



No. NEL-S-H-22450
NELSON REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

0752063 B.C. LTD.

PETITIONER

AND:

**LANDCO VENTURES INC.
DAVID MICHAEL BILINSKI
KAREN ESPERSEN
CANADIAN WESTERN TRUST COMPANY
DEREK HALL
HIS MAJESTY THE KING IN RIGHT OF CANADA**

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE

JUSTICE LYSTER

MONDAY, THE 6TH DAY
OF NOVEMBER 2023

ON THE APPLICATION of the Petitioner coming on for hearing at Nelson, British Columbia on Monday, November 6, 2023 and on hearing Troy Trillo, agent for Sherryl Dubo, counsel for the Petitioner, and no one else although duly served;

THIS COURT ORDERS that:

1. The lands known and described as:

PID: 005-377-978

West ½ of the Southwest ¼ of Section 13 Township 69 Kootenay District Except (1)
Parcel A (DD 15913) (2) Plan 11920

(the "Lands")

be offered for sale, by private sale, free and clear of all encumbrances of the parties, together with any other charges, liens, encumbrances, caveats, or certificates of pending litigation registered against the Lands subsequent to the Petitioner's certificate of pending litigation, but subject to the reservations, provisos, exceptions, and conditions expressed in the original grant(s) from the Crown.

2. The Petitioner has exclusive conduct of the said sale and may list the Lands with one or more licensed real estate agents or real estate firms, for sale by way of either general,

exclusive or multiple listing, and further, that the said Petitioner shall be at liberty to pay such real estate agent or firm who may arrange the sale of the Lands commission of not more than five (5%) percent of the gross selling price with respect to such sale from the proceeds of such sale.

3. The Respondents or any person on behalf of the Respondents including any person in possession of the Lands shall permit authorized real estate agents or other agents appointed by the Petitioner to inspect or appraise the Lands and to show the Lands to prospective purchasers between the hours of 9:00 a.m. to 7:00 p.m. on any day of the week, and to post signs on the Lands that the Lands are offered for sale.
4. The Lands be sold at a price not less than that required to pay:
 - (a) the taxes, penalties, arrears of taxes and interest on arrears of taxes owing in respect of the Lands;
 - (b) the costs and expenses of the said sale, including real estate commission; and
 - (c) the costs of the Petitioner with respect to this proceeding and the conduct of the said sale as herein ordered.
5. Any sale be subject to the approval of the court unless otherwise agreed to in writing by all parties.
6. The Petitioner is entitled to its costs of and incidental to this application at Scale A, to be paid from the proceeds of the gross selling price of the Lands.
7. Endorsement of this order by the Respondents appearing on this application is dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT.



Signature of Sherryl A. Dubo
 party lawyer for the Petitioner

By the Court

Digitally signed by
Mason, Erin

Registrar

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RESPONDENTS

**ORDER MADE AFTER APPLICATION
(CONDUCT OF SALE)**

File no. 3300-106

SAD/ca

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