

THE CORPORATION OF THE DISTRICT OF BURNABY

BYLAW NO. 9771

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;

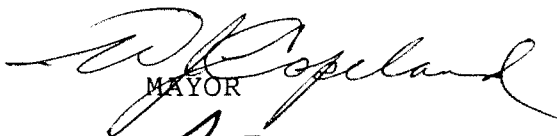

AND WHEREAS The Board of School Trustees of School  
District No. 41 (Burnaby) is the registered owner of the lands  
situated in the Municipality of Burnaby and known as Cascade  
Heights Elementary School, Gilmore Community School, Lyndhurst  
Elementary School and Aubrey Elementary School (hereinafter  
called "the said schools");

AND WHEREAS Council is desirous of contributing the  
amount of Twelve Thousand Dollars (\$12,000) to the cost of  
playground equipment for the said schools;

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. 1, 1992.
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  
Twelve Thousand Dollars (\$12,000) to the cost of playground  
equipment for the said schools.

Read a first time this 27th day of JULY 1992  
Read a second time this 27th day of JULY 1992  
Read a third time this 27th day of JULY 1992  
RECONSIDERED AND ADOPTED THIS 10th day of AUGUST 1992

  
MAYOR  
  
CLERK

THIS AGREEMENT made the 10th day of August

1992

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. 9771 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 of those lands and premises in the Municipality of Burnaby known as Cascade Heights Elementary School, Gilmore Community School, Lyndhurst Elementary School and Aubrey Elementary School; such lands being more particularly described as:

- (a) Lot "D", District Lot 68, Group 1, New Westminster District, Plan 12901;
- (b) Block 9, District Lot 187, Group 1, New Westminster District, Plan 1282;
- (c) Parcel "A" (Explanatory Plan 13004) Lot 1, District Lot 8, Group 1, New Westminster District, Plan 957 and
- (d) Lot "P", District Lot 129, Group 1, New Westminster District, Plan 19466

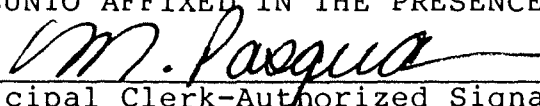
respectively (collectively referred to hereinafter as "the said schools"); and FURTHER the School Board covenants that children's playgrounds will be developed at the said schools in 1992.

2. The Corporation agrees to pay to the School Board Three Thousand Dollars (\$3,000) as a contribution to the cost of developing children's playgrounds at each of the four said schools; such payment being Twelve Thousand Dollars (\$12,000) 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