

**BY-LAW NO. 3
FOR
DURHAM STANDARD CONDOMINIUM CORPORATION NO. 293**


BE IT ENACTED as a By-law of Durham Standard Condominium Corporation No. 293 (hereinafter referred to as the "Corporation" or the "Condominium") as follows:

1. That the Corporation enter into an assumption agreement in the form of agreement annexed hereto as Schedule "A" (hereinafter called the "Assumption Agreement") with 2157236 Ontario Limited (hereinafter called "2157236 ") for the purposes of:
 - (a) confirming the provisions of the Declaration of the Corporation pertaining to the Municipal Agreement as defined in Section 1.08(d) of the Declaration; and
 - (b) confirming the Corporation's agreement to assume and be bound by the terms and provisions of the Agreement (as defined in Section 1.08(d) of the Declaration) including the Corporation's agreement to release and indemnify 2157236 from its obligations as therein contained.
2. That the Corporation be and it is hereby authorized to execute any formal transfers or conveyances of easements as may be required from time to time in order to give effect to the provisions of the Municipal Agreement.
3. That all terms, provisions and conditions set out in the Agreement, including without limitation, all covenants and agreements made by or on behalf of the Corporation, are hereby authorized, ratified, sanctioned and confirmed.
4. That any two (2) directors of the Corporation be and are hereby authorized to execute, on behalf of the Corporation, the Assumption Agreement, together with all other documents or instruments which are ancillary to the Assumption Agreement, including without limitation, all instruments or affidavits which may be required in order to register the Assumption Agreement, and any transfers or conveyances of easements, pursuant to the terms of the Agreement against the title to the condominium property and/or adjacent lands. The affixation of the corporate seal of the Corporation to all such documents and instruments as hereby authorized, ratified, sanctioned and confirmed.

The foregoing By-Law is hereby enacted as By-Law No. 3 of Durham Standard Condominium Corporation No. 293.

DATED at Toronto, the 16th day of March, 2018.

**DURHAM STANDARD CONDOMINIUM
CORPORATION NO. 293**

Per: 
Name: Gus Stavropoulos
Title: President

Per: 
Name: Steve Deveau
Title: Secretary

We have authority to bind the Corporation.

SCHEDULE "A"

THIS AGREEMENT made this 16th day of March, 2018.

B E T W E E N:

**DURHAM STANDARD CONDOMINIUM CORPORATION
NO. 293**

(hereinafter called the "**Condominium Corporation**")

OF THE FIRST PART;

- and -

2157236 ONTARIO LIMITED

(hereinafter called "**2157236**")

OF THE SECOND PART.

WHEREAS The Corporation of the City of Oshawa and 2157236 have entered into a Site Plan Agreement (the "**First Site Plan Agreement**") made as of the 27th day of May, 2016 which has been registered in the Land Registry Office for the Land Titles Division of Durham (No. 40) on the 15th day of June, 2016 as Instrument No. DR143402;

AND WHEREAS The Corporation of the City of Oshawa and 2157236 have entered into a Site Plan Agreement (the "**Second Site Plan Agreement**") made as of the 21st day of September, 2016 which has been registered in the Land Registry Office for the Land Titles Division of Durham (No. 40) on the 19th day of October, 2016 as Instrument No. DR1528472;

AND WHEREAS The Corporation of the City of Oshawa and 2157236 have entered into a Condominium Agreement (the "**Condominium Agreement**") made as of the 22nd day of January, 2018 which has been registered in the Land Registry Office for the Land Titles Division of Durham (No. 40) on the 12th day of February, 2018 as Instrument No. DR1681355;

AND WHEREAS the First Site Plan Agreement, Second Site Plan Agreement and Condominium Agreement are collectively called the "**Agreement**";

AND WHEREAS the Condominium Corporation was created by the registration of a declaration and description in accordance with the provisions of the *Condominium Act, 1998* which declaration and description have been registered in the Land Registry Office for the Land Titles Division of Durham (No. 40) as Instrument No. DR1688913 (the "**Declaration**") creating a condominium plan legally known as Durham Standard Condominium Plan No. 293 (the "**Condominium Plan**");

AND WHEREAS the Condominium Corporation has agreed to assume and thereby observe and perform all of the covenants, terms, provisos, stipulations and conditions in the Agreement to be observed and performed by 2157236.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements hereinafter set forth and in consideration of other good and valuable consideration and the sum of TEN DOLLARS (\$10.00) of lawful money of Canada now paid by each of the parties hereto to the other (the receipt and sufficiency of which is hereby acknowledged by the parties), the parties hereto hereby covenant and agree to and with each other and each of them as follows:

1. The Condominium Corporation acknowledges receipt of true copies of the Agreement.
2. The Condominium Corporation covenants and agrees that as of and from the date of the registration of the Declaration of the Condominium Corporation that it will assume and thereby observe and perform all of the covenants, terms, provisos, stipulations and conditions in and under the Agreement to be observed and performed by 2157236. The Corporation agrees that it shall not grant any consent which does not comply with the Agreement.

3. Upon the execution of this Agreement by the parties hereto, the Condominium Corporation hereby releases and forever discharges 2157236 from 2157236's covenants and obligations arising under, or in connection with the Agreement and the Condominium Corporation further covenants to indemnify and save 2157236 harmless from and against any and all claims, demands, losses, liabilities, actions, judgments, costs and damages which 2157236 may suffer or incur arising directly or indirectly in connection with the Agreement.
4. This Agreement shall enure to the benefit of and be correspondingly binding upon the parties hereto and their respective successors and assigns.
5. The parties hereto covenant and agree to forthwith execute all further assurances, easement agreements or other documents or instruments as may be necessary or required to carry out the intent of this Agreement.
6. This Agreement may be executed in one or more counterparts, each of which when so executed shall constitute an original, and all of which shall together constitute one and the same Agreement.

IN WITNESS WHEREOF the parties hereto have caused to be affixed their corporate seals, duly attested to by their respective proper signing officers authorized in that behalf.

**DURHAM STANDARD CONDOMINIUM
CORPORATION NO. 293**

Per: 

Name: Gus Stavropoulos

Title: President

Per: 

Name: Steve Deveau

Title: Secretary

We have authority to bind the Corporation.

2157236 ONTARIO LIMITED

Per: 

Name: Gus Stavropoulos

Title: President

I have authority to bind the Corporation.