

MEMORANDUM OF LEASE Form 12.1

Lease of Freehold Sub-lease

1. **LESSOR(S) (Landlord(s))** see schedule

2. **LAND DESCRIPTION**

AFFECTED TITLE NO.(S) see schedule
AFFECTED LEASE NO.(S)

3. **ENCUMBRANCES, LIENS AND INTERESTS** — The within lands are subject to instrument number(s) see schedule

4. **LESSEE(S) (Tenant(s))** *(full legal name and address for service)* see schedule

5. **TERM OF LEASE** *(insert dates in YYYY/MM/DD format)*
Commencing: ____/____/____ Expiring: ____/____/____

6. RIGHT OF RENEWAL <input type="checkbox"/> YES <input type="checkbox"/> NO	6.1 DETAILS OF RENEWAL(S) <i>(complete only if there is a right of renewal)</i> Number of renewals: _____ Term of renewals: _____ see schedule <input type="checkbox"/>
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7. RENT Rental amount: \$ _____	7.1 RENT PAYABLE see schedule <input type="checkbox"/> <input type="checkbox"/> Yearly <input type="checkbox"/> Monthly <input type="checkbox"/> Other <i>(specify):</i> _____
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8. **SIGNATURES** see schedule

LESSOR(S)

- 1. I am (one of) the within lessor(s) and I am of the age of majority.
- 2. I am (one of) the (person(s) entitled to be) (an/the) owner of the within described (land/lease).
- 3. I hereby lease the (land/lease) to the lessee(s).
- 4.

.....//
witness signature name signature date (YYYY/MM/DD)

.....//
witness signature name signature date (YYYY/MM/DD)

ACCEPTANCE BY LESSEE(S)

- 1. I am (one of) the within lessee(s) and I am of the age of majority.
- 2. I hereby accept this lease of the (land/lease) above described, to be held by me (us) as tenant, subject to the terms and conditions set forth herein.

.....//
witness signature name signature date (YYYY/MM/DD)

.....//
witness signature name signature date (YYYY/MM/DD)

Prior to signing and witnessing this document, please carefully review the notices in Box 9.

If the witness is not a lawyer practicing in the province/territory where this document is signed (or either a notary public or a practicing lawyer if signed in B.C. or Quebec), an Affidavit of Witness will be required. If this document is signed outside of Canada, please review section 72.9 of *The Real Property Act*.

9. IMPORTANT NOTICES

NOTICE TO WITNESSES: By signing as witness you confirm that the person whose signature you witnessed:

- 1. Is either personally known to you, or that their identity has been proven to you.

AND

- 2. That they have acknowledged to you that they:
(a) are the person named in this instrument;
(b) have attained the age of majority in Manitoba; and
(c) are authorized to execute this instrument.

By virtue of section 194 of *The Real Property Act*, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to *The Manitoba Evidence Act*.

SINGULAR INCLUDES PLURAL AND VICE VERSA WHERE APPLICABLE. In this document "I" or "me" is to be read as including all parties signing this document whether individual or corporate.

10. COVENANTS AND POWERS (Unless a contrary intention is set out herein, the covenants and powers set forth in sections 92 and 93 of *The Real Property Act* will be implied in this lease.)

This lease is subject to the following covenants and terms (insert modifications of the implied covenants, implied powers, together with any special covenants or terms):

see schedule

11. CONSENT OF ENCUMBRANCER(S)

see schedule

_____ as holder of _____ No. _____

hereby consent(s) to the registration of this lease and agree that it shall have priority over my claim or interest.

.....
witness signature name signature date (YYYY/MM/DD)

.....
witness signature name signature date (YYYY/MM/DD)

Prior to signing and witnessing this document, please carefully review the notices in Box 9.

If the witness is not a lawyer practicing in the province/territory where this document is signed (or either a notary public or a practicing lawyer if signed in B.C. or Quebec), an Affidavit of Witness will be required. If this document is signed outside of Canada, please review section 72.9 of *The Real Property Act*.

12. FARM LANDS OWNERSHIP DECLARATION

The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because:
(strike out inappropriate statement(s) and sign below:)

- 1. The within land is not farm land as defined in *The Farm Lands Ownership Act*.
2. The lessee is a Canadian citizen, permanent resident of Canada, agency of the government, municipality, local government district, qualified Canadian organization, family farm corporation or a qualified immigrant as defined in *The Farm Lands Ownership Act*.
3. The lessee is exempt by the Farm Lands Ownership Board (Order enclosed).
4. Other (specify section of *The Farm Lands Ownership Act*): _____
Particulars: _____

.....
name signature date (YYYY/MM/DD)

Lessee, Lessor or Agent

13. INSTRUMENT PRESENTED FOR REGISTRATION BY (include address, postal code, contact person and phone number)