

BY-LAW No. 074/96

**BEING A BY-LAW OF THE
MUNICIPAL DISTRICT OF MACKENZIE No. 23,
IN THE PROVINCE OF ALBERTA,
TO AUTHORIZE THE BORROWING OF FUNDS NECESSARY TO
BORROW CERTAIN SUMS OF MONEY FOR THE PURPOSES OF
A LETTER OF GUARANTEE**

WHEREAS, pursuant to the provisions of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, Section 256, the Council may pass a bylaw to borrow money for the purposes of financing operating expenditures, and

WHEREAS, the Council of the Municipal District of Mackenzie No. 23 in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of a Letter of Guarantee;

NOW THEREFORE THE COUNCIL OF THE MUNICIPAL DISTRICT OF MACKENZIE NO. 23, HEREIN AFTER CALLED THE "CORPORATION", IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. The Corporation borrow from Province of Alberta Treasury Branches up to the principle sum of One Hundred and Twenty five Thousand (\$125,000.00) Dollars repayable upon demand at a rate of interest per annum not to exceed the Prime Lending Rate from time to time established by Alberta Treasury Branch, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - a) to apply to Alberta Treasury Branch for the aforesaid loan to the Corporation and to arrange with Alberta Treasury Branch the amount, terms and conditions of the loan and security or securities to be given to Alberta Treasury Branch;
 - b) as security for any money borrowed from Alberta Treasury Branch
 - (i) to execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and negotiable instruments or evidences of debts;
 - (ii) to give or furnish to Alberta Treasury Branch all such securities promises as Alberta Treasury Branch may require to secure repayment of such loans and interest thereon; and
 - (iii) to execute all security agreements, hypothecation, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of Alberta Treasury Branch of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, any other documents or contracts necessary to give or to furnish to Alberta Treasury Branch the security or securities required by it.
3. The source or sources of money to be used to repay the principle and interest owing under the borrowing from Alberta Treasury Branch are:

Operating Budget

4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.

5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and Alberta Treasury Branch is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to Alberta Treasury Branch will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and Alberta Treasury Branch will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.

That this Bylaw shall come into force and take effect upon signing.

First Reading given on the _____th day of _____, 1996

Reuben Derksen, Reeve

Dennis Litke, Chief Administrative
Officer

Second Reading given on the _____th day of _____, 1996

Reuben Derksen, Reeve

Dennis Litke, Chief Administrative
Officer

Third Reading and Assent given on the _____th day of _____, 1996

Reuben Derksen, Reeve

Dennis Litke, Chief Administrative
Officer