



**Peterborough
Public Library**

To: Peterborough Public Library Board of Trustees

From: Jennifer Jones, Library CEO

Meeting Date: May 29, 2018

Subject: Report PPL18-036
MOU Property Matters

Purpose

A report to inform the Library Board of the status of the property ownership by the Peterborough Public Library Board at both the main and DelaFosse branches.

Recommendations

That the Library Board approve the recommendations outlined in Report PPL18-036 dated May 29, 2018, of the Library CEO, as follows:

- a) That the report of the Library CEO be received for information;
- b) That the Board designate a signing authority for the agreements of purchase and sale and related documentation;
- c) That the Board approve the sale of the property owned by the Library Board at 345 Aylmer Street N (main branch) to the City of Peterborough for \$2;
- d) That the Board approve the sale of the property owned by the Library Board at 729 Park Street S (Delarosa branch) to the City of Peterborough for \$2; and,
- e) That the Board direct the Library CEO to retain a lawyer on its behalf.

Budget and Financial Implications

There is no financial impact to selling the properties owned by the Board to the City. The City will cover the anticipated legal fees to a maximum of \$2,000.

Background

The Associate City Solicitor, Alan Barber, attended the Library Board meeting on March 27, 2018 to provide background information on the status of the Library Board's property ownership at both 345 Aylmer Street N (main branch) and 729 Park Street S (DelaFosse branch).

The Board was agreeable at that time to transfer all the property they own to the City. There were some questions regarding the title and any connection to the Carnegie Trust. Were there any remaining ties, they may be discovered with the title search, assuming that there was an agreement registered on the title.

If the Board would like to know whether the Carnegie Trust would prevent the intended transfers, it would be a separate request of the lawyer outside of the land transfer. If any restriction in the intended transfer exists, it would be registered on title and will be revealed by the purchaser's (City) title search. The City will cover its own costs for its title search. The Board can ask the lawyer they retain to follow up on this piece, but it would be a separate cost and not covered by the agreement with the City to pay legal fees.

The process would be easier on the seller's side, and a little less costly than on the buyer's side. The seller's lawyer would be responsible for preparing the deed to transfer the property. Costs are approximately \$1,000 (per property), which the City has agreed to pay. As the City already pays the bills for heat, hydro, water and taxes within the Library budget, there should be no money changing hands as a result of any statements of adjustments.

Once the decision to is made as to whom to hire, Mr. Barber can connect with them directly and they can proceed with the real estate transactions. Much of the work and expense is on the buyer's side.

The state of the buildings and property at both Main and DelaFosse are taken as is in this transfer. Library funding is 99% City funding, and the City has been responsible through staff for the maintenance of the buildings. The agreement of purchase and sale will include a clause stating that the City is obtaining the land, in the case of the DelaFosse, the building, on as "as is/where is" basis.

Submitted by,

Jennifer Jones
Library CEO

Contact Name:

Jennifer Jones

Phone: 705- 745-5382 Ex. 2370

Fax: 705-745-8958

E-mail: jjones@peterborough.ca