

THIS AGREEMENT is made June 15, 2024

BETWEEN:

The Corporation of the Township of Huron-Kinloss  
Hereinafter called the "Township"  
OF THE FIRST PART

AND

Point Clark Beach Association  
Hereinafter called "The PCBA"  
OF THE SECOND PART

WHEREAS the Township is the owner/manager of the property located at Point Clark Lighthouse, Lighthouse Park (526 Lighthouse Road), in the Township of Huron-Kinloss, in the County of Bruce;

AND WHEREAS the PCBA has been given permission by the Township, and Parks Canada to supply and maintain cut outs of a ship, and of a sailor on the above noted properties;

AND WHEREAS it is deemed expedient to outline the roles and responsibilities of each of the parties;

NOW THEREFORE WITNESSETH that for and in consideration of the premises and mutual covenants hereinafter set forth, the parties agree with the terms and conditions set out herein.

### **1. Term of Agreement**

The maintenance agreement is for a term of five (5) years from June 20, 2024.

### **2. Maintenance**

The PCBA is solely responsible for paying all costs associated with maintaining the cut out of ship and sailor. Should the PCBA cease to maintain the cutout of ship and sailor, it is the Township's sole discretion to remove the structures.

#### **RESPONSIBILITIES OF PCBA**

a) The PCBA will supply and maintain cut out of ship and sailor as required.

#### **RESPONSIBILITIES OF Township**

a) The Township of Huron-Kinloss will not be responsible for any maintenance or repairs to the cutouts of the ship and sailor.

### **3. Scheduling of Maintenance**

The PCBA shall remove the cut outs if requested by Township staff.

**4. Reporting**

Any issues relating to the safety or structural integrity of the cut outs of the ship and sailor shall be reported to the Township and PCBA immediately for repairs or removal until repairs are made.

**5. Notice of Termination**

The term of this agreement may be extended by the Township of Huron-Kinloss. The Director of Community Services is authorized by the Township to negotiate the terms of any extension to this agreement.

If either the PCBA or the Township wishes to terminate this Agreement prior to the end of the term created by this Agreement, notice to that affect will be given in writing NOT LESS THAN SIXTY (60) DAYS. The PCBA agrees and acknowledges that a notice to terminate the Agreement as described above shall be delivered or mailed to the offices of the Township at:

The Township of Huron-Kinloss  
21 Queen St Box 130  
Ripley, Ontario N0G 2R0      Attention: Director of Community Services

The Township agrees that a notice to terminate the Agreement as described above shall be delivered or mailed to:

Point Clark Beach Association PCBA,  
BOX RR# 1 Kincardine N2Z 2X3 Attention: President of PCBA

IN WITNESS WHEREOF the Parties hereto have hereunto caused to be affixed their respective seals, attested by the hands of their proper officers duly authorized in that behalf

SIGNED, SEALED AND DELIVERED  
In the presence of

POINT CLARK BEACH ASSOCIATION

\_\_\_\_\_  
John Harper, Vice President  
PCBA

\_\_\_\_\_  
Rob Foster, President  
PCBA

THE CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS

\_\_\_\_\_  
Jennifer White, Manager of Legislative Services  
Township of Huron-Kinloss

\_\_\_\_\_  
Don Murray, Mayor  
Township of Huron-Kinloss

