

CITY OF SURREY

BY-LAW NO. 16660

A by-law to amend provisions of "659559 B.C. Ltd. Housing Agreement Authorization By-law, 2005, No. 15681"
.....

WHEREAS the City of Surrey has received an application to amend a housing agreement;

AND WHEREAS Section 905 of the Local Government Act, R.S.B.C. 1996 c.323, as amended (the "*Local Government Act*"), empowers the Council or the City of Surrey to amend a housing agreement.

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. The City of Surrey is hereby authorized and empowered to amend the housing agreement authorized by 659559 B.C. Ltd. Housing Agreement, Authorization By-law, 2005, No. 15681 in the form attached hereto as Schedule A and forming part of this By-law (the "Housing Amendment Agreement") with the following party:

659559 B.C. LTD.
Incorporation No. 659559
21521 Old Yale Road
Langley, B.C.
V3A 4M9

and with respect to that certain parcel or tract of lands and premises, situate lying and being in the City of Surrey, in the Province of British Columbia and being more particularly known and described as:

Parcel Identifier: 027-363-431, 027-363-465, 027-363-473, 027-363-481,
027-363-490, 027-363-503, 027-363-611, 027-363-520,
027-363-538, 027-363-546

Strata Lots 1 - 10 Section 16 Township 1 New Westminster District Strata Plan BCS2726
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on form V

1640 - 140 Street

2. The Mayor and Clerk are hereby empowered to execute the Housing Amendment Agreement on behalf of the City of Surrey.

3. The City of Surrey shall file in the Land Title Office a notice against the Lands in accordance with Section 905 of the Local Government Act, that the Lands are subject to the Housing Amendment Agreement.

4. This By-law shall be cited for all purposes as "659559 B.C. Ltd. Housing Agreement", Authorization By-law, 2005, No. 15681, Amendment By-law, 2008, No. 16660."

PASSED THREE READINGS on the 12th day of May, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 16th day of June, 2008.

_____ MAYOR

_____ CLERK

AMENDMENT TO HOUSING AGREEMENT

This agreement made the 12th of June, 2008.

BETWEEN:

659559 B.C. LTD. (Incorporation No. 659559)
21521 Old Yale Road,
Langley, BC, V3A 4M9

(the "Grantor")

PARTY OF THE FIRST PART

AND:

CITY OF SURREY, A City under the Local Government Act of the Province of British Columbia, and having its City Offices at 14245 56th Avenue, in the City of Surrey, in the Province of British Columbia, V3X 3A2

(the "City")

PARTY OF THE SECOND PART

WHEREAS:

- A. The Grantor is the registered owner of those newly stratified lands and premises in the City of Surrey, in the Province of British Columbia, more particularly known and described as:

Parcel Identifier: 027-363-431
Strata Lot 1 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-465
Strata Lot 2 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-473
Strata Lot 3 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-481
Strata Lot 4 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-490
Strata Lot 5 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-503
Strata Lot 6 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-511
Strata Lot 7 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-520
Strata Lot 8 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-538
Strata Lot 9 Sec 16 Tp 1 NWD Strata Plan BCS2726

and:

Parcel Identifier: 027-363-546
Strata Lot 10 Sec 16 Tp 1 NWD Strata Plan BCS2726

(together the "Lands")

- B. By agreement dated for reference the 19th day of July, 2006, the parties entered into an agreement with respect to the Grantor proposal to re-develop the Lands with residential rental units for occupancy by Qualified Occupants as defined therein (the "Agreement").
- C. The parties wish to make the following amendments to the Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises, the respective covenants and agreements of the parties as hereinafter set out and the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration paid by the City to the Grantor (the receipt and sufficiency of which is hereby acknowledged), the parties hereto covenant and agree each with the other to amend the Agreement as follows:


1. Paragraph 1.1, (g) is deleted and replaced by the following:

1.1 (g) "Senior" means a person who is at least 55 years of age, and includes a person who resides with that person;
2. This Amendment to the Housing Agreement forms part of the Agreement as defined therein.
3. This Agreement shall enure to the benefit of and be binding upon the Grantor and its successors, trustees and assigns and all parties claiming through them and this Agreement shall enure to the benefit of and be binding upon the City and its administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

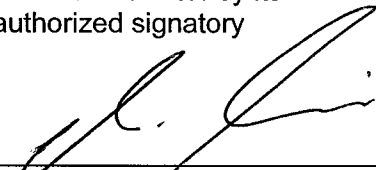
Y M D

08 06 12



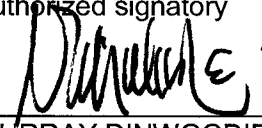
ROY CAMMACK, Notary Public
 #106 – 1656 Martin Drive
 Surrey, BC, V4A 6E7

659559 B.C. Ltd. by its
 authorized signatory




MIROSLAW KOZIERAS


CITY OF SURREY by its
 authorized signatory



MURRAY DINWOODIE NICHOLAS LAI
 ACTING GENERAL MANAGER, PLANNING
 AND DEVELOPMENT DEPARTMENT



09 08 15



MARGARET JONES, CITY CLERK

(AS TO SIGNATURE OF CITY CLERK)

LISA CESARIO
 14245 - 56 Avenue
 Surrey, B.C. V3X 3A2 591-4372
 A Commissioner for taking Affidavits
 for British Columbia