

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #445 (1978)

Being a by-law to authorize the borrowing of money by way of temporary advances pending the issue and sale of the debentures authorized by By-law #366 (1976).

WHEREAS the Council of the Corporation of the Town of Pelham has enacted its By-law #366 (1976), passed on the 19th. day of December, 1977, duly authorizing the issue and sale of debentures for raising a sum not exceeding \$145,268 for the following purpose; namely, the cleaning of the Big Creek Drain and the borrowing of money by way of temporary advances and the issuance of debentures by the Region of Niagara;

AND WHEREAS prior to the passing of the said by-law, the approval of the Ontario Municipal Board was first obtained, as evidenced by the Order of the said Board dated the 12th. day of December, 1977;

AND WHEREAS By-law #366 (1976), as amended, was passed by a vote of three fourths (3/4) of all members of Council;

AND WHEREAS the by-law does not require the assent of the electors or of those qualified to vote on money by-laws;

AND WHEREAS Ontario Municipal Board approval has been received;

AND WHEREAS the Corporation desires to borrow money as temporary advances pending the issue and sale of the said debentures;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

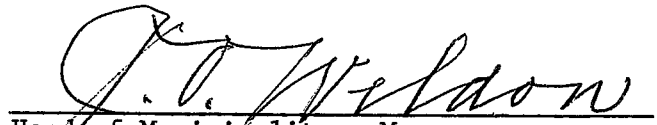
(1) The Corporation agrees to borrow and doth hereby authorize the borrowing from the Canadian Imperial Bank of Commerce, Fonthill Branch, as temporary advances pending the issue and sale of the debentures above recited such sums as may be required but not exceeding a total of \$145,268 on the terms and subject to the conditions set forth in this by-law.

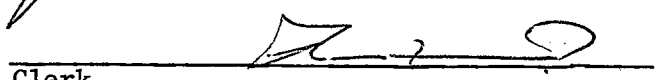
(2) Within the limit aforesaid and as monies are required from time to time for the purpose above recited, the Head and Treasurer, acting on behalf of the Corporation, are hereby authorized to borrow monies from the said Bank for the said purpose pending the issue and sale of the debentures authorized as aforesaid and to sign and deliver to the said Bank such promissory note or notes as may be required for the repayment of the monies borrowed at such time or times and at such rate of interest as may be agreed upon with the said Bank, but not exceeding the prime rate of the said Bank per annum, and to affix the Corporate Seal of the Corporation to such promissory note or notes.

(3) The Head and Treasurer are hereby authorized to assign and pledge the said debentures to the said Bank upon the issue thereof to be held by the said Bank as collateral security for all monies borrowed under this by-law and interest thereon and to assign to the said Bank the monies growing due from the sale of the said debentures; and the proceeds of the sale of the said debentures, or so much thereof as may be necessary, shall be paid to the said Bank in satisfaction of the monies borrowed under this By-law and interest thereon.

PASSED THIS 9th. DAY OF JANUARY, 1978 A.D.

WITNESS THE CORPORATE SEAL OF THE
CORPORATION OF THE TOWN OF PELHAM



Head of Municipality - Mayor

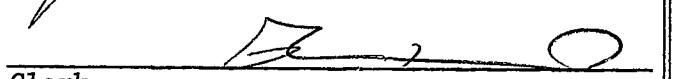

Clerk

WE HEREBY CERTIFY THAT the foregoing is a true copy of By-law #445 (1978) of the Corporation of the Town of Pelham in the Province of Ontario, duly passed at a meeting or meetings of the Council of the said Corporation duly and regularly held, and that the said By-law is now in full force and effect.

DATED THIS 10 DAY OF JANUARY , 1978 A.D.

WITNESS THE CORPORATE SEAL OF THE
CORPORATION OF THE TOWN OF PELHAM


Head of Municipality - Mayor


Clerk