The Corporation of the Town of South Bruce Peninsula

By-Law Number 90-2013

Being a By-Law to Authorize the Mayor and Clerk to Sign an Agreement with the Sauble Field Association for the Lease of Lands for Boat Launch Parking

Whereas Section 9 of the Municipal Act, 2001, SO 2001, c.25, as amended, provides that 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 the Corporation of the Town of South Bruce Peninsula is desirous of entering into an agreement with the Sauble Field Association for the lease of property known as the North Part of Lot 34, Concession D in the Town of South Bruce Peninsula for boat launch parking.

Now therefore the Corporation of the Town of South Bruce Peninsula enacts as follows:

1. That the Mayor and Clerk are hereby authorized to sign an agreement with the Sauble Field Association for the use of the North Part of Lot 34, Concession D for boat launch parking.

2. That the agreement including all schedules thereto shall be attached hereto and form part of this by-law.

3. That this by-law shall come into full force and effect upon the final passing thereof.

Read a first and second time this 20th day of August, 2013.

[Signatures]

Read a third time and finally passed this 20th day of August, 2013.

[Signatures]
This agreement made this 20\textsuperscript{th} day of August, 2013.

Between

JH Reynolds Ltd., The Sauble Field Association,
hereinafter called “The Association” of the first part;

And

The Corporation of the Town of South Bruce Peninsula,
hereinafter called “The Town” of the second part.

Whereas The Association has agreed to lease a portion of land to The Town for boat launch parking purposes in consideration of certain matters and things being done.

Now therefore this indenture witnesseth that in consideration of the premises, the parties hereto hereby covenant, promise and agree one party with the other as follows:

1. The Association will lease the land described in Schedule A hereto to The Town for a 5 year period.

2. The date of commencement of the lease shall be January 1, 2014.

3. The agreement shall terminate December 31, 2018 unless otherwise agreed upon by both parties on 30 days notice given prior to the date of termination.

4. The Town will pay the property taxes on The Association’s property, being the property included in assessment roll number 41-02-540-015-32000.

5. The Town will maintain the posts and cedar tree screening along the southerly limits of the property being leased.

6. The Town will maintain the posts along the easterly boundary between the property and Lakeshore Blvd to prevent direct access from the area being leased and the present parking lot to Lakeshore Blvd.

7. The Town will maintain the placement and enforcement of appropriate signs prohibiting the parking of vehicles other than ones with boat trailers.

8. The Town will perform regular litter pick-up and maintenance of the parking area.

9. The Town will place gravel if necessary on the leased portion to facilitate parking on the leased property.
10. Any further extension easterly of the present retaining wall at the boat ramp shall constitute violation of this lease and immediately clause the termination of this agreement superseding the termination date as contained in Clause 3 hereto.

11. The Town shall indemnify and save The Association harmless from all claims for loss or damage on the lands being leased while this agreement is in effect.

In witness whereof the parties hereto have hereunder set their hands and seals as attested by the officers duly authorized in that behalf.

Signed, sealed and delivered in the presence of:

JH Reynolds Ltd.,
The Sauble Field Association

Witness

The Corporation of the Town of South Bruce Peninsula

Mayor

Clerk
Schedule A

Being that portion of the lands described in Registered Instrument Number 10263 registered in the Land Registry Office for the County of Bruce described as follows:

North Part of Lot 34, Concession D, Town of South Bruce Peninsula

Commencing at a point where the southerly limit of road allowance known as Sauble Falls Road intersects the travelled portion of Lakeshore Boulevard, which point shall be known as the point of commencement thence westerly 150 feet along the original southerly boundary of the road allowance now known as Sauble Falls Road, thence southerly 40 feet, thence easterly 150 feet parallel to the northerly boundary, thence northerly 40 feet parallel to the westerly boundary to the point of commencement.