ↑	\$6,716.29 ↑
2016	\$362,000.00 ↓	\$5,768.33 ↑

3.0 FACTUAL DATA

6) 2122 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$487,000.00 ↓	\$10,682.15 ↑
2021	\$490,500.00 ↑	\$10,108.03 ↓
2019	\$466,000.00 ↑	\$10,262.11 ↑
2018	\$421,500.00 ↑	\$8,188.22 ↑
2017	\$388,000.00 ↑	\$6,884.87 ↑
2016	\$370,000.00 ↓	\$5,895.81 ↑

7) 5) 2122 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$507,000.00 ↑	\$11,120.84 ↑
2021	\$505,000.00 ↓	\$10,406.84 ↓
2019	\$533,000.00 ↑	\$11,737.57 ↑
2018	\$421,000.00 ↑	\$8,178.51 ↑
2017	\$388,000.00 ↑	\$6,884.87 ↑
2016	\$370,000.00 ↓	\$5,895.81 ↑

8) 2126 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$507,000.00 ↑	\$11,120.84 ↑
2021	\$505,000.00 ↓	\$10,406.84 ↓
2019	\$533,000.00 ↑	\$11,737.57 ↑
2018	\$421,000.00 ↑	\$8,178.51 ↑
2017	\$388,000.00 ↑	\$6,884.87 ↑
2016	\$370,000.00 ↓	\$5,895.81 ↑

3.0 FACTUAL DATA

9) 3115 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$286,000.00 —	\$6,273.30 ↑
2021	\$286,000.00 ↓	\$5,893.78 ↓
2019	\$291,000.00 ↑	\$6,408.32 ↑
2018	\$277,500.00 ↑	\$5,390.82 ↑
2017	\$251,500.00 ↑	\$4,462.74 ↑
2016	\$226,500.00 ↓	\$3,609.18 ↑

10) 3107 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$432,500.00 ↓	\$9,486.71 ↑
2021	\$438,500.00 ↑	\$9,036.43 ↓
2019	\$418,000.00 ↑	\$9,205.07 ↑
2018	\$378,000.00 ↑	\$7,343.18 ↑
2017	\$352,000.00 ↑	\$6,246.07 ↑
2016	\$340,000.00 ↓	\$5,417.76 ↑

11) 3103 5150 47 Street NE

Year	Assessed Value	Tax Amount
2022	\$474,000.00 ↑	\$10,397.00 ↑
2021	\$471,500.00 ↑	\$9,716.48 ↓
2019	\$448,000.00 ↑	\$9,865.72 ↑
2018	\$367,000.00 ↑	\$7,129.49 ↑
2017	\$356,000.00 ↑	\$6,317.05 ↑
2016	\$340,500.00 ↓	\$5,425.73 ↑

Σ\$4,898,000

Σ\$107,439.66

3.0 FACTUAL DATA

3.8 LAND USE CLASSIFICATION

Classification

The subject commercial property exhibits a Direct Control 103Z96 Site 2.

- (i) Sites 1 and 2
25.6 ha.± (63.3 ac.±) and 72 ha.± (178 ac.±) respectively

1) Land Use

The land use shall be for the permitted and discretionary uses listed below only:

Permitted Uses

Essential public services
Parks and playgrounds
Utilities

Except where a site within Site 1 of this DC District abuts Castleridge Boulevard N.E. and 64 Avenue N.E., the following uses shall be permitted within existing buildings.

Permitted uses:

Accessory uses
Ancillary commercial uses
Auction halls
Athletic and recreational facilities
Auto body and paint shops
Automotive sales and rentals
Automotive services
Automotive specialities
Cleaning, servicing, testing or repairing
Crematoriums and columbariums
Freestanding identification signs
Grocery stores
Laboratories
Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products
Mechanical reproduction and printing establishments
Movement or storage of materials, goods or products
Offices
Parking areas and structures
Radio and television studios
Recreational and commercial vehicle repair, service, sales and rental
Signs (freestanding identification)
Veterinary clinics
Veterinary hospitals

3.0 FACTUAL DATA

Discretionary uses:

- Amusement arcades
- Billiard parlours
- Bottle return depots
- Child care facilities
- Churches
- Commercial schools
- Custodial quarters
- Drinking establishments
- Entertainment establishments
- Farmer's markets and flea markets
- Financial institutions
- Hotels and motels
- Intensive agricultural uses
- Kennels
- Liquor stores
- Private clubs and organizations
- Private schools
- Public and quasi-public buildings
- Restaurants

For a detailed explanation of the current land uses, please refer to the pages in the addenda under Exhibit 7.4.

3.9 LEASES AND OCCUPANCY

We have reviewed some lease agreements that have been provided to us.

The lease agreement to Kash Automotive Group was negotiated starting November 1, 2022 for \$4,500 per month for a lease space of 2,000 square feet (\$27.00 psf). The lease appears to be on a gross basis.

The lease agreement to Canada Bangladesh Ltd. was commenced on March 1, 2019 and is in its fifth year. The monthly rate stipulates \$4,000 per month based on 2,000 square feet ((\$24.00 psf) This lease is also on a gross basis.

The lease agreement for Savor Sweets and Samosa Factory Ltd. was rent free from June 1 to October 31 2022 to allow for tenant improvements at the expense from the tenant. From November 1, 2022 the monthly lease payment is \$14,000 per month (\$33.60 psf). This is a gross lease.

The lease agreement for Zealous Granite and Tile Ltd. is based on 4,000 square feet. The lease was commuted on January 1, 2016 for a period of ten years at \$8,400 per month (\$25.20 psf) with some renegotiation clauses. This is a gross lease.

Upon investigation with other similar properties, we reveal that the lease rates are too high. We asked the owner why this is and the response was that the lease also included the business. In the Income Approach to value we will be using the market rates for estimation of market value.

4.0 ANALYSIS AND CONCLUSIONS

4.1 HIGHEST AND BEST USE - DEFINITION

Highest and Best Use is defined as:

“The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.”

Source: AI, p.171

As indicated, the highest and best use of the subject property is estimated “as vacant” and “as improved”. The highest and best use of the land or site if vacant and available for use may be different from the highest and best use of the improved property. This is true when the improvement is not an appropriate use, but it makes a contribution to the total property value in excess of the value of the site.

4.2 HIGHEST AND BEST USE “AS VACANT”

Definition

Highest and Best Use “As Vacant” is defined as:

“Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.”

Source: AI, p.171

To estimate the highest and best use of the subject site, four criteria are considered; legal permissibility, physical possibility, financial feasibility, and maximum profitability.

Legal Permissibility

Legal permissibility refers to the possible uses of the subject site subject to legal restrictions. The legal restrictions that apply to the subject property include private and public restrictions. Private restrictions relate to leases easements, rights-of-way, and restrictive covenants that any or may not be registered against the subject property. Public restrictions relate to government constraints in the form of land use bylaws, building codes, and environmental regulations. If private restrictions conflict with public restrictions, the most restrictive guidelines usually prevail.

In regards to private restrictions we only pulled one title of the eleven. According to the random title there are zoning regulations pertaining to building height restrictions for the Calgary Airport Authority, mortgage, caveats, and restrictive covenants and utility right of ways. We did not review these documents, however these encumbrances are assumed do not separately nor collectively affect the marketability of the subject property.

4.0 ANALYSIS AND CONCLUSIONS

With respect to public restrictions, the current land use bylaw governing the subject property is zoned Direct Control 103Z96 Site 2. This land use allows for commercial and some heavy industrial such as automotive services. Therefore, any of the uses defined in the Land Use Bylaw are legally permissible for the subject site.

Physical Possibility

Physical possibility refers to the legally permissible uses of the subject site that are physically possible. To determine whether an industrial/commercial use is physically possible, consideration is given to the physical attributes of the subject site. The size and location of the parcel are important determinants of value.

The eleven units are owned by the same owner and they can be physically combined to larger units. They can be assembled by knocking walls or adding doors and developed into a larger commercial operation.

Financial Feasibility/ Maximum Profitability

Financial feasibility refers to the legally permissible and physically possible uses of the subject site that will produce a positive net financial or economic return to the owner of the site. Maximum profitability refers to the economically feasible use which produces the greatest net return to the subject site or which would result in the highest property value. This use is estimated to be the highest and best use of the subject.

Any use in accordance with the regulations is considered financially feasible. Maximum profitability would result if the project was targeted to the leasing market at this time because of the larger vacancies of commercial properties.

In conclusion, the highest and best use of the subject site is any use allowed by zoning which maximizes the value of the property. Any use that is legally permissible for the subject that benefits and caters to the neighbourhood would represent the highest and best use of the subject property. In our opinion its current use as industrial and commercials is its highest and best use based on legal permissibly, size of the lot, land use and its maximally use.

4.0 ANALYSIS AND CONCLUSIONS

4.3 HIGHEST AND BEST USE “AS IMPROVED”

Definition

Highest and Best Use “As Improved” is defined as:

“The use that should be made of a property as it exists. An existing property should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.”

Source: AI, p.171

Highest and Best Use “as improved”

The subject building(s) represents a reasonable use of the site and is legal, existing, and contribute a return on investment.

The subject property is combined to four large rentable units and there does not appear to be a need to make the units even smaller at this time. Therefore its current use for industrial and commercial uses appear to be at its highest and best use at this time and its maximally use would cater to the leasing at this time.

4.0 ANALYSIS AND CONCLUSIONS

4.4 VALUATION PROCESS

The valuation process is the orderly program in which the data used to estimate the value of the subject property are acquired, classified, analyzed, and presented. The first step in the process is to define the appraisal problem, i.e., identify the real estate, the effective date of the value estimate, the property rights being appraised, and the type of value sought. Once this has been accomplished, the appraiser collects and analyses the factors that affect the market value of the subject property. These factors are addressed in the area and neighbourhood analysis, the site and improvement analysis, and the highest and best use analysis, and in the application of the three approaches to value, the Cost Approach, the Income Capitalization Approach and the Direct Comparison Approach.

In the **Cost Approach**, accrued depreciation is deducted from the cost new of the improvements and this figure is added to the land value to indicate the value of the whole property. Generally, land value is obtained through sales comparison. The replacement cost new of the improvements is estimated based on current prices for component parts of the building less depreciation, which is computed by analyzing the disadvantages or deficiencies of the existing building as compared to a new building. This approach is most reliable when the improvements are new or nearly new and represent the highest and best use of the site.

The **Income Capitalization Approach** is predicated on the assumption that a definite relationship exists between the amount of income a property can earn and its value. In other words, value is created by the expectation of benefits to be derived in the future. In this approach, the net income of the property generated before payment of any debt service is converted into value; either through direct capitalization in which net income is divided by a capitalization rate or by the process of a discounted cash flow analysis where the future income stream is converted into present value.

The **Direct Comparison Approach** is used to estimate the value of the land as though vacant and/or the property as improved. The appraiser gathers data on sales of comparable properties and analyses the nature and conditions of each sale, making logical adjustments for dissimilar characteristics. Typically, a common unit of comparison is found. For land value, the unit of comparison is usually price per square foot or price per acre; for improved properties, it may be price per square foot, price per unit, or a gross income multiplier. The Direct Comparison Approach produces a good indication of value when sales of similar properties are available.

The final step in the valuation process is the reconciliation of the value indicators and the final estimate of value. Since the purpose and function of the appraisal report are of primary concern, the adequacy and reliability of the data presented becomes crucial. The appraiser considers the relative importance of each approach used, examining the range of the value indicators and places the most weight on the approach, which appears most reliable. Applying the appropriate approaches to value to the subject property, the appraiser seeks to anticipate the actions of buyers and sellers in the market.

4.0 ANALYSIS AND CONCLUSIONS

Consistent with the purpose and intended use of this report and the conclusion of the Highest and Best Use, the Income Approach is considered the primary method to estimate the market value of the subject property because it is an investment and income producing property. The Direct Comparison Approach will be used as a check in this market evaluation. The Cost Approach will not be used in this evaluation.

Leads used in the Income Approach and Direct Comparison Approach

Lead 1



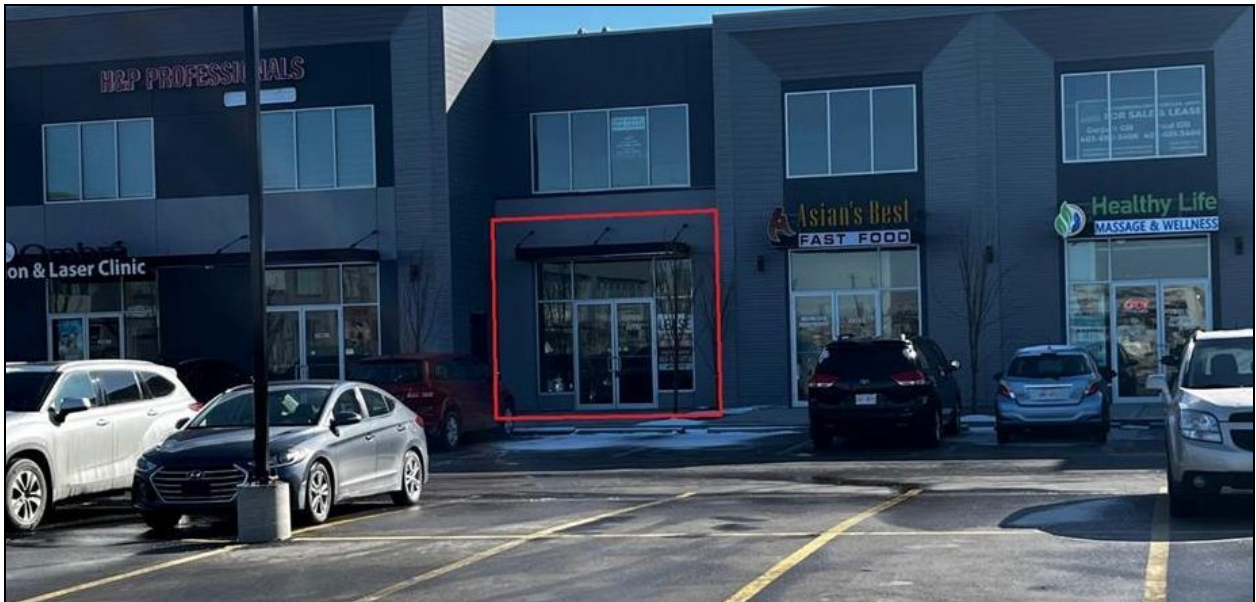
Property address	1125 3730 108 Avenue NE Calgary AB
Source identification	MLS A2021700
Sale price	\$440,000
Sale Date	May 2, 2023
Purchaser	Not disclosed
Vendor	Not disclosed
Building area	1,325 square feet
Estimated net operating income	\$23,868 projected
Capitalization rate	5.4%
Price per square foot	\$330

Comments

This lead is located in Jacksonville Commercial District and is a recent sale. The location is poorer in our opinion because it is further away from a residential subdivision. We are giving condition mostly to a poorer location and having poorer finishing materials, amongst others; **a market price higher than \$330 per square foot is perceived for the subject property.**

4.0 ANALYSIS AND CONCLUSIONS

Lead 2



Property address	2130 4310 104 Avenue NE Calgary AB
Source identification	A2008163
Sale price	\$774,670
Sale Date	March 15, 2023
Purchaser	Not disclosed
Vendor	Not disclosed
Building area	1,313 square feet
Estimated net operating income	\$36,764 projected
Capitalization rate	4.7%
Price per square foot	\$590
Comments	

This Lead is located in the Jacksonville Business Park in Calgary's northeast. Building is brand new and is located in a retail complex and for these reasons **a market price lower than \$490 per square foot is perceived for the subject property.**

Estimated market price is from \$330 to \$590 per square foot.

4.0 ANALYSIS AND CONCLUSIONS

Lead 3



Property address	30 11 Royal Vista Drive NW Calgary AB
Source identification	CoStar 6311243
Sale price	\$1,600,000
Sale Date	January 24, 2023
Purchaser	2442974 Alberta Ltd.
Vendor	Pranna Properties Ltd.
Building area	5,125 square feet
Estimated net operating income	\$103,730 projected
Capitalization rate	6.5%
Price per square foot	\$460

Comments

This Lead is located in royal Oak which is directly on the west side of the city. This Index was built in 2019 and has had high vacancy at that time. We are giving consideration for better location, and more geared to retail, amongst others; **a market price lower than \$460 per square foot is perceived for the subject property.**

Estimated market price is from \$330 to \$460 per square foot.