

DRAFT MEMORANDUM OF AGREEMENT

Memorandum of Agreement

dated this ____ day of _____, 2018

BETWEEN

THE CITY OF CALGARY

(the "City")

AND

**THE GREAT WAR VETERANS ASSOCIATION OF CANADA, CALGARY BRANCH
incorporated pursuant to *An Act to Incorporate War Veteran's Association, S.A.*
1917, c. 18 operating as ROYAL CANADIAN LEGION CALGARY (ALBERTA NO. 1)
BRANCH**

(the "Legion")

WHEREAS the City and the Legion entered into a 57-year ground lease (the "Lease") for the property municipally located at 116 - 7 Avenue SE, Calgary, known as the Royal Canadian Legion Calgary (Alberta No. 1) Branch (the "Property"), and with the legal description:

PLAN "A" CALGARY
BLOCK FORTY TWO (42)
LOTS THIRTY (30) TO THIRTY TWO (32) INCLUSIVE

AND WHEREAS a portion of the Property is used as a liquor licensed premises, which is not exempt from property taxes;

AND WHEREAS the City and the Legion had previously entered into a 99-year lease for the Property in 1919;

AND WHEREAS the City has cancelled the municipal and property taxes associated with the Property up to including the 2018 taxation year;

AND WHEREAS Calgary City Council, following Notice of Motion C2018-0131, directed City Administration to prepare an agreement between the City and the Legion, providing for continued and ongoing cancellation of municipal and property taxes upon meeting certain criteria;

AND WHEREAS the agreement to cancel municipal and property taxes is dependent on the designation of the exterior and key interior features of the Property as a Municipal Historic Resource;

AND WHEREAS Council will be asked to approve the designation of the Property as a Municipal Historic Resource on _____;

AND WHEREAS the City and the Legion desire to enter into an agreement to provide for the cancellation of municipal and property taxes;

THEREFORE, the parties agree to the terms of this agreement as follows:

1. The term of this agreement is 100 years, commencing January 1, 2019 and ending December 31, 2118.
2. Beginning in the 2019 taxation year, and upon City Council designating the exterior and key interior features of the Property as a municipal historic resource, the City agrees to cancel all municipal taxes and property taxes (including municipal and provincial portion) that become payable with respect to the Property.
3. The cancellation of taxes by the City under section 2 will continue until such time as the current use of the property changes, which includes but is not limited to:
 - a. The Property is no longer operating as a Royal Canadian Legion,
 - b. The Legion no longer occupies the site located at 116 – 7 Ave SE;or the 100 year term of this agreement ends, whichever occurs first.

By: _____
Real Estate Development Services
The City of Calgary

By: _____
The Great War Veterans Association of Canada,
Calgary Branch