

BY-LAW 2003-141/1

OF THE TOWN OF CHESTERMERE

(hereinafter referred to the "Municipality")

IN THE PROVINCE OF ALBERTA

This by-law authorizes the Council of the Municipality to incur an indebtedness by the issuance of debentures (the "debentures") to the Alberta Municipal Financing Corporation for the purpose of purchasing Public Works Buildings and Land.

WHEREAS:

The Council of the Municipality has decided to issue a by-law pursuant to Section 251 of the *Municipal Government Act* to authorize financing for the purpose of purchasing Public Works Buildings and Land.

The Council of the Municipality has estimated the following grants and contributions will be received or applied to the project:

N/A

In order to purchase said property and buildings, it will be necessary for the Municipality to borrow the sum of \$750,000 (the "indebtedness") on the terms and conditions referred to in this By-law.

The Municipality will repay the indebtedness over a period of twenty-five (25) years in annual installments, with interest not exceeding ten percent (10%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.

The amount of the existing debenture debt of the Municipality at December 31, 2002 is \$1,622,491, no part of which is in arrears.

The estimated lifetime of the project is twenty-five (25) years. All required approvals for the project have been obtained and the project is in compliance with all Acts and regulations of the Province of Alberta.

THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. That for the purpose of purchasing Public Works Buildings and Land for the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) be borrowed from AMFC by way of debenture on the credit and security of the Municipality at large, of which amount the sum of \$750,000 is to be paid by the Municipality at large.
2. The debentures to be issued under this by-law shall not exceed the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding ten per cent (10%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.
4. The debentures shall be issued in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual installments over a period of twenty-five (25) years, in accordance with the schedule attached and forming a part of each debenture.
5. The debentures shall be payable in lawful money of Canada at the Alberta Treasury Bank, Forest Lawn in the City of Calgary or at such other bank or financial institution as the Council of the Municipality may authorize as its banking agency during the currency of the debenture.

6. The Chief Elected Official and Chief Administrative Officer of the Municipality shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debentures.

7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of the Municipality and the Chief Administrative Officer shall affix the corporate seal of the Municipality to the debentures.

8. There shall be levied and raised in each year of the currency of the debentures a rate or rates on the assessed value of all lands and improvements shown on the assessment roll, sufficient to provide an annual tax adequate to pay the principal and interest falling due in such year on debentures. The said rates and taxes are collectible at the same time and in the same manner as other rates and taxes.

9. The indebtedness is contracted on the credit and security of the Municipality at large.

10. The net amount realized by the issue and sale of debentures authorized under this by-law shall be applied only for the purposes for which the indebtedness was created.

11. This by-law shall take effect on the day of the final passing thereof.

READ a first time in Council this 18th day of August, 2003.

READ a second time in Council this 17th day of September, 2003.

READ a third time in Council this 17th day of September, 2003.

Res: 03-H-06-8 / 03-17-1 / 03-17-1



MAYOR



CHIEF ADMINISTRATIVE OFFICER