

CITY OF BURNABY

BYLAW NO. 10549

A BYLAW to authorize an Agreement with the Board of School Trustees to contribute to the cost of facilities at Seaforth Elementary School and Second Street Community School

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 Seaforth Elementary School and Second Street Community School (hereinafter called "the said schools");

AND WHEREAS Council is desirous of contributing to the cost of playground development at the said schools;

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. 1, 1997.

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 Seaforth Elementary School and Three Thousand Dollars (\$3,000) to the cost of playground development at Second Street Community School.

Read a first time this 10th day of MARCH 1997

Read a second time this 10th day of MARCH 1997

Read a third time 10th day of MARCH 1997

RECONSIDERED AND ADOPTED THIS 24th day MARCH 1997


ACTING MAYOR


CLERK

SCHEDULE "A"

THIS AGREEMENT made the 17th day of March 1997

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. 10549 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:

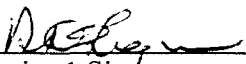
1. The School Board covenants that it is the registered owner or lessee of those lands and premises in the City of Burnaby known as Seaforth Elementary School and Second Street Community School, such lands being more particularly described as:

- (a) Parcel Identifier: 003-186-075
Parcel "A" (Reference Plan 5421) Lot 1, District Lot 42,
Group 1, New Westminster District, Plan 3055;
- (b) Lots 1 and 2, Block 20, District Lot 27, Group 1,
New Westminster District, Plan 697;

respectively (collectively referred to hereinafter as "the said schools"); and FURTHER the School Board covenants that the playground projects will be developed at the said schools in 1997.


2. The City agrees to pay to the School Board Six Thousand Dollars (\$6,000) as a contribution to the cost of playground projects for the two said schools.

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