

# Lapse of Interest

## Post – December 6, 2004

### **DISCLAIMER**

*The materials in this training manual are for demonstration purposes only. The forms are subject to change at any time without notice. Use of outdated forms may result in transactions being rejected or delayed. Always look to the web site for the most recent versions of the forms. Information Services Corporation of Saskatchewan will not be responsible for loss resulting from the use of outdated forms. The characters and events depicted in this manual are fictional. Any similarity to real events or persons (whether living or deceased) is unintentional.*

© Copyright 2004, Information Services Corporation (ISC) of Saskatchewan. All rights reserved.

You may not copy, reproduce, translate or reduce to any electronic medium or machine-readable form, in whole or part, without prior written permission of Information Services Corporation (ISC) of Saskatchewan.

While every reasonable precaution has been taken in the preparation of this manual, the author and publishers assume no responsibility for errors or omissions, nor for uses made of the material contained herein and the decision based on such use. Neither the author nor the publishers make any images, warranties or guarantees of any kind, either express or implied. Neither the author nor the publishers shall be liable for any indirect, special, incidental, or consequential damages arising out of the use or inability to use the contents of this book whether the publisher has been advised of the use of this publication or not.

# Lapse of Interest

According to *The Land Titles Act 2000*, certain interests may be lapsed, subject to exceptions. On December 6, 2004 amendments to the lapsing process were proclaimed with the passage of *The Land Titles Amendment Regulations, 2004*. You can find the legislation regarding the lapsing of interest on the Saskatchewan Queen's Printer Web-site at <https://publications.saskatchewan.ca/#/freelaw> or Walter Scott Building B19 – 3085 Albert St, Regina, SK S4S 0B1 306-787-5474. The lapse process is still a two-step process; however, the Registrar will now assume the responsibility of sending the notice to lapse and the requirement for the affidavit of lapse has been eliminated. The amendments will reduce the time and expense and simplify the process for both clients and ISC.

## Process

### **Step # 1 – Registration of the Notice – Lapse Procedure Commenced.**

A registered owner of the affected land, the holder of an interest or share, or any person with a registerable interest in the land may seek to lapse an interest. In addition, a member in good standing of the Law Society of Saskatchewan acting on behalf of one of the above may seek to lapse an interest. This is a change from the current process and will expand the number of people entitled to lapse an interest.

The Notice - Lapse Procedure Commenced interest must be registered as a sub-interest against all interests that you are attempting to lapse. This is done using the Application for Interest Registration Form. The party on whose behalf the lapse is requested *should* be listed as the interest holder of the Notice – Lapse Procedure Commenced (i.e. title owner, interest holder, or future interest holder). The application must contain an affidavit from the person requesting the lapse. For example, if Bob Lawyer is acting on behalf of John TitleOwner the Notice – Lapse Procedure Commenced should be registered in the name of John TitleOwner. However, we will not be rejecting applications based on who is listed as the interest holder of the Notice – Lapse Procedure Commenced. In this example, either John TitleOwner or BobLawyer can complete the affidavit to request the lapse. The affidavit is not a prescribed form but must indicate the person is authorized by section 46(1) of the Regulations to request the lapse. A sample packet and affidavit is attached as Appendix A. There is no longer a requirement for an attachment (i.e. the notice) to be included within your application.

A share of an interest can be lapsed if all other interest share holders have agreed to provide authorization for the discharge. In this situation, the Notice – Lapse Procedure Commenced would be registered against the share to be lapsed. If you register the notice at the share level the fees charged will be at the share level. Current fees for the Notice – Lapse Procedure Commenced can be found on the ISC Land Registry Fees page.

Prior to registering the notice the Registrar will ensure the interest type is lapsable

pursuant to Section 47 of *The Land Titles Regulations, 2001*. A complete list of lapsable interests is attached as Appendix B.

After the application has registered the Registrar will send a notice to lapse (sample Appendix C) to the interest holder. The notice will be sent by the method of output selected by the interest holder. This may be by e-mail, Fax, or mail. If the interest holder of the interest to be lapsed has not selected e-mail or Fax as their desired output method the notice will be sent by mail to the address as it appears on the title.

**If the address is incomplete, a notice will not be generated nor sent. Therefore, it is critical that you maintain your current and complete address with us. If you require assistance on updating your address please contact the ISC Customer Call Centre at 1-866-275-4721 or [ask@isc.ca](mailto:ask@isc.ca).**

## **Step # 2 – Application for Interest Discharge**

After 30 days have passed from the date of the registration of the Notice – Lapse Procedure Commenced you may complete and submit an Application for Interest Discharge. An Affidavit of Lapse is no longer required. However, an authorization completed by the person requesting the lapse is required. Again, this can be member of the Law Society of Saskatchewan acting on behalf of a client attempting to lapse the interest. The authorization is not a prescribed form but must indicate that 30 days have passed from the registration of the Notice – Lapse Procedure Commenced. A sample packet and lapse authorization is attached as Appendix D.

The Registrar will conduct a title search to verify that 30 days have passed from the registration of the Notice – Lapse Procedure Commenced and the completion date of the authorization, and ensure that the title has not been locked with a court order preventing the interest from being discharged. The most common locks that will prevent the discharge from registering are the Court Order, Registrar's Prohibition Interest or Builders' Lien Lock. Contact the Customer Call Centre or consult the ISC web-site to determine if the lock on the title will prevent the lapse.

If you attempt to lapse a share of an interest the application must contain the proper discharge authorization from the remaining interest share holders. Recall that lapsing a share is an option when one of the interest holders cannot or will provide authorization for a discharge and the remaining interest holders have provided authorization for the discharge. In our example above, the application for discharge will contain one authorization to lapse for the share to be lapsed along with two authorizations for discharge from the remaining interest holders.

## **Registrar extending the 30-day period**

The Registrar may extend the 30-day period pursuant to section 46(6) of the Regulations when in her opinion the circumstances warrant. This section is to ensure interest holders receive sufficient notification of the intended lapse. For example, an e-mail server problem or postal strike may delay the delivery of the notice to lapse, and therefore, require the 30-day period to be extended. If practicable, when this occurs a Registrar's Notice will be registered against all titles that have the Notice – Lapse Procedure Commenced registered against them. In the event of a large scale delay in the sending of outputs a communication will be posted to the ISC web-site.

## Preventing a Lapse

The 30-day period between the registration of the Notice Lapse Procedure Commenced and the Application for Interest Discharge is intended to provide the interest holder with an opportunity to obtain a court order to prevent the interest from being lapsed.

If a court order is obtained it should be sent directly to the ISC Land Registry by email at [ask@isc.ca](mailto:ask@isc.ca) for the quickest response OR by fax at (306) 446-7949 as these court orders are not processed in the normal packet-processing queue. A lock will be placed on the interest(s) pursuant to the terms of the court order.

### **Builders' Lien – Certificate of Action**

A builders' lien is the most common interest where a lapse is challenged. Quite often the title owner will commence the lapsing procedure to force the holder of the Builders' Lien to file a Statement of Claim with the Court of Queen's Bench and have the matter resolved.

A Builders' Lien cannot be lapsed if a Certificate of Action has been filed with the Land Registry pursuant to Section 58 of *The Builders' Lien Act*. The Court of Queen's Bench issues a Certificate of Action when a Statement of Claim is filed to enforce the Builders' Lien. Form O of The Builders' Lien Regulation is the prescribed form and is attached as Appendix

E. A builders' lien also cannot be lapsed if court order extending the builders' lien has been filed with Land Registry.

Lapsing of lien 58(1) Subject to subsection (2), a registered interest based on a claim of lien may be lapsed in accordance with The Land Titles Act, 2000.

(2) A registered interest based on a claim of lien may not be lapsed where any of the following interests have been registered:

- (a) an interest based on a certificate of action issued pursuant to subsection 86(5);
- (b) an interest based on a court order extending the time for commencing an action mentioned in subsection 55(4).

When a Certificate of Action or court order extending the builders' lien is obtained it should be sent directly to the ISC Land Registry by email at [ask@isc.ca](mailto:ask@isc.ca) for the quickest response OR by fax at (306) 446-7949. The title(s) related to the Certificate will be locked with the Builders' Lien Lock.

The Builders' Lien Lock will prevent the assignment or discharge of all interests based on a Builders' Lien registered against the title. However, it will not prevent the registration of subsequent builders' lien, the transfer of the title, or registration or discharge of other interest types.

If a Certificate of Action has been filed and there is only one Builders' Lien on the title, the Builders' Lien may be discharged by the holder of the Builders' Lien or discharged pursuant to the Section 61 (3) *The Builders' Lien Act*, which is Form K of *The Builders' Lien Regulations*.

However, if there are more than one Builders' Lien on a title all Liens must be discharged pursuant to the requirements as set out in Section 61(2.1), which is Form J of *The Builders' Lien Regulations*. Once a certificate of action is registered, it will prevent the discharge of any and all builders' liens on title, whether or not the certificate of action specifically references the builders' liens.

### **Certificate of Action**

61(1) Where:

- (a) a certificate of action is registered;
  - (b) the registration of a claim of lien with respect to which the action relates is vacated; and
  - (c) there remain liens which may be enforced in the action to which that certificate of action relates; the court may give directions in respect of the continuation of the action or otherwise.
- (2) On application to the registrar, the registration of an interest based on a certificate of action in the Land Titles Registry may be discharged.

(2.1) An application pursuant to subsection (2) must include a certificate, in the prescribed form, of the registrar of the Court of Appeal, the local registrar of the court at the judicial centre in which the action is pending, or a deputy of either of them, certifying that:

- (a) the plaintiff has filed a notice of discontinuance and all other lien claimants who are parties to the action have consented to discontinuance of the action; or
  - (b) the action has been finally determined at trial or on appeal, and any further right of appeal has expired.
- (3) Where a certificate of action and only one claim of lien are registered, the person who submitted the certificate of action for registration and the person on whose behalf the claim of lien is registered may apply to the registrar, in the prescribed form, to discharge the registration of the certificate of action.

### **Section 55**

Lien expires unless action set down for trial 55(1) Subject to subsection (2), a lien, for which an action has been commenced, expires where an action in which that lien may be realized is not set down for trial within two years of the day the action was commenced.

(2) The court may extend the time mentioned in subsection (1).

(2.1) An order pursuant to subsection (2) extending the time for commencing an action may be registered as an interest in the Land Titles Registry.

(3) Where a lien has expired under subsection (1), the court shall, on application, make an order dismissing the action if there is no other registered claim of lien at the time of the application, otherwise the court shall make whatever order it deems appropriate for continuation of the action.

Section 55 of The Builders' Lien Act requires the holder of the Builders' Lien to have the matter set down for trial within two years of filing the Statement of Claim. However, the Lien holder can obtain a Court Order to extend this time period and register The Builders' Lien Act – Order extending time.

The Registrar does not automatically remove Builders' Lien after the 2 years referred to in Section 55(1) has expired. Thus, the Builders' Lien Act-Order

extending time is simply registered as an interest for notice purposes and does not result in the placement of a lock against the title.

## **Transition Period**

### **Notice to Lapse served prior to December 6, 2004**

If you have served the notice prior to December 6, 2004 the process must be completed pursuant to the former process and contain an affidavit of lapse to discharge. This is to ensure the notice to lapse has been served. This former process is outlined in the document titled Lapse of Interest – Pre-December 6, 2004 available on the ISC Web-site [www.isc.ca](http://www.isc.ca) under the Support / Reference Material / Interest Transactions under the Interest Registration and Interest Discharge sections.

### **Notice to Lapse served on or after December 6, 2004**

If you have served the notice on or after December 6, 2004 this will no longer be considered proper service. Therefore, you must wait the 30 days from the registration of the Notice Lapse Procedure Commenced and follow the new process. The 30 days will run from the date of the registration of the Notice, not from the date of attempted service of the notice.

## **Lapsing of Lease Interest Types**

On February 13, 2009 a change was made to *The Land Titles Regulations, 2001* allowing the ability for an interest holder or interested party to use the lapse process to discharge lease interests so long as there are no sub-interests registered against the lease interest at the time the lapse process is commenced.

The following lease interests are affected by this change:

- CNV Lease
- Lease – 10 years or more
- Lease – less than 10 years
- Condominium Property Act – Common Property Lease
- Saskatchewan Water Corporation Act Lease
- Saskatchewan Watershed Authority Act Lease

After 30 days have passed, the interest holder or interested party may submit an Application for Interest Discharge.

Please note that any sub-interests registered against the lease interest during the 30 day period will not prevent the interest holder or interested party from submitting an Application for Interest Discharge.

## Common Questions

1. Who can lapse an interest?

A Registered owner of the affected land, the holder of an interest or share in the land, or any person with a registerable interest in the land may seek to lapse an interest. In addition, a member in good standing of the Law Society of Saskatchewan acting on behalf of one of the above may seek to lapse an interest.

2. What if the Lapse was commenced prior to December 6, 2004?

The lapse process does not have to start over. However, you must complete the process under the former process. In other words, an affidavit of lapse must be included in the discharge to ensure the notice was served.

3. What if the address on title is incomplete?

A Notice to lapse will not be generated nor sent. *The Land Titles Act, 2000* requires that all title and interest holders maintain their current address with the Land Registry. The 30 day period will still continue to run and you must wait until the notice period has expired to complete the lapse authorization.

4. Can a share be lapsed?

Yes, but authorization must be included to discharge the entire interest as interest discharges are processed at the interest level and not at the share level. For example, if an interest is held in three shares the client can register the Notice Lapse Procedure Commenced against one of the shares. In the application for discharge you must include the authorization to lapse for the share to be lapsed along with two authorizations for interest discharge from the remaining two interest share holders. All authorizations must be included within the same application.

5. Can you lapse a mortgage registered as a miscellaneous interest?

Yes

6. Can you lapse a CNV Caveat?

Yes. If the interest type is listed on the title is CNV Caveat it is lapseable.

7. Can a lapse occur when the title is locked with the Certificate of No Infants?

Yes. The Lock will be removed to enable the Notice – Lapse Procedure or Affidavit of Lapse to be processed.



Information Services Corporation of Saskatchewan

Application Sequence Number

Application Sheet Count

# Application for Interest Registration

Page 1 of 2

## Interest Information

Interest Type (see instruction sheet)

Notice - Lapse Procedure Commenced

**Note: If an interest based on a mortgage is intentionally registered as another interest type, no compensation is payable pursuant to subsection 84(2) of *The Land Titles Act, 2000* for any loss, damage or deprivation suffered by any party, as a result of such registration.**

Holder's Mortgage or Interest Reference Number (will be noted on verification statement for applicant's reference only)

ONE of the following conditions **MUST** be selected

No Conditions OR  OR  Free and Clear Registration  
(DD-MM-YYYY HH: MM: SS)

Scheduled Expiry Date (DD/MM/YYYY)

Interest Value:

Feature Number (if applicable)

Description of Interest (Up to 180 characters) (Do NOT enter if accompanied by an Attachment)

Attach Interest To: (one number per row)

Parcel Number	Title Number	Interest Number	Share Number	Application Sequence Number	Abstract Number	*	**	FOR OFFICE USE ONLY (DD/MM/YYYY)
		123456789				<input type="checkbox"/>	<input type="checkbox"/>	
		987654321				<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	

\* **Dominant** - For the following Interest Types only: Easement Mutual, Easement Non-Mutual, Party Wall Agreement, Restrictive Covenant Mutual and Restrictive Covenant Non-Mutual. Parcel Number must be indicated.

\*\* **Benefiting Interest** - For Postponement Interest Type only

Complete page 2



Fractional Share 1 / 1

Interest Share Setup - (for each Interest Holder complete one of Section A or B)

Section A - Interest Holder(s) with Client Number(s)

Note: Use Client Application form to amend Client Information. Do NOT include in Packet.

Client Number(s) Corporation Name OR Client Name (First, Second, Third and Last)

Form with fields for Client Number(s) (111111111) and Corporation Name OR Client Name (JOHN TITLEOWNER)

Section B - Interest Holder(s) without Client Number(s)

Note: This will not create Corporation Number(s)

Form for Corporate OR Client Name: Last, First, Second, Third

Form for Client Address, City, Province/State, Country (if outside Canada), Postal/Zip Code

Form for E-mail Address, Phone Number (include Area Code), Fax Number (include Area Code)

Form for Corporate OR Client Name: Last, First, Second, Third

Form for Client Address, City, Province/State, Country (if outside Canada), Postal/Zip Code

Form for E-mail Address, Phone Number (include Area Code), Fax Number (include Area Code)

Fractional Title Share /

Interest Share Setup - (for each Interest Holder complete one of Section A or B)

Section A - Interest Holder(s) with Client Number(s)

Note: Use Client Application form to amend Client Information. Do NOT include in Packet.

Client Number(s) Corporation Name OR Client Name (First, Second, Third and Last)

Form with fields for Client Number(s) and Corporation Name OR Client Name

Section B - Interest Holder(s) without Client Number(s)

Note: This will not create Corporation Number(s)

Form for Corporate OR Client Name: Last, First, Second, Third

Form for Client Address, City, Province/State, Country (if outside Canada), Postal/Zip Code

Form for E-mail Address, Phone Number (include Area Code), Fax Number (include Area Code)

Form for Corporate OR Client Name: Last, First, Second, Third

Form for Client Address, City, Province/State, Country (if outside Canada), Postal/Zip Code

Form for E-mail Address, Phone Number (include Area Code), Fax Number (include Area Code)



Affidavit to Request a Lapse December 6, 2004

I, BOB LAWYER of REGINA in the Province of SASKATCHEWAN make oath and say that:

1. I am authorized to seek the lapse of the following interest #'s:

Table with 3 columns and 8 rows containing interest numbers: 123456789, 987654321, and empty cells.

pursuant to section 46(1) of The Land Titles Regulations, 2001.

2. That I make this affidavit in support of an application to register the Notice – Lapse Procedure Commenced against the above referenced interests.

Sworn before me at in the Province of this \_\_\_ day of \_\_\_, 20

Handwritten signature in blue ink above the word Signature

A Commissioner for Oaths OR Notary Public OR other person authorized to take oaths in and for the Province of Saskatchewan.

(specify)

My commission/appointment expires

OR being a Solicitor



Affidavit to Request a Lapse December 6, 2004

I, \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_ make oath and say that:

1. I am authorized to seek the lapse of the following share #'s:

Table with 3 columns and 8 rows for listing share numbers.

pursuant to section 46(1) of The Land Titles Regulations, 2001.

2. That I make this affidavit in support of an application to register the Notice – Lapse Procedure Commenced against the above referenced shares.

Sworn before me at \_\_\_\_\_ in the Province of \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signature

A Commissioner for Oaths OR Notary Public OR other person authorized to take oaths in and for the Province of Saskatchewan.

(specify)

My commission/appointment expires OR being a Solicitor

<b>Interest Types</b>	
Interest Type Registered on the Title	Lapsable ?
Adult Guardianship - Co-Decision – Making Act Notice (S.57)	N
Assignment of Rents	N
Assignment of a Lease as Security	N
Bank Act Security	N
Bankruptcy Caution	N
Builders' Lien	Y
Builders' Lien Act -Order Extending Time	N
Certificate of Pending Litigation	N
CNV Bankruptcy Caution	N
CNV Bankruptcy Exemption	N
CNV Builders' Lien	Y
CNV Caveat	Y
CNV Certificate of Chief Engineer	N
CNV Common Law Easement	N
CNV Conditional Sales Agreement	N
CNV Conservation Easement	N
CNV Drainage Control Act	N
CNV Easement	N
CNV FW Federal Writ	N
CNV Homestead Caveat	N
CNV Judge's Order – Interest	N
CNV Lease	Y
CNV Lis Pendens	N
CNV Maintenance Order	N
CNV Maintenance Writ	N
CNV Matrimonial Order	N
CNV Mechanics Lien	Y
CNV Mediation Board Consent	N
CNV Mediation Board Order	N
CNV Mortgage	N
CNV Mortgage – Annuity	N
CNV Mortgage – Debenture	N
CNV Mutual Easement	N
CNV Notice – Condominium Property Act	N
CNV Notice – Designation Heritage Property	N
CNV Notice – Designation Heritage Property – Municipal	N
CNV Notice – Designation Heritage Property – Provincial	N
CNV Notice – Developers Declaration – Condominium Property Act	N
CNV Notice – Expropriation Procedure Act	N
CNV Notice - Intent Heritage Property	N
CNV Notice - Intent Heritage Property – Municipal	N
CNV Notice - Intent Heritage Property – Provincial	N
CNV Notice – Meewasin Valley Authority Act	N
CNV Notice – Northern Municipalities Act	N
CNV Notice – Resolution of Replotting Scheme – Planning and Development Act	N
CNV Notice – Rural Municipality Act	N

CNV Notice – Surface Rights Acquisition and Compensation Act	Y
CNV Notice – Urban Municipality Act	N
CNV Notice – Wascana Centre Act	N
CNV Notice Community Planning Act	N
CNV Party Wall Agreement	N
CNV Personal Property Security Interest	N
CNV Pipeline Easement	N
CNV Planning and Development Act Caveat	N
CNV Postponement	N
CNV Power of Attorney	N
CNV Public Utility Easement	N
CNV Restrictive Covenant	N
CNV Tax Lien	N
CNV Warning of Impending Forfeiture - Mineral Taxation Act	N
CNV Water Corporation Certificate	N
CNV Water Corporation Notice	N
CNV WE Provincial Writ	N
CNV Writ	Y
Condominium Property Act - Arbitration Costs	N
Condominium Property Act - Common Property Lease	Y
Condominium Property Act - Court Appointed Administrator	N
Condominium Property Act - Developer's Reservation	N
Condominium Property Act - Encroachment Agreement	N
Condominium Property Act - Endorsed Declaration	N
Condominium Property Act - Lien For Arrears	Y
Condominium Property Act - Notice of Objection	N
Condominium Property Act - Notice of Termination	N
Condominium Property Act -Objection to Appointment Scheme	N
Condominium Property Act - Parking Redesignation	N
Conservation Easement	N
Conservation Easements Act - Election by Crown	N
Court Order	N
Creditor's Relief Act Claim	N
Easement Mutual	N
Easement Non-Mutual	N
Environmental Management and Protection Act - Certificate of Permit (S. 27(3))	N
Environmental Management and Protection Act - Permit Notice (Section 25(2)).	N
Expropriation Act - Abandonment of Intention to Expropriate	N
Expropriation Act - Abandonment of Interest	N
Expropriation Act - Confirmation of Expropriation	N
Expropriation Act – Intention to Expropriate	N
Expropriation Procedure Act -Notice of Possession/Dedication	N
Family Property Act - Order for Exclusive Possession	N
Farming Communities Land Act (s.3)	N
Federal Writ	N
Heritage Property Act - Conservation District Notice	N
Heritage Property Act - Easement of Covenant	N
Heritage Property Act - Interest for Repair	N
Heritage Property Act - Notice of Amendment	N
Heritage Property Act - Notice of Designation (Municipal)	N

Heritage Property Act - Notice of Intention (Municipal)	N
Heritage Property Act - Notice of Intention (Provincial)	N
Heritage Property Act - Order of Designation (Provincial)	N
Heritage Property Act - Order Rescinding Designation of Heritage Property (Provincial)	N
Homestead Interest	N
Joint Use Utility Easement	N
Lease - 10 years or more	Y
Lease - less than 10 years	Y
Maintenance Order	N
Maintenance Writ	N
Many Islands Pipe Lines Easement - SaskEnergy Act (S.19)	N
Meewasin Valley Authority Act - Arbitrator's Decision	N
Meewasin Valley Authority Act Voluntary Easement	N
Mineral Commodity Agreement	Y
Mineral Taxation Act -Warning of Impending Forfeiture	N
Miscellaneous Interest	Y
Mortgage	N
Mortgage – Annuity	N
Mortgage of Lease	N
Municipal Board Order	N
National Energy Board Order	N
Northern Municipalities Act - Notice (Northern)	N
Notice - Interest held by Personal Representative	N
Notice - Interest held by Trustee in Bankruptcy	N
Notice - Lapse Procedure Commenced	N
Party Wall Agreement	N
Personal Property Security Act Interest	N
Pipelines Act – Easement	N
Planning and Development Act -Agreement for contract zoning (s.82)	N
Planning and Development Act -Deferral of Dedication (s.195)	N
Planning and Development Act -Development Agreement (s.55.5)	N
Planning and Development Act -Development Agreement in direct control district (s.79)	N
Planning and Development Act -Development Permit to Demolish Residential Building (s.84.1)	N
Planning and Development Act -Easement on dedicated lands (s.204)	N
Planning and Development Act -Enforcement Order (s.220.1)	N
Planning and Development Act -Interest Protecting Agreement (s.215)	N
Planning and Development Act -Interest re: development standards on hazardous lands (s.142)	N
Planning and Development Act -Servicing Agreement (s.143)	N
Planning and Development Act -Waiver of subdivision regulations (s.146)	N
Postponement	N
Potash Development Act - Vesting Order	N
Power Corporation Act - Notice of Requirement of Easement	N
Power Corporation Act Interest (S.14)	N
Power Corporation Act Interest (S.23)	N
Provincial Lands Act – Interest	N
Provincial Mediation Board Consent	N

Provincial Mediation Board Order	N
Public Health Act Notice	N
Public Trustee Act - Lien for Expenses	N
Public Utility Easement	N
Registrar's Notice	N
Registrar's Order	N
Restrictive Covenant – Mutual	N
Restrictive Covenant - Non-Mutual	N
Revocation of Power of Attorney	N
Rural Municipality Act – Notice	N
Safer Communities and Neighbourhoods Act – Community Safety Order (S.23)	N
Safer Communities and Neighbourhoods Act – Removal of Closure Order (S.48)	N
Sale or Lease of Certain Lands Act -Order in Council	N
Saskatchewan Farm Security Act – Order	N
Saskatchewan Telecommunications Act Easement (S.12)	N
Saskatchewan Telecommunications Act Easement (S.20)	N
SaskEnergy Act – Notice of Requirement of Easement	N
SaskEnergy Act Easement (S.19)	N
SaskTel Easement	N
Securities Act – Notice	N
Surface Rights Acquisition and Compensation Act – Order	Y
Tax Enforcement Act - Abridgement Order	N
Tax Lien	N
TLE Interest in Mineral Rights Currently subject to Crown (Sask) Disposition	N
TransGas Easement - SaskEnergy Act (S.19)	N
Urban Municipality Act – Notice	N
Wascana Centre Act – Notice	N
Wascana Centre Act - Resolution Altering Area	N
Water Corporation Act - Certificate of Approval (s.60)	N
Water Corporation Act - Notice (s.59)	N
Water Corporation Easement	N
Watershed Authority Act – Certificate (Section 58)	N
Watershed Authority Act – Notice of Approval (Section 59)	N
Watershed Authority Easement	N
Watershed Authority Lease	Y
Water Corporation Lease	Y
WE Provincial Writ	N

**APPENDIX C Notice to Lapse**



**Information  
Services  
Corporation**  
of Saskatchewan

Mailing address only:  
Land Registry  
1301 - 1st Avenue  
Regina, SK S4P 3V7

Toll Free: 1-866-275-4721  
Fax: (306) 798-1399  
E-mail: ask@isc.ca  
Website: www.isc.ca

January 20, 2007

JD Wentworth  
141 Scarth St  
Regina Saskatchewan S4S4S4  
Canada

**Packet Number: 100227697**  
**Client Number: 214321261**

**NOTICE TO LAPSE TO INTEREST HOLDER**

**You are hereby served notice that the following interest will be removed from the following title:**

Interest:

Interest Register Number: 100144718  
Interest Number: 100439399  
Interest Type: CNV Builders' Lien

Registered against the following title:

Title Number: 100343595  
Title Holder: Don Juan

**This interest shall lapse 30 days from the mailing of this notice unless within those 30 days a court order is registered against the title extending the interest.**

This notice is served pursuant to section 46 of *The Land Titles Regulations, 2001*.

For further information, please contact the ISC Customer Call Centre, toll-free at 1-866-275-4721 or by e-mail at ask@isc.ca

Registrar



APPENDIX D



RINTDSCHG



Information Services Corporation of Saskatchewan

Application for Interest Discharge

Application Sequence Number

Application Sheet Count

Please make sure Authorization are attached

Interest Type

SECTION A – Discharge of Writ or Maintenance Order that auto-attached in the same packet.

Application Sequence Number

Saskatchewan Writ Registry Number

SECTION B – FULL DISCHARGE

Interest Register Number

SECTION C – PARTIAL DISCHARGE

Interest Register Number

Interest Numbers to be discharged

123456789			
987654321			





**APPENDIX E Form O – Certificate of Action**

Form O  
CERTIFICATE OF ACTION

(Subsection 86(5) of The Builders' Lien Act)

In the Queen's Bench for Saskatchewan

Judicial Centre of \_\_\_\_\_

BETWEEN:

\_\_\_\_\_  
(Plaintiff)

- and -

\_\_\_\_\_  
(Defendant)

I certify that the above named plaintiff has commenced an action in the above named Court to enforce against the following land: (Here set out legal description of land):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

a claim of lien, pursuant to *The Builders' Lien Act*, for \$ \_\_\_\_\_

\_\_\_\_\_  
*Dry: Manta / Year*

\_\_\_\_\_  
*Local Register*

3 Jan 86 cB-7.1 Reg 1.