

MORTGAGE AMENDING AGREEMENT

THIS AGREEMENT is made _____,

BETWEEN:

ALBERTA TREASURY BRANCHES
(the “Lender”)

-and-

(the “Borrower”)

RECITALS:

A. The Borrower is the registered owner of




(the “Lands”) against which Lands the Lender holds a mortgage (the “Mortgage”) registered on _____, _____
as Instrument No. _____.

B. The Borrower has applied to the Lender for additional financial assistance to be secured by the Mortgage;

C. The sum of the new financial assistance and the monies secured against the Mortgage shall increase the Principal Sum of the Mortgage by an amount of \$ _____ ;

D. The Borrower has requested the Lender to amend certain terms of the Mortgage, which the Lender has agreed to do upon the Borrower signing this Agreement.

AGREEMENT:


- The Mortgage is amended by increasing the Principal Sum to \$  .
- The Borrower agrees with the Lender to make the payments and to observe and perform all terms and conditions contained in the Mortgage as amended by this Agreement.
- For better securing to the Lender the repayment in the manner set out in the Mortgage as amended by this Agreement of the Principal Sum and interest and other amounts secured by the Mortgage, the Borrower hereby mortgages and charges all the Borrower's estate and interest in the Lands.
- Where two or more Borrowers sign this Agreement, the terms of this Agreement shall bind the Borrowers jointly and severally.

The parties have executed this Agreement as of the date first above written.

SIGNED AND DELIVERED

In the presence of:


Witness:



Witness:



Witness:

 , **Corporate Officer**
Authorized Representative of Alberta Treasury Branches

Witness:

 , **Corporate Officer**
Authorized Representative of Alberta Treasury Branches

**DOWER ACT
AFFIDAVIT**

I, _____, of _____, Alberta make oath and say:

- I am the mortgagor named in within instrument.
- (a) I am not married.
or
(b) Neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.
or
(c) I am married to _____ being the person who executed the release of dower rights registered in the Land Titles Office on _____, 20____ as instrument number _____
or
(d) A judgement for damages was obtained against me by my spouse and registered in the Land Titles Office on _____, _____ as instrument number _____.

SWORN before me at _____ in the Province of _____ Alberta on, _____, 20____ . _____

A Commissioner for Oaths in and for the Province of Alberta
(Print or Stamp Name Next to Signature)

My Commission Expires _____

**DOWER ACT
CONSENT OF SPOUSE**

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

**DOWER ACT
CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE**

1. This document was acknowledged before me by _____ apart from [HER/HIS][HUSBAND/WIFE].
2. _____ acknowledged to me that [SHE/HE]
 - (a) is aware of the nature of the disposition,
 - (b) is aware that the Dower Act gives [HER/HIM] a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent,
 - (c) consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to [HER/HIM] by the Dower Act to the extent necessary to give effect to the said disposition,
 - (d) is executing the document freely and voluntarily without any compulsion on the part of [HER/HIS][HUSBAND/WIFE].

Dated at _____ Alberta on _____, 20 ____.

A Commissioner for Oaths in and for the Province of Alberta
(Print or Stamp Name Next to Signature)

My Commission Expires _____

AFFIDAVIT OF EXECUTION

I, _____ of _____ in the Province of Alberta MAKE OATH AND SAY:

1. That I was personally present and did see _____ named in the within instrument, who is (are) personally known to me to be the person(s) named therein, duly sign and execute the same for the purpose named therein.
2. That the same was executed at _____, in the Province of Alberta, and that I am the subscribing witness thereto.
3. That I know the said person(s), and [he/she/they] [is/are] in my belief, of the full age of eighteen years.

SWORN before me at _____, in the Province of _____
Alberta, _____

A Commissioner for Oaths in and for the Province of Alberta
(Print or Stamp Name Next to Signature)

My Commission Expires _____

AFFIDAVIT OF EXECUTION

I, _____ of _____ in the Province of Alberta MAKE OATH AND SAY:

1. That I was personally present and did see _____ named in the within instrument, who [is/are] personally known to me to be the person(s) named therein, duly sign and execute the same purpose named therein.
2. That the same was executed at _____, in the Province of Alberta, and that I am the subscribing witness thereto.
3. That I know the said person(s), and [he/she/they] [is/are] in my belief, of the full age of eighteen years.

SWORN before me at _____, in the Province of _____
Alberta, _____

A Commissioner for Oaths in and for the Province of Alberta
(Print or Stamp Name Next to Signature)

My Commission Expires _____

AFFIDAVIT OF EXECUTION

I, _____ of _____ in the Province of Alberta MAKE OATH AND SAY:

1. That I was personally present and did see
who is known to me to be the person named in the within (or annexed) instrument, duly sign the instrument;
or
I was personally present and did see
who, on the basis of the identification provided to me, I believe to be the person named in the within (or annexed) instrument,
duly sign the instrument;
2. That the same was executed at _____, in the Province of Alberta, and that I am the subscribing witness
thereto.
3. That I know the said person(s), and [he/she/they] [is/are] in my belief, of the full age of eighteen years.

SWORN before me at _____, in the Province of _____
Alberta, _____

A Commissioner for Oaths in and for the Province of Alberta
(Print or Stamp Name Next to Signature)

My Commission Expires _____