

FORM 64B

NOTICE TO ENCUMBRANCERS

(General Heading — Form 4A or 4B)

NOTICE TO ENCUMBRANCERS

TO: (the persons on whom service is to be made):

Whereas an action has been instituted by the above named plaintiff for the foreclosure (or, sale) of (or, enforcement of a lien on) certain land (insert description of land), and I have been directed by the judgment in this action to inquire whether any person, other than the plaintiff, has any lien, charge, or encumbrance on the said land;

And whereas it has been made to appear before me that each of you has some lien, charge, or encumbrance on the said land, and I have, therefore, caused you to be made a party to this action, and have appointed the _____ day of _____, 19____, at _____ o'clock in the _____ noon, for you to appear before me at my chambers in the court house in the City of Winnipeg, either in person or by your lawyer, to prove your claim;

Now you are hereby required to take notice: FIRST, that, if you wish to apply to discharge my order making you a party, or to add to, vary, or set aside the judgment, you must do so within 10 days from the service hereof; and, if you fail to do so, you will be bound by the judgment and the further proceedings in this cause as if you had been originally made a party to the action; and SECONDLY, that, if you fail to attend at the time and place appointed, you will be treated as disclaiming all interest in the said land, and it will be dealt with as if you had no claim thereon, and your claim will be in fact foreclosed.

(Date)

Associate Judge