

CITY OF BURNABY

BYLAW NO. 10406

A BYLAW to authorize an Agreement with the Board of School Trustees to contribute to the cost of facilities

WHEREAS Council is authorized by section 682 of the Municipal Act to enter into an agreement with the Board of School Trustees to contribute to the cost of construction, maintenance, operation or use of facilities for community uses, on a site the title of which is vested in or is held by a party to the Agreement;

AND WHEREAS The Board of School Trustees of School District No. 41 (Burnaby) is the registered owner or lessee of the lands situated in the City of Burnaby and known as 12th Avenue Elementary School (hereinafter called "the said school");

AND WHEREAS Council is desirous of contributing the amount of Three Thousand Dollars (\$3,000) to the cost of playground development at the said school;

NOW THEREFORE the Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as BURNABY COMMUNITY FACILITIES CONTRIBUTION AGREEMENT BYLAW NO. 2, 1996.
2. The Council is hereby authorized and empowered to enter into the Agreement contained in Schedule "A" with The Board of School Trustees of School District No. 41

(Burnaby) to contribute Three Thousand Dollars (\$3,000) to the cost of playground development at the said school.

Read a first time this 10th day of JUNE 1996

Read a second time this 10th day of JUNE 1996

Read a third time 10th day of JUNE 1996

RECONSIDERED AND ADOPTED THIS 17th day JUNE 1996

MAYOR

CLERK

THIS AGREEMENT made the 18th day of June 1996

BETWEEN:

CITY OF BURNABY
4949 Canada Way
Burnaby, B.C. V5G 1M2

(hereinafter called "the City")

OF THE FIRST PART

AND:

THE BOARD OF SCHOOL TRUSTEES OF
SCHOOL DISTRICT NO. 41 (BURNABY)
5325 Kincaid Street
Burnaby, B.C. V5G 1W2

(hereinafter called "the School Board")

OF THE SECOND PART

WHEREAS the City is authorized by Bylaw No. 10406 to enter into an agreement with the School Board for the purpose of contribution to the cost of developing playgrounds at certain school sites in Burnaby more particularly described below;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereafter set out the parties hereto agree as follows:

1. The School Board covenants that it is the registered owner or lessee of those lands and premises in the City of Burnaby known as 12th Avenue Elementary School, such lands being more particularly described as:

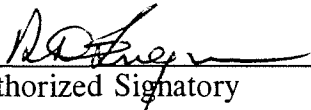
(a) Parcel Identifier: 010-487-298

Lot F, District Lot 29, Group 1, New Westminster District, Plan 19224

(hereinafter called "the said school"); and FURTHER the School Board covenants that the playground development will be completed at the said school in 1996.

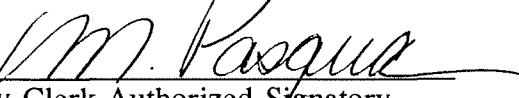
2. The City agrees to pay to the School Board Three Thousand Dollars (\$3,000) as a contribution to the cost of the playground development for the said school.

THE CORPORATE SEAL OF THE BOARD OF
SCHOOL TRUSTEES OF SCHOOL DISTRICT
NO. 41 (BURNABY) WAS HEREUNTO
AFFIXED IN THE PRESENCE OF:



Authorized Signatory

THE CORPORATE SEAL OF THE CITY
OF BURNABY WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:



City Clerk-Authorized Signatory
Maryann I. Pasqua
DEPUTY CITY CLERK