

CITY OF BURNABY

BYLAW NO. 10775

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

Read a first time this 22nd day of JUNE 1998

Read a second time this 22nd day of JUNE 1998

Read a third time this 22nd day of JUNE 1998

Reconsidered and adopted this 13th day of JULY 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. 10775 to enter into an agreement with the School Board for the purpose of contribution to the cost of developing a playground at a certain school site 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:

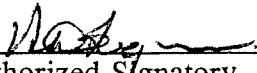
1.                      The School Board covenants that it is the registered owner or lessee of those lands and premises in the City of Burnaby known as Cascade Heights Elementary School such lands being more particularly described as:

Parcel Identifier: 009-749-128  
Lot "D", District Lot 68, Group 1,  
New Westminster District, Plan 12901

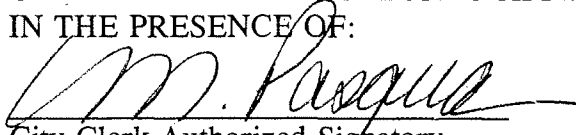
(hereinafter as "the said school"); and FURTHER the School Board covenants that the playground project will be developed at the said school in 1998.

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**