

Appendix 'A'

Bill No.  
2016

By-law No. A.-

A by-law to authorize and approve a Subordination Agreement with respect to the Loan Agreement Between the City of London and the London Community Players and to authorize the Mayor and the City Clerk to execute the Subordination Agreement.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS in 2015, The Corporation of the City of London and the London Community Players jointly agreed to a loan agreement to support capital upgrades to the Palace Theatre;

AND WHEREAS Section 4.2 of the 2015 loan agreement provides for the City's subordination to the pre-existing London Community Players mortgage with Libro Credit Union Limited;

AND WHEREAS Libro Credit Union has requested that the City enter into a subordination agreement to the London Community Players mortgage and line of credit;

AND WHEREAS a financial and legal review of the proposed subordination agreement has not identified any concerns with the request;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Subordination Agreement between The Corporation of the City of London, Libro Credit Union and the London Community Players, with respect to the London Community Players' mortgage and line of credit with Libro, attached hereto as Schedule "1", is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Subordination Agreement, authorized and approved in section 1, above.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 22, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 22, 2016  
Second Reading – November 22, 2016  
Third Reading – November 22, 2016