

CITY OF SURREY

BYLAW NO. 18416

A bylaw to amend the provisions of "City of Surrey
Heritage Revitalization Agreement By-law, 2012, No.
17700"
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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. The City is authorized to enter into an amendment to the heritage revitalization agreement authorized by "Surrey Heritage Revitalization Agreement By-law, 2012, No. 17700" regarding certain lands and premises located within the City of Surrey and more particularly known and described as:

Parcel Identifier: 010-179-046
Lot 11 Section 12 Township 1 New Westminster District Plan 16055
(16017 – 8 Avenue)

(The "Heritage Revitalization Agreement").

2. The terms and conditions of the amending agreement (the "Amending Agreement") are attached to and form part of this Bylaw as Schedule "1", and the Amending Agreement becomes an addition to the Heritage Revitalization Agreement.
3. The Mayor and Clerk are authorized on behalf of the City to sign the Amending Agreement and to do all acts necessary and incidental to the completion of the Amending Agreement.
4. This Bylaw shall be cited for all purposes as "City of Surrey Heritage Revitalization Agreement Bylaw, 2012, No. 17700, Amendment Bylaw, 2015, No. 18416"

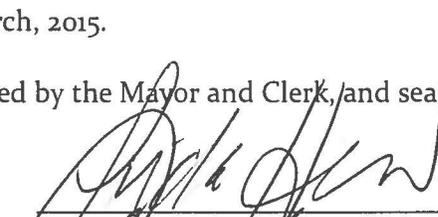
PASSED FIRST READING on the 23rd day of February, 2015.

PASSED SECOND READING on the 23rd day of February, 2015.

PUBLIC HEARING HELD thereon on the 23rd day of March, 2015.

PASSED THIRD READING on the 23rd day of March, 2015.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 23rd day of March, 2015.


MAYOR

CLERK

SCHEDULE 1

**SURREY HERITAGE REVITALIZATION AGREEMENT
SEVENTH DAY ADVENTIST CHURCH
AMENDING AGREEMENT**

THIS AGREEMENT dated for reference the 23rd day of MARCH, 2015.

BETWEEN:

CITY OF SURREY
13450 - 104 Avenue
Surrey, B.C., V3T 1V8

(the "City")

OF THE FIRST PART

AND:

B.A.N. HOLDINGS LTD., INC. NO. BC0247718
13951 Crescent Road
Surrey, B.C. V4P 1J4

(the "Owner")

OF THE SECOND PART

WHEREAS:

- A. The City and B.A.N. Holdings LTD., INC. NO. BC0247718 (the "Owner") entered into a Heritage Revitalization Agreement dated for reference July 23, 2012 (the "Agreement") for the conservation, restoration, maintenance, and protection of the Lands, including the Seventh Day Adventist Church, as more particularly described in the Agreement;
- B. Each capitalized term not otherwise defined herein shall have the meaning ascribed to it in the Agreement;
- C. The City and the Owner wish to amend the terms of the Agreement to further reduce the approved parking relaxation for the Seventh Day Adventist Church, and to add a playground to the proposed childcare centre.

NOW THEREFORE this Amending Agreement witnesses that in consideration of the sum of \$1.00 paid by each party to the other and other good and valuable consideration (the receipt and sufficiency of which each party hereby acknowledges), the parties hereby covenant and agree as follows:

1. Amendments

The Agreement is hereby amended as follows:

- 1.1. By deleting Section 3 of the "Variations to By-laws", Appendix C of the Agreement, and replacing it with the following:

Section H Off-Street Parking and Loading/Unloading of Part 31 Assembly Hall 1 (PA-1) Zone of the "Surrey Zoning By-law, 1993, No. 12000", as amended is varied or supplemented as follows:

H.1 and H.2 are deleted and replaced with the following:
A total of 6 off-street parking spaces are to be provided.

- 1.2. By deleting Drawing A1.1 in Appendix "A-1", and replacing it with Drawings L1, L2, and L3 by M2 Landscape Architecture.

2. Due Execution

The Owner hereby represents and warrants to the City that this Amending Agreement has been duly authorized and executed by the Owner and that the delivery of this Amending Agreement has been duly authorized by all necessary corporate action on the part of the Owner.

3. Full Force and Effect

The City and the Owner hereby agree that the Agreement shall hereinafter be read and construed in conjunction with this Amending Agreement and be regarded as being amended only to the extent herein provided, that all the terms, covenants, provisos, conditions and provisions of the Agreement, as amended hereby, shall continue to be in full force and effect and that nothing herein contained shall operate or be construed to modify or otherwise affect the rights and obligations created by the Agreement as amended hereby.

4. Enurement

This Agreement shall enure to the benefit of and be binding upon the respective successors and permitted assigns of the City and the Owner.

5. Notice to be Filed

Notice of this Agreement will be filed in the Land Title Office and once filed, this Agreement will be binding on all persons who acquire an interest in the Lands.

IN WITNESS WHEREOF the parties have executed this Amending Agreement as of the date set out above.

CITY OF SURREY
by its authorized signatories



Linda Hepner
Mayor



Jane Sullivan
City Clerk

B.A.N. HOLDINGS LTD., INC. NO. BCo247718



Evan Williams

