

**CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2005-56**

**Being a By-law to authorize the execution of an Amending Agreement (Christopher Gauthier and Paula Gauthier)**

**WHEREAS** a Lease Agreement was entered into between the Corporation of the Town of Amherstburg and Christopher Gauthier and Paula Gauthier on the 1st day of March, 2004 for the use of a portion of the former Anderdon Municipal Building, Part Lot 7, Concession 3;

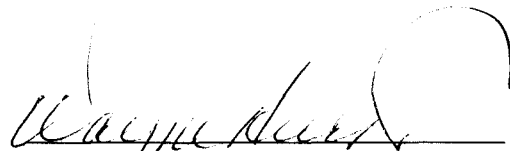
**AND WHEREAS** the tenants have requested to increase the permitted outside area on the facilities currently leased from that specified on the original Lease Agreement;


**AND WHEREAS** Council deems it advisable to enter into an Amending Agreement to adjust the said Lease Agreement to increase the permitted outside area to three thousand, three hundred square feet (3,300 sq. ft.);

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

1. That the Corporation of the Town of Amherstburg enter into an Amending Agreement with Christopher Gauthier and Paula Gauthier in the form hereto annexed, and the Mayor and Clerk be and they are hereby authorized and directed to sign the original and copies thereof, deliver copies to Christopher Gauthier and Paula Gauthier after execution has been completed.
2. That this By-law shall come into force and take effect on the date of final passage thereof.

Read a first, second and third time and finally passed this 13th day of June, 2005.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

Certified to be a true copy of By-law  
No. 2005-56 passed by the Council of the  
Town of Amherstburg on the 13<sup>th</sup>  
day of June, 2005.

\_\_\_\_\_  
Clerk

**AMENDING AGREEMENT**

This Agreement made in triplicate this        day of        ,        .

BETWEEN:

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**  
a municipal corporation under the laws of the Province of Ontario,  
hereinafter called the **LANDLORD**  
OF THE FIRST PART;

-and-

**CHRISTOPHER GAUTHIER AND PAULA GAUTHIER**  
Hereinafter called the **TENANTS**  
OF THE SECOND PART;

**WHEREAS** a Lease Agreement was entered into between the Corporation of the Town of Amherstburg and Christopher Gauthier and Paula Gauthier on the 1st day of March, 2004 for the use of a portion of the former Anderdon Municipal Building, Part Lot 7, Concession 3;

**AND WHEREAS** the tenants have requested to increase the permitted outside area on the facilities currently leased from that specified on the original Lease Agreement;

**AND WHEREAS** Council deems it advisable to enter into an Amending Agreement to adjust the said Lease Agreement to increase the permitted outside area to three thousand, three hundred square feet (3,300 sq. ft.);

**NOW THEREFORE THE PARTIES HERETO AGREE TO AMEND THE LEASE AGREEMENT DATED MARCH 1, 2004 AS FOLLOWS:**

1. Section 1.01(c) of the original Lease Agreement shall be replaced with the following:

THE TENANTS SHALL ALSO be permitted to utilize an area of up to THREE THOUSAND, THREE HUNDRED SQUARE FEET (3,300 sq. ft.) in an outside area of the Property in the immediate vicinity of the building on the Property, said area to be utilized as an outside playground area for the day-care centre to be carried on by the Tenants (the "**Playground Area**"). The exact location of the Playground Area on the Property shall be subject to the prior written approval of the Town, with regard to any applicable governmental authorities, requirements or guidelines. For greater certainty, the Tenant shall be responsible for the provision, installation, repair and maintenance of any playground equipment the Tenants may require for the Playground Area.

2. In all other respects the said Lease Agreement dated March 1, 2004 shall remain in full force and effect. This Agreement shall inure to the benefit of, and be binding upon the parties hereto, and their respective heirs, executors, administrators, successors and assigns.

**IN WITNESSETH WHEREOF** the Town of Amherstburg has hereto affixed its seals attested by the signatures of its proper signing officers and the Tenant has hereto affixed its seal attested by the signature of its proper signing officer in that regard.

SIGNED, SEALED AND DELIVERED  
In the presence of

**THE CORPORATION OF THE  
TOWN OF AMHERSTBURG**

Per: Wayne Hurst  
Wayne Hurst, Mayor

Per: David Mailloux  
David Mailloux, Clerk

We have authority to bind the corporation

**PAULA'S PLAYHOUSE CHILD  
CARE INC.**

Per: Christopher Gauthier  
Christopher Gauthier

Per: Paula Gauthier  
Paula Gauthier

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness