

IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF [CITY]

BETWEEN:

[PLAINTIFF]

Plaintiff

- and -

[DEFENDANT]

Defendant

NOTICE OF MOTION

TAKE NOTICE THAT an application will be made on behalf of the Plaintiff before the presiding Master in Chambers, at the Court House, in [city], Alberta, on [day], the \_\_\_ day of \_\_\_\_\_, at 10:00 o'clock in the forenoon or so soon thereafter as counsel may be heard for an Order:

1. Directing, pursuant to Rule 495, and **not** Sections 41 or 42 of the *Law of Property Act*, that the lands that are the subject matter of this action be sold to the Plaintiff for the sum of \$\_\_\_\_\_, being the forced sale value (terms) as indicated on the Affidavit of Value filed in this matter;
2. Dispensing with the need to pay into Court;
3. Granting the Plaintiff judgment against the Defendant for the deficiency remaining after application of the sum of \$\_\_\_\_\_ as against the amount outstanding on the subject Mortgage, and after adjustments having been made for municipal taxes and solicitor-client costs;
4. Granting the Plaintiff immediate possession of the premises;
5. Directing the Registrar of the Land Titles Office for the [South/North] Alberta Land Registration District to cancel the existing Certificate of Title to the subject lands and to issue a new title to the Plaintiff free and clear of the Plaintiff's mortgage and all subsequent encumbrances pursuant to Sections 40 and 44 of the *Law of Property Act*;
6. Directing that the Plaintiff, in its capacity as Receiver/Receiver-Manager of the subject property, be discharged;
7. Solicitor-client costs of this action including this application;

**THIS IS A 3-PAGE FORM.**