

The Corporation of the Township of Southgate

By-law Number 2020-034

**being a by-law to authorize a land lease agreement
between Brandon Martin and the Township of Southgate**

Whereas the Municipal Act, 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas Section 8 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and

Whereas Section 9 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas the parties hereto are desirous of entering into a land lease agreement; and

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate enacts as follows:

- 1. That** the agreement between Brandon Martin and the Corporation of the Township of Southgate attached hereto as Schedule "A" to the by-law, is hereby ratified and confirmed; and
- 2. That** the Mayor and Acting Clerk are authorized and directed to sign the agreement on behalf of the Township of Southgate; and
- 3. That** by-law 2019-101 is hereby repealed; and
- 4. That** where the provisions of any other by-law, resolution or action of Council are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.

Read a first, second and third time and finally passed this 8th day of April, 2020.

John Woodbury – Mayor

Lindsey Green – Acting Clerk

Schedule A

AGREEMENT MADE IN DUPLICATE THIS 8th DAY OF APRIL, 2020.

BETWEEN: BRANDON MARTIN
 AND
 THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE

WHEREAS the agreement made on the 8th day of April, 2020 being a lease agreement for the workable farmland on Concession 15, Part Lot 15, former Township of Proton, alternately described as 225579 Southgate Road 22, approximately +/- 70 acres expires on December 1, 2020; and

WHEREAS the Council of the Township of Southgate deems it advisable to lease the Brandon Martin

NOW THEREFORE the Parties Here to agree:

- 1. That the Township of Southgate will lease the workable farmland, approximately 70 acres, on the property know a Concession 15, Part Lot 15 for a fee of \$228.00 per acre; and
- 2. That the balance of the fee will be payable on October 1st of 2020; and
- 3. That this agreement will be for a 1 crop season term and will expire on December 1, 2020; and
- 4. That the Township of Southgate reserves the right of access to the property; and
- 5. That the Township of Southgate requires the Leasee to complete a report for application rates of pesticides, herbicides, fertilizers, manures etc.; and
- 6. That the Leasee provide to the Township of Southgate proof of liability insurance on the Township’s property; and
- 7. That this Agreement shall be binding on the parties hereto and their heirs, executors, administrators or assigns; and
- 8. That the Leasee provide a Farm Business Registration # _____,

IN WITNESS WHEREOF the Parties hereto have affixed their respective hands and seals.

SIGNED, SEALED AND DELIVERED IN THE PRESENCES OF:

LEASEE

Brandon Martin – Leasee

CORPORATION OF THE TOWNSHIP OF SOUTHGATE

John Woodbury – Mayor

Lindsey Green – Acting Clerk