

**TRIPARTITE AGREEMENT (REFINANCING)**

**NOVO**

THIS AGREEMENT made the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BETWEEN:

(the “Lessee”)

AND:

(the “Mortgagee”)

AND: SIMON FRASER UNIVERSITY, a British Columbia University



2. The Lessee acknowledges and represents to the Mortgagee that it has entered into possession of the Leased Premises pursuant to the terms of the Lease.
3. The University covenants and agrees to grant and provide to the Mortgagee all rights, assurance and notice afforded under the terms of the Lease to a "Mortgagee", as defined in the Lease, and, without limiting the generality of the foregoing, all remedies afforded a "Mortgagee" under the Lease.
4. The University and the Lessee mutually covenant and agree, at any time and from time to time, upon not less than thirty (30) days prior request by the Mortgagee, to execute, acknowledge and deliver to the Mortgagee a statement in writing certifying that:
  - (a) the Lease is unmodified and in full force and effect or if there have been modifications that same is in full force and effect as modified and identifying the modifications;
  - (b) the dates to which the rent and other charges payable under the Lease have been paid, provided that the request specifies with particulars the charges in respect of which such information is required; and
  - (c) to the best of the knowledge of the maker of the statement, without having



11. This Agreement shall enure to the benefit of and shall be binding upon the parties hereto, and their respective successors and assigns.

IN WITNESS WHEREOF this Agreement has been executed on the day, month and year first above written.

SIGNED, SEALED AND DELIVERED by \_\_\_\_\_ )

\_\_\_\_\_ and \_\_\_\_\_ )

in the presence of: \_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Signature \_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Print Name \_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Address \_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Occupation \_\_\_\_\_ )

(witness as to all signatures) \_\_\_\_\_ )

\_\_\_\_\_ )

Print Name \_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Print Name \_\_\_\_\_ )

\_\_\_\_\_ )

By: