

**CORPORATION OF THE TOWNSHIP OF PRINCE**

**BY-LAW NO. 2018-17**

Being a by-law to authorize the Mayor and CAO/Clerk-Treasurer to enter into a Memorandum of Agreement between Spectrum Telecom Group

and

the Corporation of the Township of Prince Township regarding the construction and development of a telecommunications tower site on private lands as described in Appendix A.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PRINCE  
HEREBY ENACTS AS FOLLOWS:

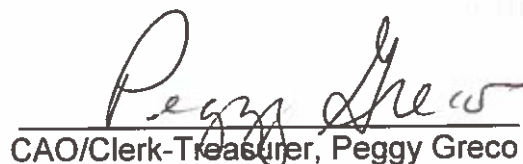
1. THAT the Mayor and CAO/Clerk-Treasurer are hereby authorized to execute and affix the Corporate Seal to a Memorandum of Agreement between Spectrum Telecom Group and the Corporation of the Township of Prince, which Agreement is attached hereto as Schedule "A".
2. Schedule "A"

Schedule "A" forms part of this by-law.

READ THREE TIMES AND PASSED in open Council this 12<sup>th</sup> day of June 2018.



Mayor, Ken Lamming



CAO/Clerk-Treasurer, Peggy Greco

Schedule 'A' to  
By-law 2018-17

**THIS MEMORANDUM OF AGREEMENT** made in duplicate this 19<sup>th</sup> day  
of June, 2018.

**BETWEEN: SPECTRUM TELECOM GROUP LTD.**  
(hereinafter referred to as the "Spectrum Group")

**OF THE FIRST PART**

**AND: THE CORPORATION OF THE TOWNSHIP OF PRINCE**  
(hereinafter referred to as the "Municipality")

**OF THE SECOND PART.**

**TELECOMMUNICATIONS SITE MEMORANDUM OF AGREEMENT**

**Site: Prince Lake STG053**  
Prince Lake Road (NE ¼ of Section 28),  
Township of Prince,  
District of Algoma  
(Geographic Coordinates 46.54695°, -84.53689°)

**WHEREAS** Spectrum Group wishes to construct and develop a telecommunications tower Site on private lands (location as described above) for the purpose of providing mobile two-way radio, Internet, and other wireless communications services to the general public, business clients, and municipal users located within the Township of Prince and the immediate surrounding areas;

**AND WHEREAS**, on May 8<sup>th</sup>, 2018, the Municipality passed Resolution 2018-140 that provided Council's conditional support for the development of the Site;

**AND WHEREAS** the Municipality has communicated its conditional support for the Site's development to Spectrum Group in the form of a letter of concurrence dated May 10<sup>th</sup>, 2018;

**AND WHEREAS** the conditions, as stipulated in Resolution 2018-140, state that 1) Spectrum Group shall agree to repair any damage to Prince Lake Road resulting from Spectrum Group's use of the road during the construction phase, and 2) Spectrum Group shall accept any liability for personal injury or property damage that might occur during construction of the Site;

**NOW THEREFORE**, in consideration of the covenants and conditions set forth herein, Spectrum Group agrees to the following:

1. **USE OF MUNICIPAL ROAD:** Spectrum Group agrees to repair and make good any damage to Prince Lake Road resulting from construction of the Site. Except for normal wear and tear, this provision applies to any damage to the road that is caused by Spectrum Group or its contractors.
  
2. **INDEMNITY:** Spectrum Group shall indemnify and hold the Municipality harmless against any personal injury or property damage caused by or resulting from activities associated with the development, construction, and ongoing operation of the Site. Spectrum Group shall not be liable or held responsible for personal injury or damage to property that is caused by any third party or activity that is not associated with the development or ongoing operation of the Site.

Spectrum Group shall maintain during the construction phase and ongoing operation of the Site, public liability and property damage insurance coverage of not less than \$4,000,000.

**SIGNATURES ON THE FOLLOWING PAGE**

**IN WITNESS WHEREOF** the Parties have executed this Agreement as follows,

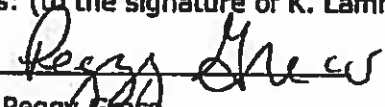
*Municipality:*

By The Corporation of the Township of Prince on the 12 day of  
June, 2018

By:   
Name: Kerl Lamming

Title: Mayor

Witness: (to the signature of K. Lamming)

By:   
Name: Peggy Greco

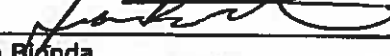
Title: CAO/Clerk Treasurer

We have authority to bind the corporation.


Witness: (to the signature of P. Greco)

*Spectrum Group:*

Spectrum Telecom Group Ltd. on the 19<sup>th</sup> day of JUNE, 2018

By:   
Jason Bionda,  
Vice President - Broadband Networks

I have authority to bind the corporation.

  
Witness (to the signature of J. Bionda)