



**CORPORATION OF THE TOWN OF INGERSOLL
BY-LAW NO. 10-4521**

**A by-law to amend By-law No. 00-3910 being a by-law to
authorize the execution of a lease Agreement with
Fido Solutions Inc.**

WHEREAS the Corporation of the Town of Ingersoll entered into a lease agreement with Fido Solutions Inc., previously known as Microcell Connexions Inc. on the 5th day of April 2000

AND WHERAS Fido Solutions Inc. desires to exercise its option to renew its agreement with Ingersoll expiring May 19, 2010.

NOW THEREFORE the Council of The Corporation of the Town of Ingersoll enacts as follows:

- (1) That the Mayor and the Clerk are hereby authorized to execute an amending agreement with Fido Solutions Inc. and to affix the seal of The Corporation of the Town of Ingersoll hereto.
- (2) That a copy of the said agreement shall be annexed to and form part of this by-law.

READ a first and second time in Open Council this 14th day of December 2009.

READ a third time in Open Council and passed this 14st day of December 2009.

THE CORPORATION OF THE TOWN OF INGERSOLL

Paul Holbrough, Mayor

Elaine Clark, Clerk

LEASE AMENDING AND EXTENSION AGREEMENT

THIS AGREEMENT made this 16th day of November 2009.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF INGERSOLL
(the "Landlord")

- and -

FIDO SOLUTIONS INC.
(the "Tenant")

WHEREAS:

- A.** The Landlord and Microcell Connexions Inc. as the tenant entered into a Lease dated 4th day of May, 2000 (the "Lease") with respect to certain real property known as 70 Pemberton Street, Ingersoll, Ontario (the "Property"), all as more particularly described in the Lease;
- B.** By Articles of Amalgamation dated the 1st day of May, 2003, Microcell Connexions Inc. amalgamated and continued as Microcell Solutions Inc.; and
- C.** By Articles of Amalgamation dated the 8th day of November, 2004, Microcell Solutions Inc. amalgamated and continued as Microcell Solutions Inc.;
- D.** By Articles of Amendment dated the 19th day of January, 2005, Microcell Solutions Inc. changed its name to Fido Solutions Inc.;
- E.** The current term of the Lease expires on the 31st day of May, 2010; and
- F.** The Landlord and the Tenant have agreed to amend the terms of the Lease as hereinafter provided;

THEREFORE in consideration of the covenants, terms and conditions contained herein the Landlord and the Tenant agree the Lease is hereby amended as follows:

- 1. **Demise and Term**
The Landlord hereby leases to the Tenant the Property for and during the term of Eleven (11) years less one day, commencing on the 1st day of June, 2010 and expiring on the 30th day of May, 2021 (the "First Extension Term").
- 2. **Rent**
As per Section 2.3 of the Lease, the Rent payable during the First Extension Term shall be the rent payable during the preceding year indexed by the percentage change of the "annual average" Consumer price Index All Items (not seasonally adjusted) as published by Statistics Canada for the region in which the Property is located.
- 3. **Further Options to Extend**
In addition to the options to extend the terms as set out in the Lease, the Landlord irrevocably grants to the Tenant the option to further extend the Term for two (2) further and consecutive periods of five (5) years each, commencing on the 31st day of May, 2021 and 2026, respectively. The options shall be deemed to be exercised by the Tenant unless the Tenant gives notice in writing at least 60 days prior to the expiry of the term or any extension period as the case may be stating that it elects not to exercise such option.
- 4. **Rent Payable During Extension Terms**
Rent payable during the extension terms shall be upon the same terms and conditions as

Site Name:70 Pemberton St.

Location Code:C5623/52819001

IN WITNESS WHEREOF the parties hereto have hereunto executed this agreement as of the date first written above.

**THE CORPORATION OF THE TOWNSHIP
OF INGERSOLL**

FIDO SOLUTIONS INC.

Per: _____
Name:
Title:

Per: *Mena*
Name: Mena Damouni
Title: Manager, Real Estate

Per: _____
Name:
Title:

I have the authority to bind the Corporation

I/We have the authority to bind the Corporation

