

**CAO APPROVAL NOTICE**

The Chief Administrative Officer approved the following recommendation:

**CAO5114**

**APPROVED – May 29, 2019**

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

1. That the Consent to Enter is provided to The Corporation of the City of Windsor, its contractor, employees, agents and / or assigns (collectively the “**City**”) to enter upon part of the lands municipally known as 1865 Provincial Road, known legally as Part of the East Half of Lot 14, Concession 6, being part of Part 1 on Plan 12R-9972, as shown on the aerial diagram attached as Appendix B (the “**Lands**”);
2. The term of the agreement shall be from June 17, 2019 and expiring not later than June 22, 2019 (the “**Term**”);
3. The City will access the Lands for the purpose of drilling a borehole in the approximate location identified on the aerial diagram at Appendix B, in order to determine soil suitability for works contemplated for the Provincial / Division Corridor Improvement Project;
4. The City acknowledges that 782711 Ontario Limited o/a Vehicle Venture (the “**Owner**”) is not responsible for any loss or damage incurred by the City with respect to the City’s contemplated testing on the Lands;
5. The City agrees that, upon termination of the agreement, any disturbance of the Lands resulting from its occupation thereof will be restored at its own costs to the satisfaction of the Owner, acting reasonably;
6. Access to the Lands will be from Provincial Road;
7. The City will be required to provide the Owner with indemnification and proof of insurance with the following minimal coverage:
  - \$2,000,000 Municipal General Liability coverage
  - “782711 Ontario Limited” listed as additional insured
  - Cross liability coverage
  - 30 days’ cancellation notice

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The Chief Administrative Officer approved the following recommendation:

8. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Agreement with the Owner approved as to form by the City Solicitor or designate and content by the City Engineer 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

Lease Administrator

Manager of Real Estate Services

City Engineer

City Solicitor

Chief Administrative Officer

External Distribution