

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 36-2006

A BY - LAW TO EXECUTE AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF KENORA AND THE FRIENDS OF OLD KEEWATIN BALLPARK

WHEREAS the Corporation of the City of Kenora deems it necessary to execute an Agreement between the Corporation of the City of Kenora and The Friends of Old Keewatin Ballpark for the park located on the corner of 10th Street and Superior Street for use of funds raised for the park;

NOW THEREFORE the Council of the Corporation of the City of Kenora enacts as follows:

1. **That** the Mayor and Clerk of the Corporation of the City of Kenora are hereby authorized to execute an Agreement between The Corporation of the City of Kenora and The Friends of Old Keewatin Ballpark for the park located on the corner of 10th Street and Superior Street for use of funds raised for the park, in accordance with the terms and conditions therein and affix the Seal of the Corporation thereto.
2. **THAT** this by-law shall come into force and be in effect from and after the final passing thereof.

**BY-LAW READ A FIRST AND SECOND TIME THIS 27TH DAY OF MARCH, 2006.
READ FOR A THIRD & FINAL TIME THIS 27TH DAY OF MARCH, 2006.**

THE CORPORATION OF THE CITY OF KENORA

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

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

THIS AGREEMENT made this 27th day of March 2006

BETWEEN:

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

- and -

**THE FRIENDS OF OLD KEEWATIN BALLPARK
(Hereinafter called "Friends")
of the Second Part**

WHEREAS the City is the owner of the Keewatin Central park located on the corner of 10th Street and Superior Street (Keewatin) in the City of Kenora; and

WHEREAS the Friends have met and exceeded their fundraising goal challenge of twenty-thousand dollars (\$20,000) towards the purchase of a new play structure for Keewatin Central Park; and

WHEREAS the City has twenty-thousand (\$20,000) in parks reserves for this project, which includes primarily landscaping funds; and

WHEREAS the proposal process has been completed for the purchase of the play structure; and

WHEREAS the City and Friends have reached an agreement on the terms of use for the property to be used for this purpose;

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

- #1. THAT the Friends agree to:-**
- a. fundraise to a goal of \$20,000.00 (twenty thousand dollars);**
 - b. turn over all monies fundraised to the City of Kenora, to be placed in a separate City account; to be used only for the Keewatin Central Park project;**
 - c. any funds remaining after completion of the play structure project be allocated through the Friends Committee for betterment of the park.**

#2. **THAT the City agrees to:-**

- a. **match dollar for dollar which is fundraised by Friends, up to twenty-thousand dollars (\$20,000) towards the play structure project,**
- b. **assume ownership and liability of the play structure and any other structures placed on site**
- c. **work with the Friends to allocate any outstanding funds towards the betterment of the park**

IN WITNESS WHEREOF the parties have hereunto affixed their

hands and seals on the _____ day of _____ 2006.

for The Corporation of the City of Kenora:-

per _____ **David S. Canfield MAYOR**

per _____ **Joanne L. McMillin CLERK**

for Friends of Old Keewatin Ballpark:-

per _____ **Print Name: _____**

per _____ **Print Name: _____**

Signed in the presence of (Witness):-

per _____ **Print Name: _____**

