COURT FILE NUMBER

1103 18646

COURT

QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

**EDMONTON** 

IN THE MATTER OF THE COMPANIES CREDITORS ARRANGEMENT ACT.

Form 49

Clerk's Stamp

R.S.C. 1985, Chapter C-36, AS

AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF ARMAC INVESTMENTS LTD. (AB), LAKE EDEN PROJECTS INC. (AB), 1204583 ALBERTA INC. (AB), 1317517 ALBERTA INC. (AB), WESTRIDGE PARK LODGE DEVELOPMENT CORP (AB), and WESTRIDGE PARK LODGE AND GOLF RESORT LTD. (AB), HALF MOON LAKE RESORT LTD. (AB), NO. 50 CORPORATE VENTURES LTD. (BC), FISHPATH RESORTS CORPORATION (BC), ARMAC INVESTMENT LTD. (BC). OSTROM ESTATES LTD. (BC), HAWKEYE MARINE GROUP LTD. (BC), JUBILEE MOUNTAIN HOLDINGS LTD. (BC), GIANT MOUNTAIN PROPERTIES

**DOCUMENT** 

AFFIDAVIT OF JOHN KENNETH PURDY sworn on March 25, 2014

LTD. (BC), and CHERRY BLOSSOM PARK DEVELOPMENT CORP (BC)

ADDRESS FOR SERVICE

AND

AND

CONTACT

INFORMATION OF PARTY FILING THIS

**DOCUMENT** 

Taylor Law Office

Suite 401, 10722 – 103 Avenue

Edmonton, Alberta

T5J 5G7

Attention: Conan J. Taylor Phone: (780) 428-7770

Fax: (780) 428-7775

I, JOHN KENNETH PURDY (also known as "Jack Purdy"), businessman, of the County

## of Strathcona, in the Province of Alberta, MAKE OATH AND SAY THAT:

- 1. I have reviewed the Twenty-First Report of the Monitor filed in respect of the within Stay Extension Application. I confirm that all statements and reporting I have made to the Monitor and upon which the Monitor has based its conclusions and recommendations as set out in the Twenty-First Report have been made by me in good faith and are true, and are put forward, confirmed, and attested to by me as if set out and expressly stated in this my Affidavit.
- 2. The Applicants are currently reviewing additional comments provided by Axcess to the draft Plan, and require a short further extension to consider these comments and to finalize further discussions with Axcess and CRA as are necessary to finalize a draft Plan.
- 3. The Applicants require release of the Remaining Ocean Front Properties Money (\$20,000), presently held in trust by the Monitor pursuant to Order of this Honourable Court, for reasons set out at paragraph 54 and 55 of the Twenty-First Report. The Monitor supports the Applicants request in this regard, as set out at paragraph 56 of the Twenty-First Report.
- 4. Attached to this my Affidavit as Exhibit "A" is a copy of the Applicants' Actual to Forecast Cash Flow Results for the period of February 1 to March 21, 2014 (the "Reporting Period"), and a copy of the Updated Forecast Cash Flow for the period of March 22 to May 2, 2014 (the "Forecast Period").
- 5. I believe that the Updated Forecast Cash Flow is based on reasonable and achievable assumptions. I further believe that the Applicants have or will have sufficient available cash to meet their current obligations through the Forecast Period, except as qualified in the Twenty-First Report.
- 6. The Applicants are acting in good faith and with due diligence, and in the best interests of their creditors.

- 7. I believe that no creditor will be materially prejudiced if the extension being applied for is granted. The Monitor is of this same belief, as set out at paragraph 60 of the Twenty-First Report.
- 8. Both Axcess and CRA have confirmed their support for the requested Stay Extension to April 16<sup>th</sup>, 2014.
- 9. As set out at paragraph 61 of the Twenty First Report, the Monitor recommends approval of the proposed Stay Extension to April 16<sup>th</sup>, 2014.
- 10. I make this Affidavit in support of an application for an Order to extend the Stay Period in this matter until and including April 16<sup>th</sup>, 2014, and to approve release of \$20,000 from the Monitor's trust funds.

SWORN BEFORE ME at Edmonton, Alberta, this <u>25</u> day of April, 2014.

Commission of Oaths in and for the

Province of Alberta

CONAN J. TAYLOR
Barrister and Solicitor

**Purdy Group of Companies Actual to Forecast Results** For the period of February 1 to March 21, 2014 (the "Reporting Period") (in CDN dollars)

	Forecast Week 116 to	Actual Week 116 to	Variance Week 116 to
	Week 122	Week 122	Week 122
	Februa	ry 1 to March 2	1, 2014
Receipts			
Half Moon Lake Resort receipts Other receipts	12,500	95,761 -	83,261
Total operating receipts	12,500	95,761	83,261
Funds from Monitor's Trust Account	197,000	87,000	(110,000)
Total receipts	209,500	182,761	(26,739)
Disbursements			i
Half Moon Lake expenses	8,000	56,498	(48,498)
Management Fees Creditor claim payments	9,000	4,860	4,140
Total disbursements	17,000	46,000	(46,000)
LBVR management agreement disbursements	17,000	107,358	(90,358)
Release of funds to LBVR	70,000	70,000	-
Total operating & LBVR disbursements	87,000	177,358	(90,358)
Restructuring professional fees			
- Monitor	40,000	-	40,000
- Proposal Trustee	17,500	-	17,500
- Company Counsel	22,500	-	22,500
- Monitor Counsel	45,000		45,000
Total restructuring professional fees	125,000	_	125,000
Total disbursements	212,000	177,358	34,642
Net change in Applicant cash	(2,500)	5,403	7,903
- O IPP and	(2,300)	3,403	7,903

APPLICANT CASH BALANCE			
Opening cash	2,991	2,991	.
Net change in operating cash	(2,500)	5,403	7,903
Ending Cash	491	8,394	7,903

This is Exhibit  $^{\circ}$   $\Theta$  " referred to in the

(continued...)

worm before me this.

A.D., 20\_14

A Commissioner for Oaths in and for the Province of Alberta

CONAN J. TAYLOR Barrister and Solicitor

FUNDS HELD BY MONITOR Opening Cash	235,309	235,309	-
Collection of funds - other Release of funds to Applicants (LBVR) Release of funds to Applicants (for operations)	(70,000) (127,000) (197,000)	(70,000) (17,000) (87,000)	- - 110,000 110,000
Ending cash	38,309	148,309	110,000

TOTAL AVAILABLE CASH FOR GENERAL RESTRUC	CTURING		
Applicant ending cash balance	491	8,394	7,903
Total Funds held by Monitor	38,309	148,309	110,000
Less: Funds held for LBVR Agreement	(12,250)	(12,250)	-
Cash held in trust per Court Order	(20,000)	(136,059)	(116,059)
	6,059	us.	(6,059)
Cash available for general restructuring	6,550	8,394	1,844

Jack Purdy, President Purdy Group

Main 25/2014

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Purdy Group of Companies Updated Forecast Cash Flow For the period of March 22, 2014 to May 2, 2014 (the "Forecast Period")

(in CDN dollars)	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	TOTAL Forecast
	Week 123 28-Mar-14	Week 124 4-Apr-14	Week 125 11-Apr-14	Week 126 18-Apr-14	Week 127 25-Apr-14	Week 128 2-May-14	Week 124 to 128
Receipts Half Moon Lake Resort receipts Other receipts	5,000	5,000	5,000		10,000	,	25,000
Total operating receipts	5,000	5,000	2,000	,	10,000	ı	25,000
Funds from Monitor's Trust Account	125,000	20,000	1	1	1	1	145,000
Total receipts	130,000	25,000	5,000		10,000	-	170,000
Disbursements Half Moon Lake expenses Repayment of funds to Monitor's trust account	9,200	15,000	2,500	2,500		2,500	22,500
Total disbursements	9,200	19,000	2,500	2,500		5,000	9,000
LBVR management agreement disbursements Release of funds to LBVR	1	ı	ı	ı	ı	ı	ı
Total operating & LBVR disbursements	9,200	19,000	2,500	2,500		7,500	40,700
Restructuring professional fees	40,000	5,000	•	,	ı	•	45,000
- Proposal trustee	17,500	•	ı	1	•	1	17,500
- Company Counsel - Monitor Counsel	22,500	2,500			r	1	25,000
Total restructuring professional fees	125,000	10,000	1				135,000
Total disbursements	134,200	29,000	2,500	2,500	1	7,500	175,700
Net change in Applicant cash	(4,200)	(4,000)	2,500	(2,500)	10,000	(7,500)	(5,700)

Purdy Group of Companies Updated Forecast Cash Flow For the period of March 22, 2014 to May 2, 2014 (the "Forecast Period") (in CDN dollars)

(in CDN dollars)		L	L	L	L	L	TOTAL
	rorecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	Week 123	Week 124	Week 125	Week 126	Week 127	Week 128	Week 124 to 128
A DDI ICANT CASH BALANCE	20-IVIAL-14	4-Apr-14	11-Apr-14	10-Apr-14	45-Apr-14	z-iviay-14	
	0		,	0			
Opening cash	8,394	4,194	194	2,694	194	10,194	8,394
Net change in operating cash	(4,200)	(4,000)	2,500	(2,500)	10,000	(7,500)	(5,700)
Ending Cash	4,194	194	2,694	194	10,194	2,694	2,694
FUNDS HELD BY MONITOR							
Opening Cash	148,309	32,509	12,509	12,509	12,509	12,509	148,309
Collection of funds - other	9.200	,	•	,	t	ı	0000
Release of funds to Applicants (for LBVR)	. '	,	1	1	1	,	10
Release of funds to Applicants (for operations)	(125,000)	(20,000)	ı	1	ı	ı	(145,000)
	(115,800)	(20,000)	1	1		1	(135,800)
Ending cash	32,509	12,509	12,509	12,509	12,509	12,509	12,509

TOTAL AVAILABLE CASH FOR GENERAL REST	RESTRUCTURING						
Applicant ending cash balance	4,194	194	2,694	194	10,194	2,694	2,694
Total Funds held by Monitor	32,509	12,509	12,509	12,509	12,509	12,509	12,509
Less: Funds held for LBVR Agreement	(12,500)	(12,500)	(12,500)	(12,500)	(12,500)	(12,500)	(12,500)
Cash held in trust per Court Order	(20,000)	1	•	1	ı		
Cash held for general restructuring	6	o	6	6	6	6	6
Cash available for general restructuring	4,203	203	2,703	203	10,203	2,703	2,703

Jack Purely President & Chief Executive Officer

DATE