

**THE CORPORATION OF THE CITY OF KENORA**

**BY-LAW NUMBER 90-2005**

**A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN  
THE CORPORATION OF THE CITY OF KENORA AND THE UKRAINIAN  
WOMEN'S ASSOCIATION**

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**WHEREAS** The Corporation of the City of Kenora deems it necessary to execute an agreement with the Ukrainian Women's Association for ownership of maintenance, vandalism and possible re-location of the commemorative Ukrainian monument on the Harbourfront;

**NOW THEREFORE**, the Corporation of the City of Kenora hereby enacts as follows:-

1. **THAT** The Corporation of the City of Kenora hereby enters into an Agreement with the Ukrainian Women's Association in accordance with the terms and conditions of said Agreement.
2. **THAT** the Mayor and Clerk be and are hereby authorized to execute the attached agreement on behalf of the Corporation of the City of Kenora.
3. **THAT** this By-Law shall come into force and be in effect from and after final passing thereof.

**By-law read a First and Second Time this 27 day of June, 2005**

**By-law read a Third and Final Time this 27 day of June, 2005**

**THE CORPORATION OF THE CITY OF KENORA:**

.....**MAYOR**  
**David Canfield**

.....**CITY CLERK**  
**Joanne McMillin**

THIS AGREEMENT made this 27<sup>th</sup> day of June 2005

BETWEEN:

THE CORPORATION OF THE CITY OF KENORA  
(Hereinafter called "City") of the First Part

- and -

UKRAINIAN WOMEN'S ASSOCIATION  
(Hereinafter called "Women's Association") of the Second Part

WHEREAS the City is the owner of the Harbourfront and Green Belt area located adjacent to Lake of the Woods in the City of Kenora; and

WHEREAS the Women's Association has requested to erect a monument to commemorate the Century of Ukrainian Settlement in Canada; and

WHEREAS the City and the Women's Association have established an agreed to area of the Harbourfront to erect the monument as set out on Schedule "A" attached hereto; and

WHEREAS the City and Women's Association have reached an agreement on the terms of use for the property to be utilized for this purpose;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises noted below, the parties hereto covenant and agree as follows:-

1. **THAT the Women's Association** agrees to erect the monument in accordance with the following and shall be responsible for:-
  - a. paying a fee of \$1.00 plus applicable taxes for use of the area in perpetuity;
  - b. purchasing and installing the commemorative monument;
  - c. site preparation and clean up, including the purchase and installation of the concrete foundation (minimum size of foundation – recommend: 8 feet x 8 feet x 2 feet minimum in depth), and (recommend obtaining a one (1) year guarantee on the workmanship);
  - d. repairing the stone or foundation from vandalism, which could include defacing or damaging the monument if knocked over (recommend getting monument insurance).
  - e. the re-location of the monument, should the existing site be required for downtown revitalization.
  
2. **THAT the City** agrees to be responsible for:-
  - a. turf maintenance of the area;
  - b. installation of a four (4) foot pathway to the site (brick or concrete sidewalk)

IN WITNESS WHEREOF the parties have hereunto affixed their hands and seals on the 27 day of June 2005.

for The Corporation of the City of Kenora:-

per \_\_\_\_\_ David S. Canfield MAYOR

per \_\_\_\_\_ Joanne L. McMillin CLERK

for the Ukrainian Women's Association:-

per \_\_\_\_\_ NAME: \_\_\_\_\_

per \_\_\_\_\_ NAME: \_\_\_\_\_

Signed in the presence of:-

per \_\_\_\_\_ Witness

