

IN THE SUPREME COURT OF BRITISH COLUMBIA

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED**

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57

AND

**IN THE MATTER OF OKANAGAN HILLS DEVELOPMENT CORPORATION,
VINEYARD HOMES AT THE RISE LTD., THE GOLF CLUB AT THE RISE LTD. and Y-
K PROJECTS LTD.**

PETITIONERS

NOTICE OF MOTION
[ORDER AUTHORIZING DIP LOAN]

TO: THE PARTIES LISTED ON SCHEDULE "A" ATTACHED HERETO

TAKE NOTICE that an application will be made by the Petitioners to the Honourable Madam Justice Dickson at the Courthouse, 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia, on a date and at a time to be set for an Order that the Petitioners be authorized to obtain and borrow under a credit facility (the "DIP Facility") the sum of \$2,500,000 in the form of Order which is attached as Schedule "B" and for such further and other corollary relief as this Honourable Court may deem just.

The Petitioners will rely on Section 11 of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, and the inherent jurisdiction of this Honourable Court.

At the hearing of the application, the Petitioners will rely on pleadings and proceedings previously filed herein.

The Honourable Madam Justice Dickinson is seized of these proceedings and the requirements of Rule 51A have been modified pursuant to Paragraph 55 of the Initial Order.

It is unknown at this time whether the matter will be contentious and it is estimated to take one hour.

DATED at the City of Vancouver, in the Province of British Columbia, this ____ day of December, 2008.

JOHN R. SANDRELLI
Solicitor for the Petitioners

THIS NOTICE OF MOTION is filed by the firm of Fraser Milner Casgrain LLP, Barristers and Solicitors, 15th Floor – 1040 West Georgia Street, Vancouver, British Columbia, V6E 4H8 (Telephone: (604) 687-4460), Attention: John R. Sandrelli.