

Canada
Province Of Prince Edward Island

**Affidavit
Individual - Prince Edward Island**

I/we, _____, of _____, in _____ County,
Province of Prince Edward Island

Make oath and say as follows:

1. **That** I/we/ am/are the Mortgagor(s) named in the annexed Indenture and am/are of the full age of eighteen (18) years and have personal knowledge of the matters hereinafter stated.
2. **That** I/we am/are now and intend to be at the closing, resident(s) of Canada within the meaning of the *Income Tax Act* (Canada).
3. **That** for the purpose of this Affidavit, "**Act**" means the *Family Law Act*, R.S.P.E.I. 1988, Cap.F-2.1, "**family home**" means a family home under Section 19 and includes every property in which a married person has an interest and that is or, if the spouses are living separate and apart, was at the time of separation ordinarily occupied by the person and his or her spouse as their family residence is their family home; "**property**" means the lands described in the Schedule to the annexed Indenture; and "**spouse**" means either of a man and woman who: i) are married to each other; or ii) have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under the *Act*.
4. **That** the property is not now the subject of a Court Order, interim or otherwise, made pursuant to the *Act*.

(Select only "one" applicable option)

5. ☐ **That** we are, as of the date hereof, spouses of one another and have no other spouse nor have any former spouse with rights to the property under the Act.
- ☐ **That** I have read the definition of "Spouse" given. I am not a Spouse.
- ☐ **That** I (am/am not) living separate and apart from my spouse and the property was never occupied by me and my spouse as our family home.
- ☐ **That** my spouse, _____, has released all rights to the property acquired pursuant to Part II of the Act by a written Separation Agreement made between us dated the _____ day of _____, 20____.
- ☐ That the property is not designated by both me and my spouse as a family home and an Instrument designating another property as a family home of me and my spouse is registered and has not been revoked.

Sworn to before me at _____,
in _____ County, Province
of Prince Edward Island, this _____ day of
_____, 20_____.

Name of Mortgagor

Name of Mortgagor

A Commissioner for taking affidavits in the Supreme Court.