

This is the 1st affidavit of Mayor Terry Rysz in this case made on 16/Dec/2019.

> No. S196066 VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

CANADIAN IMPERIAL BANK OF COMMERCE

PLAINTIFF

And

VINCO HOLDINGS LTD. and WATERWAY HOUSEBOATS LTD.

DEFENDANTS

IN THE SUPREME COURT OF BRITISH COLLUMBIA IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE RECEIVERSHIP OF VINCO HOLDINGS LTD. and WATERWAY HOUSEBOATS LTDS.

AFFIDAVIT

I, TERRY RYSZ, of 446 Main Street, Sicamous, British Columbia, SWEAR, (OR AFFIRM) THAT:

- 1. I am the Mayor of the District of Sicamous, and as such have personal knowledge of the facts and matters set out herein, save and except where the same are stated to be made upon information and belief and, where so stated, I verily believe them to be true.
- 2. This matter includes, amongst other matters, realty located at 1 Mervyn Road in the District of Sicamous, British Columbia.
- 3. The District of Sicamous met and considered the offer for sale of the property at 1 Mervyn Road, Sicamous and determined in closed council on November 27, 2019 to make a conditional offer through its wholly owned development corporation District of Sicamous Development Corporation to purchase 1 Mervyn Road, Sicamous. The District of Sicamous released that information to the public.
- 4. As set out in paragraph 28 of the Notice of Application, the Receiver accepted the conditional offer and subject to the lifting of the conditions, that offer will be presented to Court for approval in early 2020.

- 5. At mid-day on December 13, 2019, the District of Sicamous was advised that a third party is seeking to present a combined offer for the realty, including 1 Mervyn Road, and the personal property for the court's approval at the hearing of this application.
- 6. The District of Sicamous has not been able to meet over the weekend to discuss this change in circumstance and to determine what actions, if any it wishes to make in response to the proposal of the third party.
- 7. A special council meeting of the District of Sicamous Council has been set for Wednesday December 18, 2019 at 5:00 pm to consider its response.
- 8. This affidavit is sworn for the purposes of seeking an adjournment of the hearing of this matter to December 20, 2019, and for no other purpose.

Mayor, District of Sicamous

SWORN (OR AFFIRMED) BEFORE ME at the City of Vancouver, in the Province of British Columbia

Qn December 16, 2019

Ralph G. Hildebrand James Barnster and Solicitor

1300-128 W. Pender, Vancouver, BC

A commissioner for taking affidavits

for British Columbia

JAMES G. YARDLEY

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