

**CAO APPROVAL NOTICE**

The Chief Administrative Officer approved the following recommendation:

**CAO4996**

**APPROVED – March 29, 2019**

**THAT APPROVAL BE GIVEN** pursuant to the Delegation of Authority By-Law Number 208-2008, section 1.30 (b), as amended (Appendix A), for the Consent to Enter on City-Owned Property in accordance with the following terms:

1. That the Consent to Enter is provided to Essex Condominium Corporation #36 (“**Essex**”) to enter upon part of the lands known municipally as 3700 Riverside Drive East, located north of Riverside Drive East, south of the Detroit River, as shown on the aerial diagram attached as Appendix B. (hereinafter the “**Lands**”);
2. The term of the agreement shall be from March 26, 2019 and expiring not later than April 30, 2019;
3. Essex will enter the Lands for the purpose of parking not more than 12 cars for the residents of Summit House located at 3601 Riverside Drive East;
4. Essex acknowledges that The Corporation of the City of Windsor (the “**City**”) makes no representations or warranties as to the suitability and security of the Lands for parking and that in the event of a snowfall the Lands will not be cleared of snow until at least 24-48 hours following the snowfall;
5. Essex acknowledges that the City is not responsible for any loss or damage to vehicles and/or their contents on the Lands;
6. Access to the Lands will be from Riverside Drive East;
7. Essex agrees that, upon termination of the agreement, any disturbance of the Lands resulting from its occupation will be restored at its own costs to the satisfaction of the City Engineer or designate acting reasonably;
8. Essex will be required to provide the City with indemnification and require proof of insurance with the following minimal coverage, satisfactory to the City:
  - \$2,000,000 Commercial General Liability coverage
  - “The Corporation of the City of Windsor” listed as Additional insured
  - Cross liability coverage
  - 30 days’ cancellation notice

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The Chief Administrative Officer approved the following recommendation:

9. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Agreement with Essex approved as to form by the City Solicitor or designate and content by the Corporate Leader of Parks, Recreation, Culture and Facilities or designate.

AL/13444

APPENDICES

Appendix A - Delegation of Authority By-Law Number 208-2008

Appendix B - Land Subject to the Consent to Enter

Internal Distribution

Coordinator of Real Estate Services

Manager of Real Estate Services

City Solicitor

Corporate Leader of Parks, Recreation, Culture and Facilities

Chief Administrative Officer

External Distribution