

MANITOBA
MUNICIPAL BORROWING BY-LAW FOR CURRENT EXPENSES

BY-LAW No. 912

(a) Name of City, Town, Village or Rural Municipality.

WHEREAS the Council of (a) The Municipality of the Town of Carman (herein referred to as the Corporation) deems it necessary to borrow the sum of Forty thousand 00/100 Dollars (\$40,000.00) to meet the current expenditure of the Corporation for the current year 1962 until such time as the taxes levied therefor are collected;

AND WHEREAS the total amount of the taxes collected by the Corporation last year was the sum of One hundred sixty thousand, five hundred thirty-five Dollars (\$160,535.17);

Guard against duplicate borrowing by the Municipality and School Districts for school purposes.

AND WHEREAS the amounts (if any) heretofore borrowed and outstanding for the purpose and the amount hereby authorized to be borrowed and the amounts (if any) heretofore borrowed by any School District during the present year for current purposes in anticipation of the school tax moneys to be received by it from the Corporation do not exceed the total amount of the taxes so collected as aforesaid.

NOW THEREFORE it is hereby enacted by the Corporation of The Municipality of the Town of Carman as follows:

(b) Mayor or Reeve as the case may be.

1. That the (b) Mayor and Treasurer of the Corporation be and they are hereby authorized to borrow under the seal of the Corporation from the CANADIAN IMPERIAL BANK OF COMMERCE

(c) Total amount loaned including any sums borrowed and outstanding by School Districts for current purposes (or where the boundaries of the District extend beyond the boundaries of the Corporation the proportionate part of any such sums) must not exceed total taxes collected by Municipality in preceding year.

the sum of (c) Forty thousand 00/100 Dollars (\$40,000.00) for the purpose aforesaid and to pay or agree to pay interest thereon, either in advance or at maturity and in either case after maturity, at the rate of 5 1/2 per centum per annum.

2. That a promissory note or notes under the seal of the Corporation and signed by the (d) Mayor and Treasurer thereof be duly executed and given to the said Bank for the amount so borrowed with interest as aforesaid.

(d) Mayor or Reeve as case may be.

3. That the Corporation hereby mortgages, assigns, transfers, pledges and hypothecates to the said Bank the taxes of the Corporation for the present year for municipal, school or Municipal Commissioner purposes as additional security for the repayment of the amount so borrowed for any of such respective purposes.

4. That the Corporation shall deposit said taxes with the said Bank as collected in a special account as collateral security for payment of the amount so borrowed and interest, but the Bank shall not be restricted to the said taxes for payment of the sum borrowed hereunder, nor shall it be bound to wait for repayment of said sum until said taxes are collected, or be required to see that they are deposited or applied as aforesaid.

5. That the amount so borrowed and interest shall be payable within the current year.

(e) Mayor or Reeve as case may be.

6. That the (e) Mayor and Treasurer are hereby authorized to give to the said Bank in the name, on behalf of and under the seal of the Corporation as security for the moneys so borrowed, and interest thereon, a covenant or agreement containing a clause that all taxes levied or to be levied by the Corporation for the present year be and they are thereby pledged, hypothecated, mortgaged, transferred and assigned to the said Bank as security for said loan and interest

thereon and are charged as a first charge with repayment of such loan and interest, or a clause to like effect; and that said taxes shall be deposited forthwith on being collected in said Bank to the credit of the Corporation in a special account as collateral security for said advance.

7. That this By-Law shall come into force and have effect immediately from and after the passing thereof.

8. That nothing herein or in said covenant or agreement contained shall waive, prejudicially affect or exclude any right, power, benefit or security by statute, common law or otherwise given to or implied in favor of the said Bank.

Done and passed at a duly assembled and constituted meeting of the Council of the Corporation held this twenty-second day of February, A.D. 19 62.

L. B. Spelton

Mayor ~~John Reeve~~

CORPORATE
SEAL

A. L. Loepky

Clerk

Avoid erasures and interlineations in above copy of By-Law and affix seal of Corporation wherever indicated.

I, Abram Lincoln Loepky Clerk of the above-mentioned Municipal Corporation, hereby certify the above to be a true and correct copy of By-Law No. 912 of the said Corporation and that the same was duly and regularly passed by the said Corporation in open Council at a duly assembled and constituted meeting thereof held on the twenty-second day of February A.D. 19 62.

Given under my hand and seal of the said Corporation this twenty-second day of February A.D. 19 62.

CORPORATE
SEAL

A. L. Loepky

Clerk

COVENANT OR AGREEMENT TO BE USED WITH MUNICIPAL BY-LAWS

(a) Set out full and correct name of, hereinafter called the Bank.
City, Town, Village or Rural Municipality. COVENANT OR AGREEMENT given by (a) The Municipality of the Town of Carman hereinafter called the Corporation, to THE CANADIAN BANK OF COMMERCE

WHEREAS by By-Law No. 912 of the Corporation providing for borrowing from the Bank the sum of Forty thousand Dollars

(\$40,000.00) to meet the current expenditure of the Corporation for the present year (1962) provision is made for the giving of this Covenant or Agreement as security for said loan and interest thereon.

NOW THEREFORE THIS COVENANT OR AGREEMENT WITNESSETH that in consideration of the premises the Corporation covenants and agrees with the Bank as follows:

(1) That all taxes levied or to be levied by the Corporation for the present year be and they are hereby pledged, hypothecated, mortgaged, transferred and assigned to the Bank as security for said loan and interest thereon and are charged as a first charge with repayment of such loan and interest.

(2) That said taxes shall be deposited forthwith on being collected in the said Bank to the credit of the Corporation in a special account as collateral security for said advance.

(b) Mayor or Reeve may be. IN WITNESS WHEREOF these presents have been executed under the seal of the Corporation attested by the signatures of its (b) Mayor

and Treasurer, this twenty-second day of February, A.D. 1962

Corporate Seal

L. S. Shelton
Mayor (~~or Reeve~~)

A. L. Loepky
Treasurer