

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 02-008

A BY-LAW TO AUTHORIZE THE BORROWING OF \$5,856,000 UPON INSTALMENT DEBENTURES TOWARDS THE COST OF CERTAIN CAPITAL PROJECTS

WHEREAS the Council of The Corporation of the City of Peterborough (the "Corporation") has enacted the various authorizing by-laws set forth in column (1) of Schedule "A" attached hereto and forming part of this By-law ("Schedule "A'"), such authorizing by-laws authorizing the capital projects described in column (2) opposite such by-law numbers, for which it is now desirable to issue debentures in the respective amounts set out in column (5) of Schedule "A" (individually a "Purpose", collectively the "Purposes");

AND WHEREAS in respect of each of the Purposes and in respect of any additional cost amounts and any additional debenture authorities for the Purposes, the Council of the Corporation has respectively authorized each such Purpose, each such additional cost amount and each such additional debenture authority and the issue of debentures therefor in an amount at least equal to the respective amounts set out in column (5) of Schedule "A". Before authorizing each such Purpose, each such additional cost amount and each such additional debenture authority the Council of the Corporation had its Treasurer update its most recent annual debt and financial obligation limit provided by the Ministry of Municipal Affairs and Housing and the Treasurer determined that the estimated annual amount payable in respect of each such Purpose, each such additional cost amount and each such additional debenture authority would not cause the Corporation to exceed its updated limit with the result that the Council of the Corporation authorized each such Purpose, each such additional cost amount and each such additional debenture authority without the approval of the Ontario Municipal Board;

AND WHEREAS it is expedient to issue debentures within the terms of years set out in column (7) of Schedule "A" on the credit of the Corporation in the principal amount of \$5,856,000 in order to provide the respective amounts set out in column (5) of Schedule "A";

AND WHEREAS it is expedient that the said debentures bear interest at the rates set out below, payable semi-annually on July 24 and January 24 with the principal amount of such debentures payable within the term of fifteen years.

NOW THEREFORE, the Council of The Corporation of the City of Peterborough hereby enacts as follows:

1. The borrowing of the sum of \$5,856,000 in lawful money of Canada for the Purposes and the issue of instalment debentures therefor on the credit of the Corporation to be repaid in annual instalments during the periods of years set out in column (7) of Schedule "A" as hereinafter set forth, are hereby authorized and approved.
2. The Mayor and the Treasurer of the Corporation are hereby authorized to cause any number of instalment debentures to be made for such sums of money as may be required for the Purposes in global and definitive forms, not exceeding in total the said sum of \$5,856,000 (the "said debentures") and the said debentures shall be sealed and signed in accordance with the provisions of the *Municipal Act*, R.S.O. 1990, c.M.45, as amended (the "Act"). The said debentures shall initially be issued in global fully registered form as one certificate in the principal amount of \$5,856,000, in

the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS"), and held by CDS with provision for payment of interest or of principal and interest by cheque sent by post to the registered address of the registered holder or, if authorized in writing, by electronic transfer (the "Global Debenture").

3. The said debentures shall be dated the 24th day of January, 2002, shall be issued within two years after the date on which this by-law is enacted, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The said debentures (and in the case of the Global Debenture, the annual amount of principal payable thereunder in respect of the said debentures) shall bear interest from the date thereof at the annual rates hereinafter set forth, which interest shall be payable semi-annually on the 24th day of July and the 24th day of January during the currency of the said debentures.
4. The said debentures shall mature (and in the case of the Global Debenture, the annual amount of principal in respect of the said debentures thereunder shall be payable) in varying instalments of principal on January 24 in each of the years 2003 to 2017, both inclusive. The amounts of interest or of principal and interest payable in each year of the currency of the said debentures are set out in Schedule "B" attached hereto and forming part of this by-law ("Schedule "B"). The said debentures maturing (principal payable) in the year 2003 shall bear interest at the rate of 2.500% per annum, the said debentures maturing (principal payable) in the year 2004 shall bear interest at the rate of 3.500% per annum, the said debentures maturing (principal payable) in the year 2005 shall bear interest at the rate of 4.300% per annum, the said debentures maturing (principal payable) in the year 2006 shall bear interest at the rate of 4.800% per annum, the said debentures maturing (principal payable) in the year 2007 shall bear interest at the rate of 5.200% per annum, the said debentures maturing (principal payable) in the year 2008 shall bear interest at the rate of 5.400% per annum, the said debentures maturing (principal payable) in the year 2009 shall bear interest at the rate of 5.650% per annum, the said debentures maturing (principal payable) in the year 2010 shall bear interest at the rate of 5.875% per annum, the said debentures maturing (principal payable) in the year 2011 shall bear interest at the rate of 6.000% per annum, the said debentures maturing (principal payable) in the year 2012 shall bear interest at the rate of 6.125% per annum, the said debentures maturing (principal payable) in the year 2013 shall bear interest at the rate of 6.200% per annum, the said debentures maturing (principal payable) in the year 2014 shall bear interest at the rate of 6.350% per annum, the said debentures maturing (principal payable) in the year 2015 shall bear interest at the rate of 6.400% per annum and the said debentures maturing (principal payable) in each of the years 2016 and 2017 shall bear interest at the rate of 6.450% per annum.
5. Interest shall be payable to the date of maturity of the said debentures and shall be payable on default both before and after default and judgment. Any amounts payable by the Corporation as interest on overdue principal or interest in respect of the said debentures shall be paid out of current revenue.
6. In limited circumstances (as set out in the letter of representations addressed to CDS referred to below) the Global Debenture shall be exchangeable for debentures in definitive fully registered form in denominations of \$1,000 and any multiples thereof upon surrender of the Global Debenture to the Treasurer of the Corporation provided that there is at least one definitive debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as at the date of exchange, shall bear the same interest rates and maturity dates, shall bear all unmatured interest

obligations and shall be the same substantially in every respect to the Global Debenture. In issuing definitive debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive debentures shall be in fully registered form payable as to outstanding principal in lawful money of Canada at any specified branch of the bank designated therein with provision for payment of interest by cheque sent through the post to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer. In the case of joint registered holders of any of the said definitive debentures, the principal moneys and interest thereon may be paid to the holder whose name first appears in the Corporation's debenture registry whose receipt thereof shall constitute a valid discharge to the Corporation.

7. In each year during the currency of the said debentures, there shall be levied and raised in respect of the Purposes, by a special rate sufficient therefor on all the rateable property in the City of Peterborough, the amount of the instalment of interest or of principal and interest payable in that year as set forth in Schedule "B" hereto to the extent that the amounts have not been provided for by special rates imposed on persons or property made specially liable for them by a by-law of any municipality; but no greater rate shall be levied in any year for such Purposes than is required to pay the said amount after taking into account receipts from any other source in respect of the Purposes including without limitation, lease payments made to the Corporation in respect of Purpose numbered 1 described in column (2) of Schedule "A".
8. The said debentures may contain any provision for their registration authorized by law.
9. (a) The Mayor and the Treasurer are hereby authorized to cause the said debentures to be sold or hypothecated at such price or prices as they may determine, the Treasurer is hereby authorized to enter into a purchase letter in respect of the said debentures setting out the said price or prices, the Treasurer is hereby authorized to enter into a letter of representations addressed to CDS, the Treasurer is hereby authorized generally to do all things and to execute all documents and other papers in the name of the Corporation in order to carry out the sale or hypothecation of the said debentures and the Treasurer is hereby authorized to affix the seal of the Corporation to any of such documents and papers.

(b) The proceeds of the sale or hypothecation of the said debentures, after providing for the discount, if any, and the expenses of negotiation and sale thereof, shall be apportioned and applied for the respective Purposes and for no other purpose except as permitted by the Act.
10. Subject to the foregoing, the holder of any of the said debentures may exchange such debenture for fully registered debentures of authorized denominations upon surrender of such debenture to the Treasurer of the Corporation. Debentures issued in substitution for any such debenture surrendered shall aggregate the same principal amount as the debenture surrendered, bear all unmatured interest obligations, bear the same interest rate and maturity date and be the same in every respect except in denomination to such debenture surrendered.

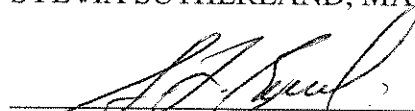
11. This by-law shall come into force and take effect on the date of its passing.

By-law read a first and second time this 21st day of January, 2002

By-law read a third time and finally passed this 21st day of January, 2002



SYLVIA SUTHERLAND, MAYOR



STEVEN F. BRICKELL,
CITY CLERK

THE CORPORATION OF THE CITY OF PETERBOROUGH

SCHEDULE "A" TO BY-LAW NUMBER 02-008

(1) Project Number	(2) Authorizing By-law Number	(3) Description of Capital Projects	(4) Debitures Authorized by Council \$	(5) Debitures Previously Issued \$	(6) Debitures to be Issued \$	(7) Authorized Term of Years	(8) Term of Years of Debitures to be Issued
<u>Projects Supported by Lease Payments</u>							
1.	01-143	Purchase of lands municipally known as 70 Simcoe Street, in the City of Peterborough, County of Peterborough, from AON Inc.	3,000,000	Nil	2,600,000	15	15
<u>Tax Supported Projects</u>							
2.	01-085	Asphalt resurfacing of various collector and local streets	1,000,000	Nil	1,000,000	10	10
3.	01-067 02-001 02-007	Reconstruction of various concrete sidewalks	770,000	Nil	770,000	10	10
4.	00-065 01-038 02-007	Rehabilitation of the Parkhill Road (Inverlea) Bridge over the Otonabee River	360,000 <u>1,126,975</u> 1,486,975	Nil	360,000 <u>1,126,000</u> 1,486,000	15 15	10 10
Sub-Total – Tax Supported Projects					<u>3,256,000</u>		
TOTAL OWNER SUPPORTED AND TAX SUPPORTED PROJECTS					<u>5,856,000</u>		

**THE CORPORATION OF THE CITY OF PETERBOROUGH
SCHEDULE "B"
TO BY-LAW NUMBER 02-008**

Year	Date	Interest %	Principal \$	Semi-annual Interest \$	Semi-annual Payment \$	Total Annual Payment \$
1	7/24/2002			155,800	155,800	
1	1/24/03	2.500	390,000	155,800	545,800	701,600
2	7/24/03			150,925	150,925	
2	1/24/04	3.500	399,000	150,925	549,925	700,850
3	7/24/04			143,942	143,942	
3	1/24/05	4.300	413,000	143,942	556,942	700,884
4	7/24/05			135,063	135,063	
4	1/24/06	4.800	431,000	135,063	566,063	701,126
5	7/24/06			124,719	124,719	
5	1/24/07	5.200	452,000	124,719	576,719	701,438
6	7/24/07			112,967	112,967	
6	1/24/08	5.400	475,000	112,967	587,967	700,934
7	7/24/08			100,142	100,142	
7	1/24/09	5.650	501,000	100,142	601,142	701,284
8	7/24/09			85,988	85,988	
8	1/24/10	5.875	529,000	85,988	614,988	700,976
9	7/24/10			70,449	70,449	
9	1/24/11	6.000	560,000	70,449	630,449	700,898
10	7/24/11			53,649	53,649	
10	1/24/12	6.125	594,000	53,649	647,649	701,298
11	7/24/12			35,458	35,458	
11	1/24/13	6.200	196,000	35,458	231,458	266,916
12	7/24/13			29,382	29,382	
12	1/24/14	6.350	208,000	29,382	237,382	266,764
13	7/24/14			22,778	22,778	
13	1/24/15	6.400	221,000	22,778	243,778	266,556
14	7/24/15			15,706	15,706	
14	1/24/16	6.450	236,000	15,706	251,706	267,412
15	7/24/16			8,095	8,095	
15	1/24/17	6.450	251,000	8,095	259,095	267,190