

Attachment 2 - Proposed Agreement with J. Kalbol Enterprises Inc

This Agreement made in triplicate this Choose an item. day of Choose an item., 2020.

Between:

The Corporation of The Town of Tecumseh
(hereinafter called the "Town")

Of the First Part

- and -

J. Kalbol Enterprises Inc.
(hereinafter called the "Owner")

Of the Second Part

Whereas; Mary Ellen Morand (hereinafter the "Original Owner") entered into a parking agreement with the Town on April 19, 1999 (herein "the Original Agreement") to share parking with the Town on property owned by the Original Owner and legally described as Lot 16 PL 293 Sandwich East; Lot 17 PL 293 Sandwich East; Tecumseh; Lot 5, Lot 6, PL 293 Sandwich East save and except for Part 1 PL 12R9127; Tecumseh (herein "the Property");

And Whereas; on or about July 9, 2009, Owner purchased the Property from the Original Owner, and assumed the Original Agreement, including all rights and obligations of the Original Owner;

And Whereas on or about November 9, 2010, the Owner and the Town entered into an Amending Agreement, extending the term of the Original Agreement, including all rights and obligations of the Original Agreement;

And Whereas the Original Agreement and the Amending Agreement are collectively known as the "Agreement";

And Whereas the Town has requested a further extension of the term of the Agreement and the Owner is agreeable to extending the Term subject to the terms and conditions set forth in this agreement;

Now This Agreement Witnesseth that in consideration of the premises, other good and valuable consideration, and the sum of One dollar (\$1.00) now paid by the Owner to the Town, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1) The Town acknowledges that the term of the Agreement is further extended from the end date as set forth in paragraph 1 of the Amending Agreement to December 31, 2025, and the yearly fees called for under Section 5.1 of the Original Agreement shall continue accordingly;
- 2) This Agreement shall be registered on title to the property at the expense of the Town;
- 3) The parties otherwise agree that in all other respects, each and every of the provisions, terms, conditions and covenants contained in the Agreement, be and they are hereby ratified and confirmed, to be fully enforced in accordance with their provisions;
- 4) The Agreement and this Amending Agreement shall ensure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

In Witness Whereof the parties hereto have hereunder set their hands and seals under the hands of their proper Officers duly appointed in that behalf.

Signed, Sealed and Delivered
In The Presence of

The Corporation of The Town of Tecumseh
By:

Name: Gary McNamara
Title: Mayor

Seal

Name: Laura Moy
Title: Director Corporate Services & Clerk

J. Kalbol Enterprises Inc.
By:

Witness

Name: John Kalbol, President