

This is the 1st Affidavit
of Suzanne Volkow in this case
and was made on June 8, 2021

No. S205095
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

– AND –

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,
S.B.C. 2002, C. 57, AS AMENDED

– AND –

IN THE MATTER OF A PLAN AND COMPROMISE AND ARRANGEMENT OF
PORT CAPITAL DEVELOPMENT (EV) INC. and
EVERGREEN HOUSE DEVELOPMENT LIMITED PARTNERSHIP

AFFIDAVIT

I, Suzanne Volkow, of 2900 – 550 Burrard Street, Vancouver, British Columbia, SWEAR
THAT:

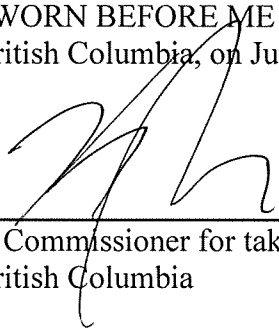
1. I am a legal assistant in the law firm of Fasken Martineau DuMoulin LLP, solicitors for Centura Building Systems (2013) Ltd. and Solterra Acquisitions Corp., and as such have personal knowledge of the facts hereinafter deposed to except where stated to be on information and belief, in which case I verily believe them to be true.

2. Attached hereto as **Exhibit "A"** is a copy of a Claim of Lien registered on behalf of Centura Building Systems (2013) Ltd. against lands legally described as:

PID: 006-721-397

Lot 18, except that part of the Canadian Pacific Railway
Right-of-Way as described in absolute fee parcels book, volume 9,
Folio 317, No. 1154C, and except the south 7 feet now road,
Block 29 District Lot 185 Plan 92

SWORN BEFORE ME at Vancouver,
British Columbia, on June 8, 2021.



A Commissioner for taking Affidavits for
British Columbia

KIBBEN JACKSON
Barrister & Solicitor
Fasken Martineau DuMoulin LLP
2900 - 550 Burrard Street
Vancouver, BC V6C 0A3
604 631 4786



SUZANNE VOLKOW

NEW WESTMINSTER LAND TITLE OFFICE

BUILDERS LIEN ACT

FORM 5 (Sections 15, 16, 18)

May-20-2020 12:53:06.001

CA8198230

CLAIM OF LIEN Province of British Columbia

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

Christopher
James Moore
8FUUN8

Digitally signed by
Christopher James Moore
8FUUN8
Date: 2020.05.20 12:51:28
-07'00'

APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

McLean & Armstrong LLP
300 - 1497 Marine Drive

Tel: 604-925-0672
File No: 3367-11

West Vancouver BC V7T 1B8
Document Fees: \$0.00

I, Chris Moore of McLean & Armstrong LLP
300 - 1497 Marine Drive, West Vancouver, BC, V7T 1B8, agent of the lien claimant state that:

1. CENTURA BUILDING SYSTEMS (2013) LTD.

Incorporation No
BC0959038

of 460 Fraser View Place, Delta, BC V3M 6H4
claims a lien against the following land:
[PID] [legal description]

SEE SCHEDULE

STC? YES ☐

This is Exhibit A referred to in the
affidavit of Suzanne Volkow
made before me on this 8th
day of JUNE 2021
.....
A Commissioner for taking
Affidavits for British Columbia

2. A general description of the work done or material supplied, or to be done or supplied, or both, is as follows:

Supplying precast panels, planters, super panels and engineering

3. The person who engaged the lien claimant, or to whom the lien claimant supplied material, and who is or will become indebted to the lien claimant is:

PORT CAPITAL DEVELOPMENT (EV) INC. (BC1005887)

4. The sum of \$ 473,277.00 is or will become due and owing to CENTURA BUILDING SYSTEMS (2013) LTD.
(BC0959038) on May 20, 2020

5. The lien claimant's address for service is:

c/o McLean & Armstrong LLP
300 - 1497 Marine Drive, West Vancouver, BC, V7T 1B8

Signed: _____

Date: _____

Note: Section 45 of the Builders Lien Act provides as follows:

45 (1) A person who knowingly files or causes an agent to file claim of lien containing a false statement commits an offence.

(2) A person who commits an offence under subsection (1) is liable to a fine not exceeding the greater of \$2,000 and the amount by which the stated claim exceeds the actual claim.

ADDITIONAL PARCEL INFORMATION

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2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

006-721-397

**LOT 18, EXCEPT THAT PART OF THE CANADIAN PACIFIC RAILWAY
RIGHT-OF-WAY AS DESCRIBED IN ABSOLUTE FEE PARCELS BOOK,
VOLUME 9, FOLIO 317, NO. 1154C, AND EXCEPT THE SOUTH 7 FEET NOW
ROAD, BLOCK 29 DISTRICT LOT 185 PLAN 92**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐