



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 123-99

**BEING A BY-LAW TO AMEND BY-LAW NO. 212-86 (BEING THE
ASSIGNMENT OF THE NIAGARA PENINSULA
CONSERVATION AUTHORITY LEASE TO THE FORT ERIE
CONSERVATION CLUB FOR USE OF CERTAIN LANDS AT THE
STEVENSVILLE CONSERVATION AREA) (L07.95.02)**

WHEREAS By-law No. 212-86 authorizes the assignment of the Niagara Peninsula Conservation Authority lease to the Fort Erie Conservation Club for use of certain lands at the Stevensville Conservation area, and

WHEREAS the Fort Erie Conservation Club has made a request to the Gaming Services Committee to build an addition to the existing clubhouse, and

WHEREAS the Gaming Services Committee has granted approval of the proposed addition, conditional upon the Fort Erie Conservation Club being responsible for the payment of all municipal taxation effective January 1, 2000, and

WHEREAS at the Council-in-Committee meeting of July 12, 1999, Report No. F-38-99 was approved authorizing that a by-law be submitted to Council to amend By-law No. 212-86 by adding a clause that the Fort Erie Conservation Club be responsible for all municipal taxation effective January 1, 2000, and

WHEREAS it is deemed necessary to amend the assigned Lease Agreement by adding a clause that the Fort Erie Conservation Club be responsible for the payment of all municipal taxation effective January 1, 2000;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

- (1) THAT** entry into the Assignment of Lease Addendum No. 1 with the Fort Erie Conservation Club for the leasing of lands at the Stevensville Conservation Area in the form of Schedule "A" annexed hereto to this by-law be and it is hereby approved and authorized.

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- (2) THAT the Mayor and Clerk be and they are hereby authorized and directed to execute the Assignment of Lease Addendum No. 1 annexed hereto as Schedule "A" to this by-law and to affix the corporate seal thereto.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19th
DAY OF JULY, 1999.



MAYOR



CLERK

I, the Clerk, Carolyn J. Booth, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 123-99 of the said Town. Given under my hand and the seal of the said Corporation this _____ day of _____, 19____.

SCHEDULE "A" TO BY-LAW NO. 123-99

ASSIGNMENT OF LEASE

ADDENDUM NO. 1

This Agreement made in triplicate day of , 1999.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT ERIE
hereinafter called the "Corporation" **OF THE FIRST PART;**

-AND-

THE FORT ERIE CONSERVATION CLUB
hereinafter called the "Conservation Club" **OF THE SECOND PART;**

WHEREAS the parties entered into an Assignment of Lease Agreement dated the 8th day of December, 1996, and

WHEREAS the parties have agreed to amend the aforesaid Assignment of Lease Agreement;

NOW THEREFORE in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. **THAT** the Assignment of Lease dated the 8th day of December, 1996 between the parties hereto relating to the use of 4.84 acres of the Stevensville Conservation Area situate in the Town of Fort Erie, in the Regional Municipality of Niagara, being part of Lots 11 and 12, Concession 13, for the former Township of Bertie, now in the Town of Fort Erie and designated as Part 1 on Reference Plan 59R-4747 shall be amended by the addition of the following clause thereto:

"1.(a) The Conservation Club shall be responsible for the payment of all municipal taxation commencing January 1, 2000."

All other terms and provisions of the said Assignment of Lease shall remain in full force and effect.

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IN WITNESS THEREOF the Mayor and Clerk of the Corporation of the Town of Fort Erie have hereunto set their hands and affixed the Corporate Seal and The Fort Erie Conservation Club has hereunto set its Corporate Seal duly attested by the hands of its proper officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED)
in the presence of:)

THE CORPORATION OF THE
TOWN OF FORT ERIE:

Mayor

Clerk

THE FORT ERIE CONSERVATION CLUB:
