Clerk’s Stamp:

|  |  |  |
| --- | --- | --- |
| COURT FILE NUMBER |  | <> |
| COURT OF KING’S BENCH OF ALBERTA |  |  |
| JUDICIAL CENTRE |  | <> |
| PLAINTIFF(S) |  | **<>** |
| DEFENDANT(S) |  | **<>** |
| DOCUMENT |  | **ORDER FOR FORECLOSURE** |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT |  | <>  Ph. <> Fx. <> File No.: <> |

|  |  |
| --- | --- |
| DATE ON WHICH ORDER WAS PRONOUNCED: | <> |
| LOCATION WHERE ORDER WAS PRONOUNCED: | <> |
| NAME OF JUSTICE / APPLICATIONS JUDGE WHO MADE THIS ORDER: | <> |

Upon the application of the plaintiff;

And upon hearing counsel for the plaintiff; And upon

\_\_\_\_ no one appearing for the defendant(s)

\_\_\_\_ hearing from the defendant(s)

\_\_\_\_ hearing from counsel for the defendant(s);

**IT IS HEREBY ORDERED THAT:**

1. In this order the mortgaged lands are the following:

<> [insert legal description]

1. The defendants stand absolutely debarred and foreclosed of and from all their estate, right, title, interest and equity of redemption in the mortgaged lands.
2. The mortgaged lands be and the same are hereby vested in the plaintiff, for all the estate, right, title, interest and equity of redemption of the defendants therein and thereto.
3. Any interest in the mortgaged lands of the defendant or anyone claiming through the defendant or any other subordinate encumbrancer is hereby extinguished.
4. The Registrar of Land Titles shall cancel the existing certificate of title to the mortgaged lands and issue a new certificate of title in the name of the plaintiff’s <> (or such other transferee as directed by the plaintiff’s counsel in correspondence sent to the Registrar of Land Titles at the time this order is submitted for registration) free and clear from the plaintiff’s mortgage and all subsequent encumbrances, but subject to: [insert list of all registrations prior to the plaintiff’s mortgage].
5. If the mortgaged lands are or become vacant then the plaintiff is entitled to immediate possession. If the mortgaged lands are not vacant then the defendant, any tenants, and any other occupants, shall deliver up to the plaintiff vacant possession of the mortgaged lands thirty days after service of this order upon them. Service of this order may be made on the occupants by posting same on the main entrance door to the mortgaged lands. A Civil Enforcement Agency has authority, thirty days after service of this order has been effected, to evict any occupant of the mortgaged lands.
6. The Registrar of Land Titles shall comply with this order forthwith notwithstanding Section 191(1) of the *Land Titles Act*.
7. **[Optional ~ Insert provisions dealing with service, of which the following are by way of example only.]**

Service of this order and all subsequent documents in this action may be served upon the defendant, <>, by serving <his/her/their> counsel <> of <> by e0mail at the address of <>.

OR

Service of this order and all subsequent documents in this action may be effected upon the defendant, <>, by delivering a copy of this order and leaving with any adult present at <>, or in the alternative, by ordinary mail to <>.

|  |  |
| --- | --- |
|  |  |
|  | APPLICATIONS JUDGE IN CHAMBERS |

3139947\_3