

COURT FILE NUMBER 2001-03935
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
APPLICANT VANCITY COMMUNITY INVESTMENT BANK
CONNECT FIRST CREDIT UNION LTD. and
TREZ CAPITAL LIMITED PARTNERSHIP by its
General Partner TREZ CAPITAL (2011)
CORPORATION
RESPONDENTS FIRST STREET PLAZA (2006) LIMITED
PARTNERSHIP by its general partner FIRST
STREET PLAZA GP LTD.; LOUISE BLOCK
LIMITED PARTNERSHIP by its general partner
LOUISE BLOCK CAPITAL CORP.; MACLEOD
PLACE LIMITED PARTNERSHIP by its general
partner MACLEOD PLACE LTD.; RIAZ
MAMDANI; and IEC LTD.



pm

DOCUMENT **AMENDED AND RESTATED INTERIM
RECEIVER PAYMENT ORDER**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

Counsel

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DATE ON WHICH ORDER WAS PRONOUNCED: April 26, 2022

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary

NAME OF JUSTICE WHO MADE THIS AMENDED ORDER: The Honourable Justice Romaine

UPON THE APPLICATION of MNP Ltd. in its capacity as the Court-appointed receiver and manager (the "Receiver") of the following land and premises, and all property used in the business or affairs carried on by Macleod Place Limited Partnership by its general partner Macleod Place Ltd. (together, the "Macleod Place Debtors"), Louise Block Limited Partnership by its general partner Louise Block Capital Corp. (together, the "Louise Block Debtors"), and First Street Plaza (2006) Limited Partnership by its general partner First Street Plaza GP Ltd. (together, the First Street Debtors, and collectively with the Macleod Place Debtors and the Louise Block Debtors, the "Debtors") at those lands and premises, namely:

Title #: 131062248

Legal Description:

PLAN 4269HS

BLOCK 1

LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

Civic Address: 5920 and 5940 Macleod Trail SW, Calgary, Alberta

Titleholder: Macleod Place Ltd.

Title #: 051392048

Legal Description:

PLAN "A"

BLOCK 72

LOTS 37 TO 40 INCLUSIVE

Civic Address: 1018 Macleod Trail SE, Calgary Alberta

Titleholder: Louise Block Capital Corp.

Title #: 071146388

Legal Description:

PLAN C

BLOCK 16

LOTS 21 TO 24

EXCEPTING THEREOUT A PORTION FOR STREET WIDENING ON PLAN 8310173

EXCEPTING THEREOUT ALL MINES AND MINERALS

Civic Address: 138 – 4th Avenue SE, Calgary, Alberta

Titleholder: First Street Plaza GP Ltd.

which was heard on November 8, 2021, for an order (the "Interim Receiver Payment Order") authorizing and directing Alvarez & Marsal Canada Inc. in its capacity as Court-appointed receiver and manager (the "Interim Receiver") under the Interim Receivership Order dated December 20, 2019 and the Amended and Restated Receivership Order (Expanded Powers) dated January 19, 2020 granted in Court of Queen's Bench of Alberta Court File No. 1901-18029 (the "Interim Receivership Action") to pay to the Receiver all residual funds held in trust for the Debtors, following the completion of A&M's the Interim Receiver's administration of the Debtors.

AND UPON HAVING READ the Receivership Order dated March 20, 2020, the Amended and Restated Receivership Order dated February 24, 2021, the Order dated March 1, 2021 made in the Interim Receivership Action (the "March 1 Order"), the Third Report of the Receiver to Court, dated October 28, 2021 (the "Third Report"), and the Affidavit of Service;

AND UPON HEARING the submissions of counsel for the Receiver and Connect First Credit Union Ltd., no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service, filed;

AND UPON THE APPLICATION of the Receiver to amend and restate the Interim Receiver Payment Order granted on November 8, 2021, such that the Interim Receiver be authorized and directed to pay all residual funds from the estate under the Interim Receivership Order of: (a) the Macleod Place Debtors to Trez Capital Limited Partnership by its general partner Trez Capital (2011) Corporation (together, "Trez"); (b) the Louise Block Debtors to Vancity Community Investment Bank ("VCIB"); and (c) the First Street Debtors to Connect First Credit Union ("CFCU"), following completion of the Interim Receiver's administration of the estates of the Debtors, without any further investigation by the Interim Receiver or liability to the Interim Receiver;

AND UPON HAVING READ the Interim Receiver Payment Order, the Fourth Report of the Receiver to Court, dated April 14, 2022, and the Affidavit of Service;

AND UPON hearing counsel for the Receiver and Connect First Credit Union Ltd., no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service, filed, and upon noting the consent of the Interim Receiver to amend and restate this Order:

IT IS HEREBY ORDERED AND DECLARED THAT:

ABRIDGEMENT OF TIME

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

PAYMENT BY INTERIM RECEIVER

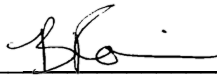
2. Following completion of the steps outlined in paragraph 5 of the March 1 Order, and subject to the Interim Receiver's and its counsel's professional fees and disbursements, the Interim Receiver is authorized and directed to pay ~~to the Receiver~~ any and all residual funds held by the Interim Receiver from the estates of the Debtors under the Interim Receivership Order as follows:
 - (a) Any and all residual funds held by the Interim Receiver from the estate of the Macleod Place Debtors, to Trez;
 - (b) Any and all residual funds held by the Interim Receiver from the estate of the Louise Block Debtors, to VCIB; and
 - (c) Any and all residual funds held by the Interim Receiver from the estate of the First Street Debtors, to CFCU,without any further investigation by the Interim Receiver or liability to the Interim Receiver.

SERVICE

3. Service of this amended Order shall be deemed good and sufficient by:
- (a) Serving the same on:
 - (i) the persons listed on the service list created in these proceedings and
 - (ii) the persons listed on the service list created in the Interim Receivership Action;
 - (iii) any other person served with notice of the application for this amended Order;
 - (iv) any other parties attending or represented at the application for this amended Order; and
 - (b) Posting a copy of this amended Order on the Receiver's website at: <https://mnpdebt.ca/en/corporate/corporate-engagements/louise-block-first-street-plaza-macleod-place>

and service on any other person is hereby dispensed with.

4. Service of this amended Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this amended Order.



Justice of the Court of Queen's Bench of Alberta