

FORM 9
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT

Construction Act

Township of Chapple, Rainy River District, Ontario

(County/District/Regional Municipality/Town/City in which premises are situated)

317 Heatwole Road, Barwick, Ontario, P0W 1A0

(street address and city, town, etc., or, if there is no street address, the location of the premises)

This is to certify that the contract for the following improvement:

MOBILE MAINTENANCE SHOP CONSTRUCTION

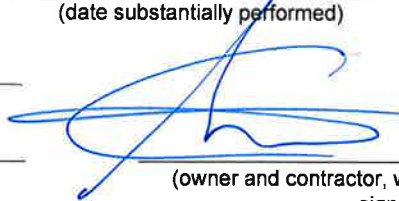

(short description of the improvement)

to the above premises was substantially performed on 2020-07-14

(date substantially performed)

Date certificate signed: 2020-08-04

Aug 11, 2020

(payment certifier where there is one - signature required)

(owner and contractor, where there is no payment certifier -
signatures required)

Name of owner: New Gold Inc.

Address for service: Brookfield Place, 181 Bay Street, Suite 3320, Toronto, Ontario, M5J 2T3

Name of contractor: 9306803 CANADA INC.

Address for service: 516 Route 172 WEST ST-NAZAIRE, LAC-ST-JEAN, QUEBEC
GOW 2V0

Name of payment certifier (where applicable): _____

Address: _____

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

(if a lien attaches to the premises, a legal description of the premises,
including all property identifier numbers and addresses for the premises)

☒ B. Office to which claim for lien must be given to preserve lien:

New Gold Headquarters - 181 Bay Street, Suite 3320, Toronto, Ontario. M5J 2T3

(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)

**STATUTORY DECLARATION IN SUPPORT OF
APPLICATION FOR CERTIFICATE OF SUBSTANTIAL COMPLETION**

CONTRACT NO.:

SCP-CC13

TITLE:

MOBILE MAINTENANCE SHOP

CONTRACTOR:

INFINITY-PROCO INC

I, CHARLES MUNGER
JONQUIERE

(FULL NAME) OF

3025 DE LA VALLEE

(ADDRESS),

IN

THE QC

SOLEMNLY DECLARE:

THAT I AM DIRECTOR OF SALES

OF

INFINITY-PROCO INC. (9306803 CANADA INC.)

BEING THE CONTRACTOR WITH RESPECT TO THE WORK REQUIRED UNDER THE
ABOVE-REFERENCED CONTRACT BETWEEN THE OWNER AND THE CONTRACTOR.

THAT NO LIENS HAVE BEEN FILED OR REGISTERED AGAINST THE LANDS OR PREMISES ON WHICH THE WORK IS BEING
OR HAS BEEN PERFORMED [OR AGAINST THE MINERALS OR ORE PRODUCED FROM THE MINE OR MINERAL CLAIM]
ARISING OUT OF OR IN CONNECTION WITH THE PERFORMANCE OF THE WORK.

THAT ALL WORK DONE AND MATERIALS FURNISHED OR USED FOR OR IN CONNECTION WITH THE WORK HAVE BEEN PAID
FOR AND EXCEPT HOLDBACK AND DEFICIENCY MONIES PROPERLY RETAINED, NO MONIES ARE OWING IN RESPECT
THEREOF TO ANY MATERIAL MAN, CONTRACTOR, SUBCONTRACTOR, WORKMAN OR TO ANY OTHER PERSON
WHOMSOEVER INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ANY ASSESSMENTS, DEDUCTIONS
AND OTHER MONIES PAYABLE UNDER THE INCOME TAX ACT, THE LABOUR ACT OR THE WORKERS' COMPENSATION ACT,
IN RESPECT OF THE WORK.

THAT NO MATERIAL MAN, CONTRACTOR, SUBCONTRACTOR, WORKMAN OR ANY OTHER PERSON WHOMSOEVER HOLDS
OR HAS ANY LIEN OR ANY RIGHT TO ANY LIEN AGAINST THE LANDS OR THE WORK [OR AGAINST THE MINERALS OR ORE
PRODUCED FROM THE MINE OR MINERAL CLAIM].

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 AND BY VIRTUE OF THE "CANADA EVIDENCE ACT".

DECLARED BEFORE ME AT SAINT-NAZAIRE

IN THE PROVINCE OF QUEBEC THIS 04 DAY OF

AUGUST 2020

A NOTARY PUBLIC IN AND FOR THE

A COMMISSIONER FOR TAKING AFFIDAVITS FOR Quebec and outside

