

### **License Amendment #3**

BY AND BETWEEN:

**The City of Saint John**, having its City Hall at 15 Market Square, Saint John, New Brunswick, a body corporate by Royal Charter, confirmed and amended by Acts of the Legislative Assembly of the Province of New Brunswick, hereinafter called the "Licensor"

OF THE ONE PART

- and -

**707990 N.B. Inc.**, a company duly incorporated under the laws of the Province of New Brunswick, having its head office at 42 Bayview Drive, in the City of Saint John, County of St. John, Province of New Brunswick, hereinafter called the "Licensee"

OF THE OTHER PART

WHEREAS the Licensor and Licensee entered into a License that was approved by resolution of the Licensor's Common Council on April 8<sup>th</sup>, 2019 and executed on behalf of the Licensee by Andrew Bezeau, President, on April 11<sup>th</sup>, 2019 (the "License"); and

WHEREAS the License was subsequently amended; and

WHEREAS the Licensor and Licensee wish to make certain discrete further amendments to the License;

NOW THEREFORE THIS INDENTURE WITNESSETH that for and in consideration of the charges stipulated in the License and other good and valuable consideration, the receipt of which is hereby acknowledged, the following amendments to the License are agreed to by the Licensor and Licensee:

1. In addition to the times and dates specified in Article 1 of the License, as amended, the Licensee shall:
  - a. have access to and use of the Premises from June 24<sup>th</sup> to June 28<sup>th</sup>, 2019 between the hours of 9:00am until 3:30pm, inclusive, as well as on July 1<sup>st</sup>, 2019 (Canada Day) between the hours of 9:00am until 5:00pm, inclusive, in exchange for the good and valuable consideration of Three Thousand Two Hundred and

Sixteen Dollars (\$3,216.00), plus HST, which shall be added to the installment payment that the Licensee shall make to the Licensors pursuant to Article 2(ii)(c) of the License.

- b. have the option to access and use the Premises after 5:00pm on July 1<sup>st</sup>, 2019 (Canada Day) at an hourly cost of One Hundred Dollars (\$100.00) plus HST, subject to the following additional conditions:
  - i. the Licensee shall rent consecutive hours commencing at 5:00pm, up to but not later than 11:00pm on the aforementioned date, and
  - ii. the Licensee shall exercise this option by providing written notice to the Licensors of not less than ten (10) calendar days prior to July 1<sup>st</sup>, 2019 and shall provide full payment to the Licensors together with the aforementioned written notice.
- c. have the option to access and use the Premises between 9am and 11pm on August 5<sup>th</sup>, 2019 (New Brunswick Day) at an hourly cost of One Hundred Dollars (\$100.00) plus HST, subject to the following additional conditions:
  - i. the Licensee shall rent the Premises for a minimum of four (4) consecutive hours, and
  - ii. the Licensee shall exercise this option by providing written notice to the Licensors of not less than fourteen (14) calendar days prior to August 5<sup>th</sup>, 2019 and shall provide full payment to the Licensors together with the aforementioned written notice.

IN WITNESS WHEREOF the parties hereto have set their corporate seals duly attested by the signatures of their properly authorized officers respectively the day and year first above written.

Signed, sealed and delivered

THE CITY OF SAINT JOHN

\_\_\_\_\_  
Don Darling, Mayor

\_\_\_\_\_  
Jonathan Taylor, Common Clerk

Common Council Resolution:  
April \_\_\_\_, 2019

707990 N.B. Inc.

Per: \_\_\_\_\_  
Andrew Bezeau, President

PROVINCE OF NEW BRUNSWICK

COUNTY OF SAINT JOHN

I, Jonathan Taylor, of the Town of Quispamsis, in the County of Kings and Province of New Brunswick, MAKE OATH AND SAY:

- 1. THAT I am the Common Clerk of The City of Saint John and have custody of the Common Seal hereof.
- 2. THAT the seal to the foregoing instrument affixed is the Common Seal of The City of Saint John and that it was so affixed by Order of the Common Council of the said City.
- 3. THAT the signature “Don Darling” to the said instrument is the signature of W. Donald Darling, Mayor of the said City, and the signature “Jonathan Taylor” thereto is my own signature.
- 4. THAT we are the proper officers to sign the foregoing instrument on behalf of The City of Saint John.

SWORN TO BEFORE ME )  
at the City of Saint John, in the )  
County of Saint John and )  
Province of New Brunswick )  
this \_\_\_\_ day of \_\_\_\_\_, 2019 )  
 )  
 )  
\_\_\_\_\_)  
 )  
Commissioner of Oaths )  
Being a Solicitor )  
 )

\_\_\_\_\_  
Jonathan Taylor

PROVINCE OF NEW BRUNSWICK

1. THAT I am the President of 707990 N.B. Inc., the licensee named in the foregoing instrument and have custody of the corporate seal of the said company and am duly authorized to make this affidavit.

3. THAT the signature “Andrew Bezeau” subscribed to the said instrument is my signature and as I am duly authorized to execute the said instrument.

4. THAT the said document was executed as aforesaid at the \_\_\_\_\_ of \_\_\_\_\_, in the Province of New Brunswick on the \_\_\_\_ day of \_\_\_\_\_, 2019.

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Andrew Bezeau