

THE CORPORATION OF THE DISTRICT OF BURNABY

BYLAW NO. 9463

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 of the lands  
situated in the Municipality of Burnaby and known as Forest Grove  
Elementary School and Burnaby North Secondary School;

AND WHEREAS Council is desirous of contributing the  
amount of Forty-six Thousand Seven Hundred and Fifty Dollars  
(\$46,750) to the cost of developing a pedestrian trail on Forest  
Grove Elementary School property and softball backstops at  
Burnaby North Secondary School;

NOW THEREFORE the Council of The Corporation of the  
District of Burnaby ENACTS as follows:

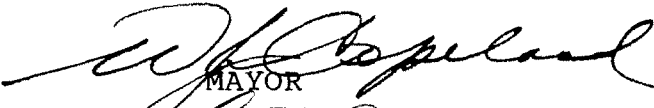

1. This Bylaw may be cited as BURNABY COMMUNITY FACILITIES  
CONTRIBUTION AGREEMENT BYLAW NO. 2, 1990.
2. The Council is hereby authorized and empowered to enter  
into the Agreement contained in Schedule "A" with The Board of  
School Trustees of School District No. 41 (Burnaby) to contribute  
Forty-six Thousand Seven Hundred and Fifty Dollars (\$46,750) to  
the cost of developing a pedestrian trail on Forest Grove  
Elementary School property and softball backstops at Burnaby  
North Secondary School.

Read a first time this 17th day of SEPTEMBER 1990

Read a second time this 17th day of SEPTEMBER 1990

Read a third time this 17th day of SEPTEMBER 1990

RECONSIDERED AND ADOPTED THIS 24th day of SEPTEMBER 1990

  
MAYOR  
  
CLERK

THIS AGREEMENT made the            day of            1990

BETWEEN:

THE CORPORATION OF THE DISTRICT OF BURNABY  
4949 Canada Way  
Burnaby, B.C. V5G 1M2  
(hereinafter called "the Corporation")

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 Corporation is authorized by Bylaw No. 9463 to enter into an agreement with the School Board for the purpose of contributing to the cost of developing a pedestrian trail on Forest Grove Elementary School property and softball backstops at Burnaby North Secondary School;

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 of those lands and premises in the Municipality of Burnaby known as Forest Grove Elementary School and Burnaby North Secondary School; such lands being more particularly described as:

(a) Lot 2, District Lot 134, Group 1, New Westminster  
District, Plan 69855


(b) Lot 50, District Lot 205, Group 1, New Westminster

District, Plan 28983

respectively;

2. The Corporation agrees to pay to the School Board Eleven Thousand Seven Hundred and Fifty Dollars (\$11,750) as a contribution to the cost of developing a pedestrian trail on Forest Grove Elementary School and Thirty-five Thousand Dollars (\$35,000) as a contribution to the cost of developing softball backstops at Burnaby North Secondary School; such payment being Forty-six Thousand Seven Hundred and Fifty Dollars (\$46,750) in total.

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 CORPORATION  
OF THE DISTRICT OF BURNABY WAS  
HEREUNTO AFFIXED IN THE PRESENCE OF:

\_\_\_\_\_  
Municipal Clerk-Authorized Signatory