

CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

BY-LAW NO. 13-03-602

BEING A BY-LAW TO PROVIDE AMENDMENTS TO AN AGREEMENT,
BY-LAW 24-2000 TOWNSHIP OF ROSS and
BY-LAW 02-06-68 TOWNSHIP OF WHITEWATER REGION
WITH CHAMPLAIN VILLAGE OF COBDEN
FOR THE PURPOSE OF A MAINTENANCE AGREEMENT

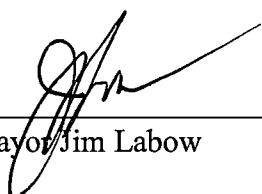
WHEREAS pursuant to the Municipal Act, R.S.O. 1990 Chapter M.45, as amended, a Council may enter into agreements;

AND FURTHER that the Municipal Council for the Township of Whitewater Region deems it necessary to enter into an agreement with Champlain Village of Cobden for the purposes of a maintenance agreement for water and sewer services at the property located on Con 2, Pt Lot 13, RP 49R 14459 Parts 4, 8 and 10.

THEREFORE the Council of the Corporation of the Township of Whitewater Region enacts that:

1. The Head of Council and the CAO are hereby authorized to enter into an amending agreement with the Champlain Village of Cobden for the purposes of water and sewer services on the property located at Concession 2, Pt. Lot 13, RP 49R 14459 Parts 4, 8 and 10 (Schedule 'A' attached.)
2. This Agreement shall provide amendments to the agreements executed by by-law 24-2000 of the Township of Ross dated December 13th, 2000 AND by-law 02-06-68 of the Township of Whitewater Region dated June 5th, 2002.
3. All By-Laws or parts of By-Laws previously passed that are inconsistent with the provisions of By-Law 13-03-602 are hereby repealed.

Passed this 20th day of March, 2013.



Mayor Jim Labow



CAO Christine FitzSimons

Schedule "A"

AMENDING AGREEMENT made this 20th day of March, 2013

BETWEEN:

CHAMPLAIN VILLAGE OF COBDEN

Herein called the Part of the First Part, and

CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

Herein called the Township of the Second Part

WHEREAS the Party of the First Part and the Party of the Second Part entered into an agreement relating to the management of maintenance and service facilities for the retirement resort on the lands and premises described in Schedule "A" annexed hereto, which agreement was dated December 13 2000 and amended June 5, 2002.

AND WHEREAS the Parties wish to amend the agreement in accordance with the terms hereinafter provided.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants hereinafter set forth, the Parties hereto agree as follows:

- 1. Section 6 shall be amended to read as follows:

The Reserve Fund shall be held by the Trustee. The Owner shall maintain the Reserve Fund at \$10,000 without further additional payments. If any of the reserve fund is used for water and/or septic system repairs, the Owner will add to the fund to maintain it at \$10,000. The Reserve Fund shall be held in trust pursuant to the provisions of this agreement. The Trustees may invest such Funds in investments authorized for Trustees by the Trustee Act.

- 2. This agreement shall be binding on the parties hereto, their successors and assigns and the Owners from time to time of the lands.

IN WITNESS WHEREOF the Parties have hereunto affixed their respective corporate seals attested by the signatures of their proper officers the day and year first above written.

CHAMPLAIN VILLAGE OF COBDEN

per: Arnold D Payton

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

per: Jim Labow
Mayor Jim Labow

per: Christine FitzSimons
CAO Christine FitzSimons