

# The Corporation of the City of Kenora

## By-law Number 88 - 2019

### **A By-law to authorize the Execution of a Indemnification Agreement between the Corporation of the City of Kenora and REIT for the Construction of City Infrastructure on REIT Mall Lands as part of the Downtown Revitalization Project**

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Whereas the Downtown Revitalization project involves work that will be constructed on REIT Mall lands that specifically relate to a portion of the roundabout located at the current intersection of Park St and First St S, the relocation of the Mall pylon sign and connection of new sewer, water and storm services to the Mall; and

Whereas REIT has agreed to donate a triangular piece of land to the City in order for the roundabout to be constructed as part of the Downtown Revitalization project; and

Whereas REIT has requested an indemnification agreement between the City and REIT, pertaining to work that is to be conducted by the City's contractor on REIT lands, be executed prior to the start of work; and

Whereas the transfer of lands by REIT to the Corporation of the City of Kenora will be completed after construction to ensure a second field survey would not be required due to survey bars being disturbed during construction in addition to ensuring the newly constructed City infrastructure will be within the limits of the property to be transferred; and

Whereas it is deemed necessary and expedient to enter into this indemnification agreement with REIT for this purpose;

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows:-

1. That the Council of the Corporation of the City of Kenora hereby authorizes the CAO to execute an indemnification agreement with REIT for construction of City infrastructure on REIT Mall Lands as part of the Downtown Revitalization project.
2. That said lands will be transferred to the City following completion of construction which have been donated to the City by REIT.
3. That this By-law shall take effect and come into force upon third and final passing thereof.

**By-Law read a First and Second Time this 21<sup>st</sup> day of May, 2019  
By-Law read a Third and Final Time this 21<sup>st</sup> day of May, 2019**

**The Corporation of the City of Kenora:-**

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**Daniel Reynard, Mayor**

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**Heather Pihulak, City Clerk**