

## **BY-LAW 111-2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize the sale of land to Shepherd Gourmet Dairy (Ontario) Inc., and a mutual drain agreement with Shepherd Gourmet Dairy (Ontario) Inc. and Nutreco Canada Inc.

**WHEREAS:** The Corporation of the Town of St. Marys agreed to sell to Shepherd Gourmet Dairy (Ontario) Inc. (“the Buyer”) the land more particularly described as Parts 2, 3 and 4 on Reference Plan 44R-4615, and being part of Property Identification Number 53245-0168 (LT) (the “Lands”) in accordance with the Agreement attached hereto as Schedule A (“the Agreement”);

**AND WHEREAS:** The Agreement references a Mutual Drain Agreement between the Buyer, the Town of St. Mary’s and Nutreco Canada Inc. (“the Drain Agreement”)

**NOW THEREFORE:** The Council of the Town of St. Marys hereby enacts as follows:

1. The Corporation of the Town of St. Marys declares the Lands to be surplus to the municipal need;
2. The Corporation of the Town of St. Marys shall sell the Lands to Shepherd Gourmet Dairy (Ontario) Inc.;
3. The Mayor and the CAO / Clerk are authorized to execute all documents to effect the sale of Lands, including, but not limited to the Agreement of Purchase and Sale for the land, and to affix to the Agreement the Corporate Seal of the Corporation of the Town of St. Marys;
4. The Mayor and the CAO / Clerk are authorized to execute all documents to effect the Drain Agreement and to affix to the Drain Agreement the Corporate Seal of the Corporation of the Town of St. Marys;
5. That a copy of the said Agreement is attached hereto and designated as Schedule A to this By-law;
6. That a copy of the said Drain Agreement is attached hereto and designated as Schedule B to this By-law and
7. This by-law comes into force and takes effect on the final passing thereof.

Read a first and second time this 12<sup>th</sup> day of December, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of December, 2017.

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Mayor Al Stratthdee

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**Brent Kittmer, CAO / Clerk**