

BY-LAW 2004-141/2
OF THE TOWN OF CHESTERMERE
(hereinafter referred to the “Municipality”)
IN THE PROVINCE OF ALBERTA

This bylaw authorizes the Council of the Municipality to incur an indebtedness by the issuance of debentures (the “debentures”) to the Alberta Capital Finance Authority or other lending institution for the purpose of constructing a new administration building including cost of land and furniture and equipment.

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 constructing a new administration building including cost of land and furniture and equipment.

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

\$1,458,000

In order to purchase said property and buildings, it will be necessary for the Municipality to borrow the sum of \$4,490,000 (the “indebtedness”) on the terms and conditions referred to in this By-law.

The Municipality will repay the indebtedness over a period of twenty (20) years in annual or semi-annual installments, with interest not exceeding ten percent (10%), or the interest rate fixed from time to time by the Alberta Capital Finance Authority or other lending institution, payable annually or semi-annually.

The amount of the existing debenture debt of the Municipality at December 31, 2003 is \$2,238,929, no part of which is in arrears.

The estimated lifetime of the project is forty (40) 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:

That for the purpose of constructing a new administration building including cost of land and furniture and equipment.

1. For the sum of Four Million Four Hundred Ninety Thousand dollars (\$4,490,000) be borrowed from ACFA or other lending institution by way of debenture on the credit and security of the Municipality at large, of which amount the sum of \$4,490,000 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 FOUR MILLION FOUR HUNDRED NINETY THOUSAND DOLLARS (\$4,490,000), 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 Capital Finance Authority or other lending institution, payable annually or semi 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 or semi-annual installments over a period of twenty (20) 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 19th day of January, 2004.

READ a second time in Council this 16th day of March, 2004.

READ a third time in Council this 16th day of March, 2004.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**PUBLIC NOTICE TO OWNERS OF THE
TOWN OF CHESTERMERE, PROVINCE OF
ALBERTA**

SECTION 251 – THE MUNICIPAL GOVERNMENT ACT

TAKE NOTICE that the Council of The Town of Chestermere, in the Province of Alberta, has given First Reading to Borrowing Bylaw 2004-141/2 which will, upon Third Reading and approval, authorize the proper officers of the said Town to borrow monies from the Alberta Capital Finance Authority or other lending institution by way of debenture issue, to pay for the cost of the following municipal purpose, namely Construction of a new administration building including Land and Furniture and Equipment.

The total cost of the aforesaid project amounts to \$4,490,000. The net amount to be borrowed on the credit and security of the municipality at large by the issue of debentures is \$4,490,000. The debentures are to be repayable to the Alberta Capital Finance Authority or other lending institution in twenty (20) equal consecutive annual or semi-annual installments of combined principal and interest, the annual interest not to exceed ten per cent (10%), or the interest rate as fixed from time to time by the Alberta Capital Finance Authority or other lending institution.

NOW THEREFORE NOTICE IS HEREBY GIVEN by the Council of the Town of Chestermere that, unless a petition of the electors for a vote on Bylaw 2004-141/2 is demanded as provided for by the terms of Section 231 of the *Municipal Government Act*, the said *borrowing bylaw*.

All persons interested are hereby notified and they are required to govern themselves accordingly.

DATED at the Town of Chestermere, in the Province of Alberta, this 8th day of March, 2004.

TOWN OF CHESTERMERE

Per: S. Manning, CAO

INFORMATION FOR ELECTORS

Pursuant to Section 1 (i) of the Municipal Government Act an “elector” means:

1. A person who is eligible to vote in the election for a councilor under the Local Authorities Election Act.

Pursuant to Section 47(1) of the Local Authorities Election Act a person is eligible to vote in an election if he:

- (a) is at least 18 years old
- (b) is a Canadian citizen, and
- (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and is resident in the area on election day.

A poll may be demanded in the Town of Chestermere by electors equal in number to at least

- (a) in the case of a municipality other than a summer village, by electors of the municipality equal in number to at least 10% of the population,

in accordance with the provisions of Section 223 and Section 251 of the Municipal Government Act.

The petition for a vote must be received by the Chief Administrative Officer within 15 days of the last publication of this notice and shall contain on each page “an identical statement of the purpose of the petition.” (Further requirements of the petition are provided in Section 224 of the Municipal Government Act.)

DATE of the last publication of this notice is the 16th day of March, 2004.