

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2012-80

**By-law to extend a Lease Agreement
between the Town of Amherstburg and Waterbee Pools Limited**

WHEREAS under Section 8 of the Municipal Act 2001, S.O., 2001, c. 25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS under Section 9. (1) (a) and (b) of the Municipal Act 2001, S.O., 2001, c. 25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg entered into a Lease Agreement with Waterbee Pools Limited dated the 1st day of January, 2010 to lease lands for a construction staging area for the Wastewater Treatment Plant expansion;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg wishes to extend said Lease Agreement;

NOW THEREFORE the Council of The Corporation of the Town of Amherstburg enacts as follows:

1. That the Lease Agreement between the Town of Amherstburg and Waterbee Pools Limited dated January 1, 2010 is hereby amended by extending the term of the Lease Agreement to December 31, 2013;
2. That all other terms and conditions of the Lease Agreement remain in effect.
3. That the said Extension of Licence Agreement is attached hereto as Schedule "A" and forms part of this By-law;
4. That the Mayor and Clerk are hereby authorized to sign and seal said Agreement on behalf of The Corporation of Town of Amherstburg;
5. This By-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and finally passed this 10th day of September, 2012



RON SUTHERLAND, DEPUTY MAYOR



PAULA PARKER, DEPUTY CLERK

This By-law amends
By-law 2009-94

THIS LEASE made in duplicate this 10 day of September, 2012,

BETWEEN:

WATERBEE POOLS LIMITED,
of the Town of Amherstburg and
Province of Ontario, hereinafter called the "Lessor"
OF THE FIRST PART

-and-

**THE CORPORATION OF THE TOWN OF
AMHERSTBURG,** of the said Town of
Amherstburg and Province of Ontario
hereinafter called the "Lessee"
OF THE SECOND PART

WHEREAS the Lessor is the current registered and beneficial owner of the property known as Part of Lot 3, Concession 1, Malden and being Parts 1 to 3 on Reference Plan 12R-4277, in the Town of Amherstburg, County of Essex (the Lessor's Property);

AND WHEREAS the parties have entered into a Lease Agreement on the 1st day of December, 2010 whereby the Lessor has granted the Lessee permission for the use of the Lessor's property as a construction staging area for the Wastewater Treatment Plant Expansion;

AND WHEREAS the aforementioned Lease expired on December 31, 2011;

AND WHEREAS the Lessee wishes to exercise its right and option to extend the Lease for a further term commencing on the 1st day of January, 2012 and ending on the 31st day of December, 2013;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements herein contained,

1. That the term of the Lease dated January 1, 2010 is hereby extended to December 31, 2013.
2. That all other terms and conditions of the Lease Agreement remain in full force and effect.

IN WITNESS WHEREOF the parties have affixed their corporate seals duly attested by the hands of their proper officers, duly authorized in that behalf.

**THE CORPORATION OF
THE TOWN OF AMHERSTBURG**


MAYOR - WAYNE HURST


CLERK - BRENDA M. PERCY

WATERBEE POOLS LIMITED


Name:

Title:
I have authority to bind the Corporation