



The Municipal Corporation of the Town of Fort Erie

By-law No. 68-2016

Being a By-law to Authorize the Entry into a Lease and Municipal Capital Facility Agreement with the Greater Fort Erie Youth Soccer Club Bertie Centennial Park (865 Ferndale Avenue)

Whereas The Corporation of the Town of Fort Erie is the registered owner of a municipal capital facility comprising certain lands including a clubhouse building located at 865 Ferndale Avenue in the public park known as "Bertie Centennial Park", and

Whereas Report No. PDS-45-2016 was considered at the Council-in-Committee meeting held on June 13, 2016, and subsequently authorized and approved by Council to enter into an agreement with the Greater Fort Erie Youth Soccer Club to lease the clubhouse land and premises located within "Bertie Centennial Park" and to declare the clubhouse land and premises a municipal capital facility and authorize its exemption from municipal and school taxes, and

Whereas Section 110(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "Act"), permits the municipality to enter into Agreements for the provision of municipal capital facilities, and

Whereas the clubhouse land and premises to be leased will be used as part of the municipal capital facility for the purposes of the municipality and will be for public use in accordance with Section 6(1)(b) of O. Reg. 603/06 (amended to O. Reg. 374/11) to the *Act*, and

Whereas it is deemed desirable to enter into a Lease and Municipal Capital Facility Agreement with the Greater Fort Erie Youth Soccer Club, for the use of the clubhouse land and premises located within "Bertie Centennial Park";

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the entry into a Lease and Capital Facility Agreement with the Greater Fort Erie Youth Soccer Club of only the clubhouse land and premises situate in "Bertie Centennial Park" public park lands located at 865 Ferndale Avenue, in a form satisfactory to the Town Solicitor, is authorized and approved.
2. **That** the Mayor and Clerk and authorized and directed to execute the said Lease and Capital Facility Agreement and any other documents necessary to implement the intent of this by-law, and to affix the corporate seal thereto.

3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 20th day of June, 2016.

Mayor

Clerk

I, Laura Bubanko, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 68-2016 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20