



The Municipal Corporation of the Town of Fort Erie

By-law No. 15-2019

Being a By-law to Authorize the Execution of an Assumption Agreement for The Oaks at Six Mile Creek – Block 83 with Westwind Niagara Developments Ltd. (Alfred Beam)

File No. 350303-0024

Whereas it is deemed desirable to enter into an Assumption Agreement for The Oaks at Six Mile Creek – Block 83 Plan of Condominium with the future Condominium Corporation and Westwind Niagara Developments Ltd. in order to control the development of lands as described in Schedule "A" of the Assumption Agreement which is attached hereto and forms part of this By-law; and

Whereas Report No. PDS-04-2019 was approved at the Council-in-Committee meeting of February 4, 2019, authorizing the Mayor and Clerk to execute the Assumption Agreement for The Oaks at Six Mile Creek – Block 83 Plan of Condominium with the future Condominium Corporation and Westwind Niagara Developments Ltd.; and

Whereas the Municipal Council of the Town of Fort Erie at its meeting of June 21, 2004 passed Resolution No. 25 to establish a practice whereby the Standard Form of Agreement would not be attached to the By-law and circulated to each Member of Council in advance of the particular Council Meeting, although Council has been informed under Report No. PDS-04-2019 of the Financial Schedule in the agreement, with the knowledge that the Clerk of the Town of Fort Erie is in possession of the full agreement at the subject Council Meeting.

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

1. **That** the entry into an Assumption Agreement with the future Condominium Corporation and Westwind Niagara Developments Ltd., substantially in the form attached as Appendix "1" and forming part of this by-law, is authorized and approved, subject to the future Condominium Corporation and Westwind Niagara Developments Ltd. first satisfying the provisions of the Agreement which are required to be satisfied prior to execution of the Agreement.
2. **That** subject to Section 1 of this by-law, the Mayor and Clerk are authorized and directed to execute the said Assumption Agreement and affix the corporate seal thereto, and all other documentation necessary to effect the terms and conditions of the said Agreement.

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 11th day of February, 2019.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 15 -2019 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____.
