

CITY OF BURNABY

BYLAW NO. 10704

A BYLAW to authorize an Agreement with the Board of School Trustees to jointly use and maintain facilities at Westridge Elementary School

WHEREAS Council is authorized by section 611 of the *Municipal Act* to enter into an agreement with the Board of School Trustees to jointly construct, maintain, operate or use 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 Westridge Elementary School (hereinafter called "the said school");

AND WHEREAS the parties desire to jointly maintain, operate and use the said school and, in particular, to replace the backstop;

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

1. This Bylaw may be cited as BURNABY COMMUNITY FACILITIES CONSTRUCTION AGREEMENT BYLAW 1998.
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

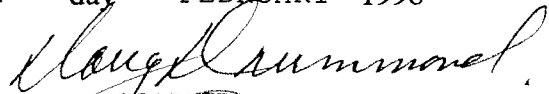

(Burnaby) to replace the existing backstop at the said school in an amount not exceeding Forty Thousand Dollars (\$40,000).

Read a first time this 26th day of JANUARY 1998

Read a second time this 26th day of JANUARY 1998

Read a third time 26th day of JANUARY 1998

RECONSIDERED AND ADOPTED THIS 2nd day FEBRUARY 1998

  
MAYOR  
  
CLERK

SCHEDULE "A"

THIS AGREEMENT made the            day of            1998

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. 10704 to enter into an agreement with the School Board for the purpose of upgrading the sportsfield at Westridge Elementary School 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 Westridge Elementary School such lands being more particularly described as:

- (a) Parcel Identifier: 009-889-566  
Lot "B", Except: Part Subdivided by Plan 14187,  
District Lot 206, Group 1, New Westminster District, Plan 14123;
- (b) Parcel Identifier: 014-340-712  
Lot "P", District Lot 206, Group 1,  
New Westminster District, Plan 12826;


(referred to hereinafter as "the said school");

2. The parties agree to jointly use and maintain facilities at the said school and, in particular, agree that the City will replace the backstop on the sportsfield.

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

SCHEDULE "A"

THIS AGREEMENT made the 27<sup>th</sup> day of January 1998

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)  
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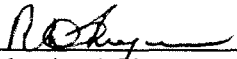
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NO. 41 (BURNABY) WAS HEREUNTO  
AFFIXED IN THE PRESENCE OF:

  
\_\_\_\_\_  
Authorized Signatory

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

  
\_\_\_\_\_  
City Clerk-Authorized Signatory

Ann L. Lorentsen  
ADMINISTRATIVE OFFICER