

CORPORATION OF THE DISTRICT OF BURNABY.

By-law No. 219.

A By-law to resume a part of District Lot One hundred and thirty-five (135) for making a road.

WHEREAS by Section 325 of the "Municipal Act" being Chapter 52 Statutes of British Columbia 1914 it is provided that in the event of the Crown not having resumed the entire acreage reserved in any Crown grant for making roads, canals, bridges, towing-paths or other works of public utility or convenience it shall be lawful for the Council of any district municipality by by-law passed for that purpose and with the consent of the Lieutenant-Governor-in-Council to resume any part of such lands so granted by the Crown which it may be deemed necessary to resume for making roads, canals, bridges, towing-paths or other works of public utility or convenience, so, nevertheless, that the entire acreage of the lands resumed or to be resumed shall not exceed one-twentieth part of the whole of the lands granted as aforesaid and that no such resumption shall be made of any lands on which any buildings may have been erected or which may be in use as gardens or otherwise for the more convenient occupation of such buildings, Provided always that in the event of the Council exercising the power thereby granted the owner shall be entitled to receive compensation for his improvements.

AND WHEREAS it is deemed expedient and necessary to establish open and make a road or highway along the Southerly boundary of said District Lot one hundred and thirty-five (135),

AND WHEREAS it is deemed advisable for the purposes aforesaid for the Municipality to exercise the rights, powers and privileges granted under said Section 325 of the "Municipal Act".

THE Municipal Council of the Corporation of the District of Burnaby enacts as follows :-

1. The Council for the purpose of establishing opening and making a road or highway hereby resumes a strip of land thirty-three (33) feet in width being part of said District Lot One hundred and thirty-five (135) Group One (1) New Westminster District and extending along the whole Southerly boundary of said district lot as shown on the plan hereunto annexed and thereon colored red.

2. The said land so resumed is hereby established as a road or highway.

3. For the purposes aforesaid the Municipality may forthwith enter upon, take possession of and use the said land or any part thereof.

4. This By-law shall come into effect upon receiving the consent of the Lieutenant-Governor-in-Council.

5. This By-law may be cited as the "BURNABY DISTRICT LOT 135 RESUMPTION BY-LAW 1916."

DONE AND PASSED in Open Council this Twentieth (20th.) day of November, 1916.

RECONSIDERED and finally passed this Eighteenth (18th.) day of December, 1916.

RECEIVED THE ASSENT OF THE LIEUTENANT-GOVERNOR-IN COUNCIL this 18th. day of January, 1917.

Arthur G. Moore

C.M.C.

Hugh M. Fraser

Reeve.

I, Arthur G. Moore, Clerk to the Municipal Council of the Corporation of the District of Burnaby, hereby certify that the foregoing is a true copy of a By-law, passed by the Municipal Council on the Eighteenth (18th.) day of December, 1916.

Arthur G. Moore
Clerk.

DESCRIPTION OF THE SOUTHERLY 33 FEET OF DISTRICT LOT 135, GROUP
ONE, - N. W. D. - BURNABY.

ALL AND SINGULAR that certain parcel or tract of land situate lying and being in the District of New Westminster in the Province of British Columbia, and being composed of the Southerly Thirty-three (33) feet of District Lot 135, Group One, in said District, containing by admeasurement Two (2.00) acres, be the same more or less and shown coloured red on the plan hereto annexed.

(Signed) A. CAMPBELL REDDIE.

Deputy Clerk: Executive Council.

CERTIFIED COPY OF A REPORT of a Committee of the Honourable the Executive Council, approved by His Honour the Administrator on the 18th. day of January, 1917.

TO HIS HONOUR

THE ADMINISTRATOR-IN-COUNCIL:-

THE UNDERSIGNED has the honour to report for the consideration of the Council the following:-

THAT on the 18th. day of December, 1916, the Municipal Council of the Corporation of the District of Burnaby finally passed, under the provision of section 325 of the Municipal Act, By-law No. 219 of the By-laws of the said Corporation, resuming certain lands in District Lot 135, Group One, in the District of New Westminster, for road purposes;

THAT the lands so proposed to be resumed are parts of lands that have been granted by the Crown to different persons and in no case exceed one-twentieth of the land so granted, and are to be a connecting link in a public highway in Burnaby Municipality.

THAT under the provisions of said section 325 of the Municipal Act the consent of the Lieutenant-Governor in Council to any by-law passed for the resumption of lands as aforesaid is necessary.

THE UNDERSIGNED has therefore the honour to recommend that under authority of section 325 of the Municipal Act the consent of the Lieutenant-Governor in Council be given to By-law No. 219 of the By-laws of the Corporation of the District of Burnaby, intituled "A By-law to resume part of District Lot One Hundred and thirty-five (135) for making a Road", upon the condition that the said Corporation compensate the owners of the said lands for improvements (if any) made thereon.

DATED this 13th. day of January, A.D. 1917.

"M. A. Macdonald"
Attorney-General.

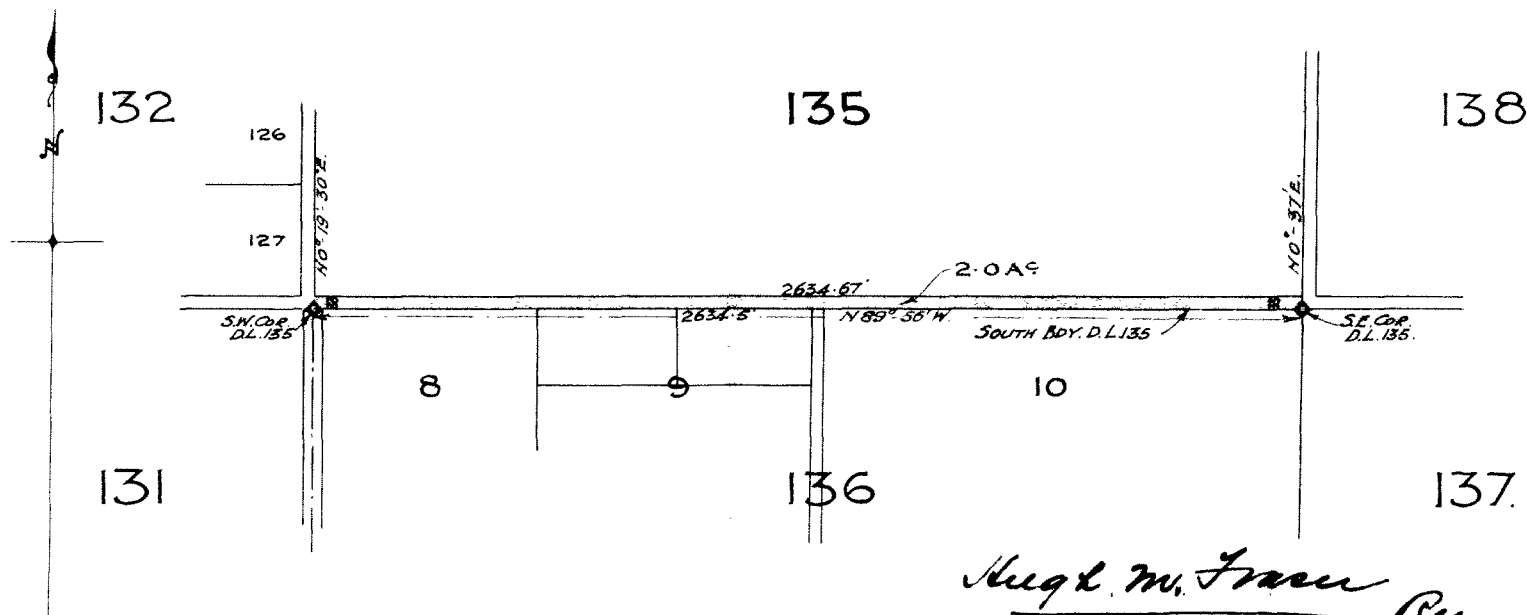
APPROVED this 13th. day of January, A.D. 1917.

"John Oliver"
Presiding Member of the Executive Council.

PLAN OF
SOUTHERLY 33 FEET of DISTRICT LOT 135

Group I, New Westminster District.

Scale: 1 inch = 400 feet.



I, S.S. McDiarmid of the City of Vancouver, a British Columbia Land Surveyor, make oath and say that I was present at and did personally superintend the survey represented by this plan, and that the survey and plan are correct.

Sworn before me this 21st day of December, 1916

S.S. McDiarmid
A Notary Public in and for B.C.

Stuedemann

Hugh M. Fraser *Pres*
Arthur G. Moore *Clerk*

Dec. 1916. 1915.

Work No. 1546. Plan No. 1572.

Cleveland & Cameron.
Engineers & Surveyors.
Vancouver B.C.