

## Recommendations:

---

1. The Infrastructure and Planning Committee recommend that Council authorize the proposed Lease Amendment to add the Option to Purchase subject to the following fundamental terms and conditions:

- (a) OPTION TO PURCHASE

The Tenant shall have the one-time option to purchase the Property or any portion thereof, on the following terms and conditions:

1. The Option to Purchase shall apply to all or any portion of the Property declared to be surplus by the Landlord and not required for Municipal Purposes in the Landlord's sole discretion (the "Option Area").
2. The Landlord may provide notice to the Tenant at any time during the Lease Term or any Extension Term that it has declared the Option Area as surplus and not required for Municipal Purposes (the "Option Notice").
3. The Tenant may exercise its Option to Purchase within 90 days of the Tenant's receipt of the Option Notice after which time, if not exercised by the Tenant, the Option to Purchase will terminate.
4. The Landlord will obtain a third-party appraisal on the Option Area to determine fair market value of the Option Area. The purchase price shall be based on the appraised value which will be provided to the Tenant with the Option Notice.
5. Both parties agree to close the sale of the Option Area within 90 days following the Tenant's exercise of the Option to Purchase.
6. The Landlord shall prepare and submit for registration the road plan on or before the Closing Date for the portion of the Property that is not declared surplus.
7. If the Tenant exercises its Option to Purchase and fails to close the sale, any costs related to the sale of the Option Area to the Tenant incurred by the Landlord up until that point shall be reimbursed by the Tenant.
8. The Option to Purchase will terminate upon expiry or earlier termination of the Lease.
9. The Tenant is not permitted to transfer its interest in the Option to Purchase. Any transfer of the Tenant's interest in the Lease will automatically terminate the Option to Purchase.