

Statutory Declaration
(Section 138 of the Land Titles Act)
IN THE MATTER OF LAPSING A CAVEAT

I, _____
of _____
Full Mailing Address

DO SOLEMNLY DECLARE THAT:

1. Caveat Number _____ (*not more than 7 caveats*) was registered
on _____ against the title to the following land: (*provide legal description*)

2. I have an interest (or I am the agent for _____) who
has (have) an interest in the above land by virtue of: _____
(provide particulars of the interest in the land)

3. Attached to this declaration and marked as exhibit(s) is (are):
(i) a copy of the notice to take proceedings on the caveat (Exhibit A), and
(ii) a certified copy of the order of the Court of Queen's Bench of Alberta shortening the time for service of the
notice to _____ days (Exhibit B) (*strike out if inapplicable*).
Print Number of Days in Full

4. Service of Exhibit(s) A (and B) was effected on the caveator _____
Name of Caveator
on _____ by _____
Date Describe Method of Service Print Number of Days in Full
as evidenced by the proof of service attached to this declaration and marked as Exhibit C (*attach post office receipt
or affidavit of personal service*).

5. The 60 day period prescribed by section 138(1) of the Land Titles Act (or the _____
day period prescribed by court order) for commencing proceedings and filing a certificate of lis pendens with the
Registrar has expired.

6. I request that the caveat described above be removed from the certificate of title.

**And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same
force and effect as if made under oath.**

DECLARED before me at _____
in the Province of _____
on _____
month/day/year _____
Signature of Owner

Commissioner for Oaths in and for the Province of Alberta _____
Print Name _____
Expiry Date of Commission

This information is being collected for the purposes of land titles records in accordance with the Land Titles Act. Questions about the collection of this information can be directed to the Freedom Of Information and Protection Of Privacy Co-ordinator for Alberta Registries, Research and Programme Support, Box 3140, Edmonton, Alberta T5J 2G7, (780) 427-2742.

**FORM 29
LAND TITLES ACT
(Section 138)**

NOTICE TO CAVEATOR TO TAKE PROCEEDINGS ON CAVEAT
(Not more than 7 instruments may be transferred under this Form)

Take notice that the caveat filed by you in the Land Titles Office as instrument number _____ forbidding the registration of any person as transferee or owner of, or of any instrument affecting, the estate or interest claimed in your caveat in respect of:

unless the certificate of titles is expressed to be subject to your claim, will cease to have any effect after the expiration of 60 days (or such shorter time as the judge may order) following the date on which this notice is served or sent to you by registered mail, unless in the meantime:

- (a) you take proceedings in court on your caveat to substantiate the interest claimed by you in the above land, and
- (b) you file a certificate of lis pendens with the Registrar.

This notice is given pursuant to section 138 of the Land Titles Act.

Dated at _____ on _____

To _____

at _____

(address stated in the caveat or other acceptable address for service)

(Signature of person giving the notice)