

The Corporation of the City of Kenora

By-law Number 116 - 2012

A By-law to Amend By-law Number 139-2011 to authorize the execution of an Amended Offer of Purchase and Sale Agreement between the Lake of the Woods Brewing Company Inc. and the Corporation of the City of Kenora with respect to 350 Second Street South.

Whereas Council formally accepted a proposal from the Lake of the Woods Brewing Company Inc. to re-develop Fire Hall No. 1 located at 350 Second Street South in the city of Kenora by way of passing Resolution Number 2 on November 29, 2010; and

Whereas Resolution Number 2 authorized the Chief Administrative Officer under authority of Delegation By-law Number 161-2010 to enter into the agreement of purchase and sale with the Lake of the Woods Brewing Company Inc. on behalf of the City of Kenora; and

Whereas on February 15, 2011, the Chief Administrative Officer was directed to execute 'Amended Offer Number One' to the agreement of purchase and sale with respect to an extension to the closing date of the agreement from February 28, 2011 to July 31, 2011; and

Whereas on July 18, 2011, the Mayor and Clerk were authorized to execute Amended Offer No. 2, to extend the closing date from July 31, 2011 to November 30, 2011; and

Whereas on December 19, 2011, Council authorized the Mayor and Clerk to enter into an agreement of purchaser and sale for the said lands; and

Whereas it is deemed necessary and expedient to further amend the original agreement (Section 2) to extend the required time to June 30th, 2013 to obtain the required licenses, brew beer and sell beer retail on site;

Now Therefore Be It Resolved that the Council of the City of Kenora enacts as follows:-

- 1) That the purchase and sale agreement between the Lake of the Woods Brewing Company Inc. and the Corporation of the City of Kenora be and is hereby amended by extending the required time to obtain the required licenses, to brew beer and sell beer retail on site to June 30th, 2013;
- 2) That the purchase and sale agreement between the Lake of the Woods Brewing Company Inc. and the Corporation of the City of Kenora be and is hereby amended by amending Section 2 of the Original Agreement to extend the required time to obtain the required licenses, to brew beer and sell beer retail on site to June 30th, 2013;
- 3) The Original Agreement and all related documents are hereby amended as aforesated;
- 4) All other terms of the Original Agreement and conditions remain the full force and effect
- 5) That the Mayor and Clerk be and are hereby authorized to execute the Amended Offer Number Three to the agreement of purchase and sale in accordance with the terms and conditions as attached hereto, and to affix the seal of the Corporation thereto;

- 6) That this by-law amends By-law Number 139-2011;
- 7) That this by-law shall come into force and take effect upon third and final reading thereof.

By-law read a First and Second Time this 22 day of October, 2012
By-law read a Third and Final Time this 22 day of October, 2012

The Corporation of the City of Kenora:

David S. Canfield, Mayor

Joanne L. McMillin, Clerk