

**The Corporation of the Township of Horton**

**BY-LAW NO. 2013-01**

**BEING A BY-LAW TO ESTABLISH TEMPORARY BORROWING**

**WHEREAS** Section 407 of the Municipal Act, 2001, as amended, authorizes a municipality to temporarily borrow until taxes are collected and other revenues are received;

**WHEREAS** the Council of the Township of Horton (the "Corporation") deems it necessary to borrow the sum of Five Hundred Thousand Dollars (\$500,000.00) to meet current expenditures of the Corporation for the year;

**BE IT THEREFORE ENACTED** as a By-Law of the Corporation as follows:

1. The Mayor or Deputy Mayor and CAO/Clerk or Finance Manager are hereby authorized to borrow on behalf of the Corporation from THE TORONTO-DOMINION BANK (the "Bank") from time to time by way of promissory note or bankers' acceptance a sum or sums not exceeding at any one time Five Hundred Thousand Dollars (\$500,000.00) to meet, until the taxes are collected and other revenues are received, current expenditures of the Corporation for the year 2013.
2. The Mayor or Deputy Mayor and CAO/Clerk or Finance Manager are hereby authorized to sign, make or draw on behalf of the Corporation and to furnish to the Bank from time to time promissory notes or bankers' acceptances for the sum or sums so borrowed with interest or any other charges at such rates as the Bank may from time to time determine.
3. The Mayor or Deputy Mayor and CAO/Clerk or Finance Manager are hereby authorized and directed to furnish to the Bank at the time of each borrowing and at such other times as the Bank may from time to time request, a statement showing the nature and amount of the estimated revenues of the current year not yet collected or where the estimates for the year have not been adopted, a statement showing the nature and the amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year and also showing the total of any amounts borrowed in the current year and in any preceding year that have not been repaid.
4. All sums borrowed from the Bank and any interest thereon and any other charges in connection therewith shall, be a charge upon the whole of the revenues of the Corporation for the current year and any preceding years as and when such revenues are received and that the Mayor or Deputy Mayor and CAO/Clerk or Finance Manager are hereby authorized to sign on behalf of the Corporation and to furnish to the Bank an Agreement or Agreements of the Corporation charging the said revenues of the Corporation with payment of all sums borrowed from the bank and any interest thereon and any other charges in connection therewith.
5. The Mayor or Deputy Mayor and CAO/Clerk or Finance Manager are hereby authorized and directed to apply in payment of all sums borrowed from the Bank, and of any interest thereon and any other charges in connection therewith, all of the moneys hereafter collected or received on account or realized in respect of the taxes levied for the current year and for any preceding years and all of the moneys collected or received from any other source.

READ a first and second time this 8<sup>th</sup> day of January 2013.

READ a third time and finally passed this 8<sup>th</sup> day of January 2013.

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Don Eady, Mayor

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Mackie McLaren, CAO/Clerk

**CERTIFICATE**

I hereby certify that the forgoing is a true copy of By-Law No.01-2013 of the Corporation of the Township of Horton in the County of Renfrew duly passed at a meeting of the Council of the said Corporation duly held on the 8<sup>th</sup> day of January 2013 that the said By-Law is under the seal of the Corporation and signed by its proper officers as required by law and that the said By-Law is in full force and effect.

DATED this 8<sup>th</sup> day of January 2013.

By: \_\_\_\_\_  
Mayor, Don Eady

By: \_\_\_\_\_  
CAO/Clerk, Mackie McLaren

**SECURITY AGREEMENT  
MUNICIPALITIES AND SCHOOL BOARDS**

To: THE TORONTO-DOMINION, (the "Bank")

WHEREAS by a By-law passed by the Council of the Corporation of the Township of Horton on the 8<sup>th</sup> day January 2013, authority was given to the Mayor and CAO/Clerk or Finance Manager to borrow from the Bank the sum or sums therein mentioned and this Agreement was authorized.

AND WHEREAS the Corporation desires to borrow the said sum or sums from the Bank.

NOW IT IS HEREBY AGREED by the Corporation that in consideration of the Bank advancing or providing the said sum or sums to the Corporation that all the revenues of the Corporation of whatever nature and kind are hereby charged to and in favour of the Bank, as security for payment of the moneys so advanced or provided by the Bank and any interest thereon and any other charges in connection therewith and the Bank shall have a lien upon all such revenues until the charge hereby and by the said By-law created is satisfied.

The Corporation represents and warrants that the whole or any part or parts of the revenues of the Corporation are not subject to any prior charge, except as disclosed to the Bank in writing.

IN WITNESS WHEREOF the Corporation has caused its corporate seal to be hereunto affixed under the hands of its proper officers as required by law this 8<sup>th</sup> day of January 2013.

WITNESS:  
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By: Sign \_\_\_\_\_  
Title: MAYOR Don Eady

Sign \_\_\_\_\_  
Title: CAO/CLERK Mackie McLaren