



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 233-2007

To authorize the execution of
Licence Agreements with TM Mobile Inc. (Telus Mobility)
For in-building coverage enhancement at
recreation centres and arenas

WHEREAS the City is desirous of entering into a partnership with TM Mobile Inc. for the installation and maintenance, of in-building systems, in City owned recreation centres and arenas, for the purpose of boosting wireless coverage and service:

AND WHEREAS the City is agreeable to allowing TM Mobile Inc. to install the equipment at the locations designated on Schedule "A" to this By-Law:

AND WHEREAS it is deemed expedient and in the interest of The Corporation of the City of Brampton to enter Licence Agreements with TM Mobile Inc.

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. That the Mayor and City Clerk be authorized to execute Licence Agreements with TM Mobile Inc. for the installation, maintenance and operation of antennae and ancillary equipment at the recreation centres and arenas identified on Schedule "A" to this By-law.
2. That the term of the agreements, for the presently identified sites, shall run from September 1, 2007 to August 31, 2012, with one further option to renew for five years, for an initial rent of \$2000.00 per location, for the first year of the Term, plus applicable G.S.T. adjusted annually thereafter according to the Consumer Price Index. The licence agreements shall be on terms and conditions acceptable to the Commissioner of Community Services and in a form acceptable to the City Solicitor.
3. That the licence agreements for future sites, shall be on terms and conditions acceptable to the Commissioner of Community Services and in a form acceptable to the City Solicitor.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 1st day of August 2007.

Approved as to content
(MAS Dept.)
July/23/07
[Signature]

Approved as to form
(Legal Dept.)
July/23/07
MK

[Signature]
SUSAN FENNELL MAYOR

[Signature]
KATHRYN ZAMMIT CITY CLERK

Peter Fay, Deputy City Clerk

SCHEDULE "A" TD B/C 233-2007

- Earnscliffe
- Century Gardens
- Chris Gibson
- Jim Archdekin
- South Fletchers Sports Plex
- Memorial Arena
- Victoria Park Arena
- Greenbriar
- Chinguacousy Curling and Tennis Club
- Terry Miller
- Other such arenas and recreation centres as may be approved by the Commissioner of Community Services

Management & Administrative Services

Date: Wednesday, November 21, 2007
To: Clerk's Dept. (original)
Gene Duval (original)
From: Rosanne Reda, Realty Services
Subject: TM Mobile Inc.
Lease Amending Agreement
Earnscliffe Recreation Centre
44 Eastbourne Drive
Our File No. L16K.7

RECEIVED
CLERK'S DEPT.

NOV 22 2007

REG NO : _____
FILE No. _____

Attached please find a fully executed copy of the Lease Amending Agreement referenced above for your records.

Thank You,



Rosanne Reda
Realty Services
MAS
9050874-2869

LICENCE AMENDING AGREEMENT

made this 23rd day of October, 2007,

BETWEEN

THE CORPORATION OF THE CITY OF BRAMPTON

hereinafter called the "City"

- and -

TM MOBILE INC.

hereinafter called the "Telus"

WHEREAS by a certain Licence Agreement made the 22nd day of June, 2007, (hereinafter called the "Licence"), the City did licence to Telus a portion of the Earnscliffe Recreation Center, having a municipal address of 44 Eastbourne Drive for a term ending on the thirty first (31) day of August 2012, for the purpose of providing wireless communications services;

AND WHEREAS the City and Telus desire to amend Schedule "B" of the Licence for Earnscliffe Recreation Centre in accordance with the terms and conditions hereof;

NOW THEREFORE, in consideration of the sum of \$2.00 payable by Telus to the City, receipt of which is hereby acknowledged, the City and Telus hereby agree as follows:

- 1. The Parties agree that the recitals above are true and correct in all material respects.
2. The Licence is hereby amended by deleting Schedule "B" of the Licence in its entirety and replacing it with the attached Schedule "B" to this Amending Agreement.
3. The Parties hereby confirm that all other terms and conditions of the License are in full force and effect, unamended except as expressly provided in this Amending Agreement.

IN WITNESS WHEREOF

The City has executed this Lease Amending Agreement by the hands of its proper signing authorities at Brampton on the 23rd day of NOV, 2007.

SIGNED, SEALED AND DELIVERED

Authorization By-Law No. 233-2007

THE CORPORATION OF THE CITY OF BRAMPTON

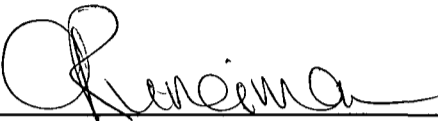
Approved as to form. Law Dept. mk 10/31/07

Approved as to content. CS. Dept. [Signature] 10/31/07

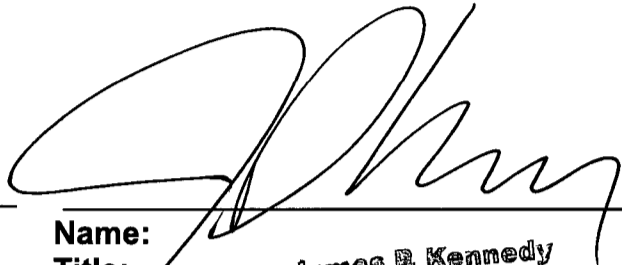
[Signature] Susan Fennell Mayor
[Signature] Kathryn Zammit Clerk

Telus has executed this Lease Amending Agreement at ~~Brampton~~ ^{TORONTO}
on the 12TH day of ~~NOVEMBER~~, 2007.

SIGNED, SEALED AND DELIVERED **TM MOBILE INC.**
IN THE PRESENCE OF:



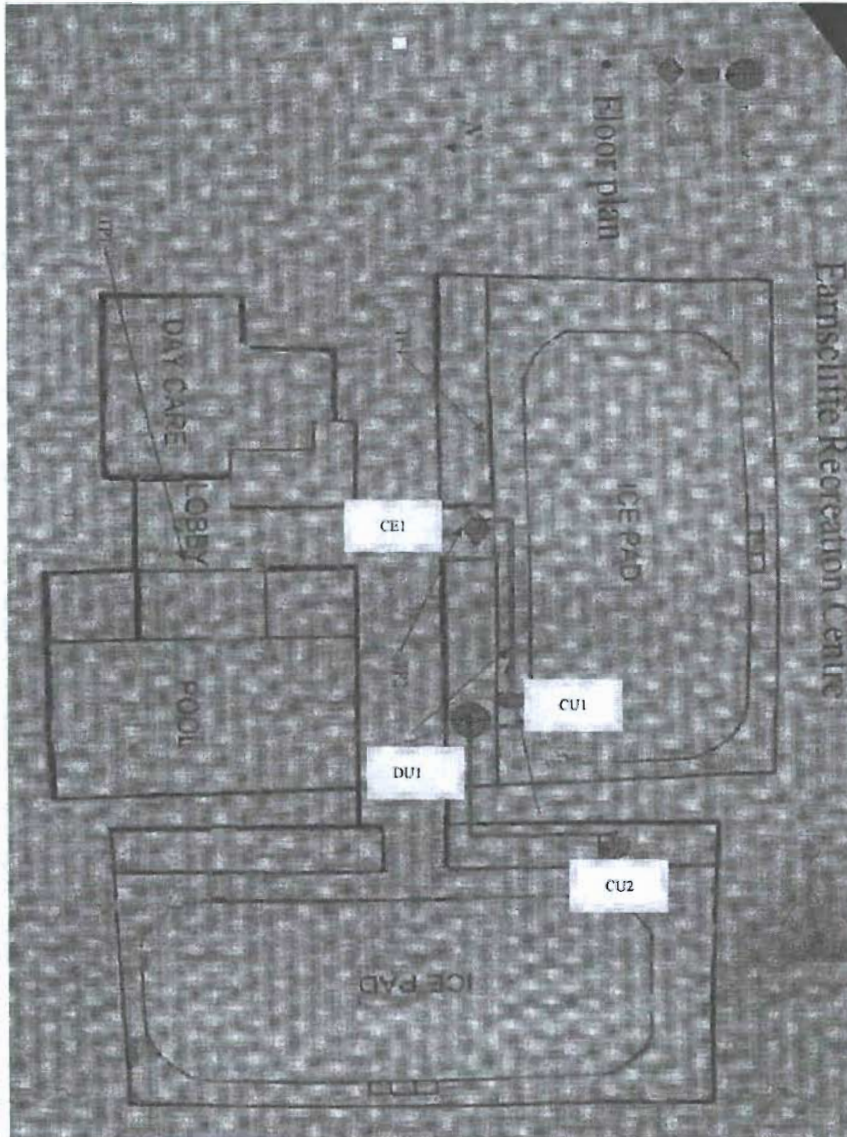
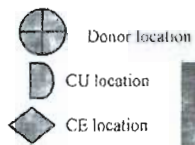
WITNESS: Cheryl Runciman



Name: James P. Kennedy
Title: Manager, Government Affairs
Real Estate
I/We have authority to bind the corporation.

SCHEDULE "B"

Earnscliffe Recreation Centre



Notes:

PCS and iDEN coverage required for this facility

- Donor DU1 antenna location, (Non-Penetrating roof mount), located North on lower roof of building.
- CU1 and CU2 antenna located on wall face above stands Pad A & Pad B respectively

Site Description and Sketch : Earnscliffe Recreation Centre
44 Eastbourne Dr
Brampton, ON

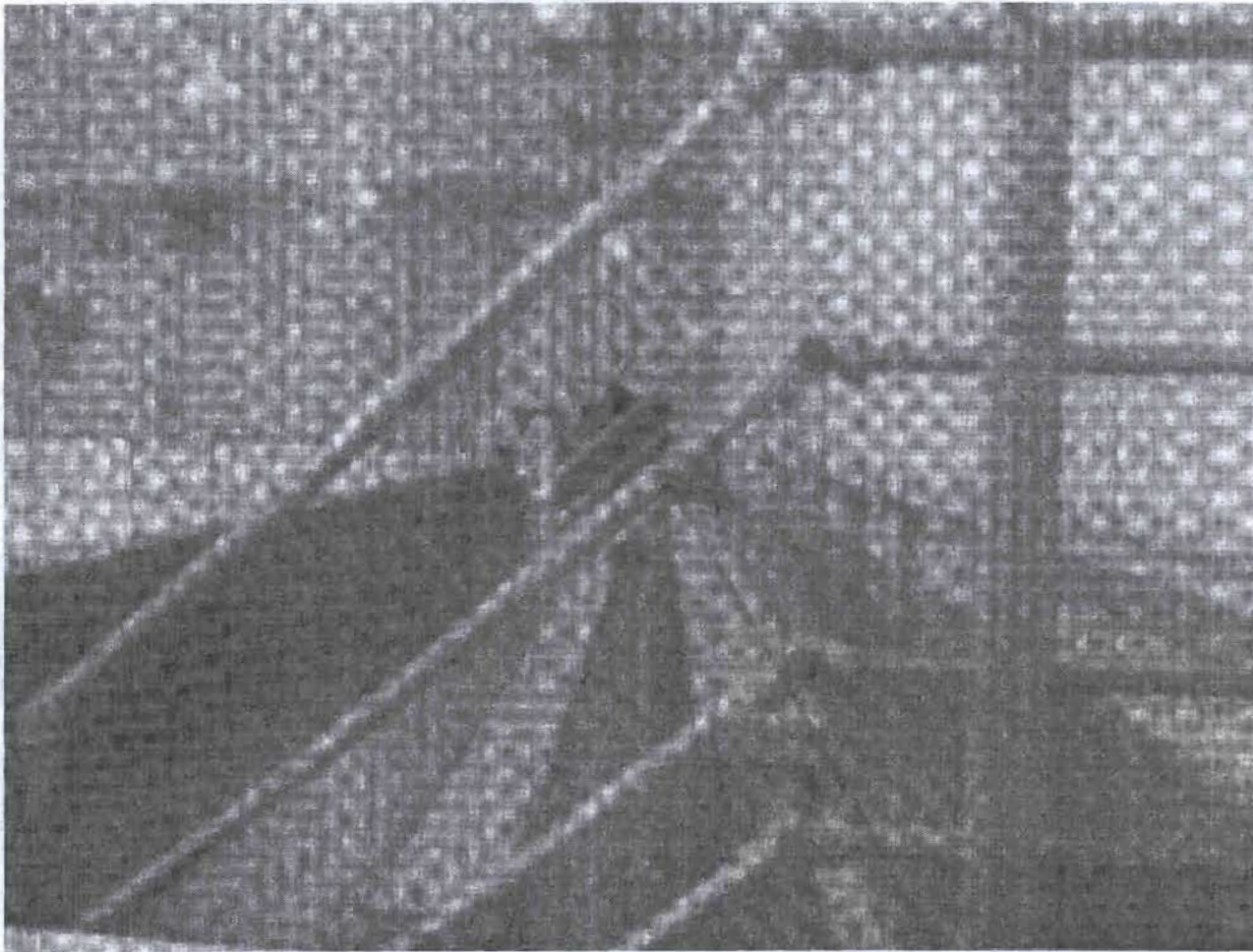
Notes: Plan not to scale.
Antenna Mount locations are "proposed only", locations are subject to change.
Notwithstanding any antenna mounts currently shown (or not shown). Lease allows for modification, addition or reconfiguration.
Easements identified in the sketch are approximations to be confirmed on a survey.

Schedule "B"

Project Gretzky

Earnscliffe Recreation Centre

- CU 1 location, Inside Pad A
- TP3 & TP4 Location



Earnscliffe Recreation Centre

- CU 2 location, Inside Pad B
- TP5 & TP6 Location

