

CORPORATION OF THE DISTRICT OF BURNABY

By-law No. 229.  
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A By-law to straighten a portion of the Johnston Road through District Lot 130, Municipality of Burnaby.

Whereas by subsection 202 of Section 54 of the "Municipal Act" it is provided that in every municipality the Council may make by-laws for disposing of a public street or highway or any portion thereof whenever deemed necessary in exchange for adjacent or contiguous lands acquired or expropriated for the purpose of improving widening straightening or diverting any public street or highway and to execute deeds for property so exchanged when authorized so to do by the Lieutenant-Governor in Council,

AND WHEREAS it is deemed advisable and desirable to straighten and definitely locate Johnston Road through District Lot 130 in the Municipality of Burnaby as shown on plan hereto annexed the present location being shown between the black lines and the corrected location between the red lines on said plan,

AND WHEREAS Elizabeth F. Dobell of Beauvoir Manor, Quebec, Executrix under the will of the late Richard Reid Dobell is the owner of said District Lot 130 and has agreed to grant and convey to the Municipality that portion of the lands required for such straightening, being that portion of District Lot One Hundred and thirty (130) Group One (1) New Westminster District, hereinafter and more particularly described in paragraph 2 hereof.

AND WHEREAS for the purpose aforesaid it is necessary to close that part of Johnston Road now established through District Lot One hundred and thirty (130) Group One (1) and more particularly hereinafter described, and convey

the same to the said Elizabeth F. Dobell in exchange for the lands required to straighten said highway.

THE MUNICIPAL COUNCIL of the Corporation of the District of Burnaby therefore enacts as follows :-

1. The Corporation of the District of Burnaby declares closed and stepped up that portion of Johnston Road through District Lot One Hundred and thirty (130) Group One (1) as now established, described as follows :- ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the District of New Westminster and Province of British Columbia and being composed of a portion of Lot One Hundred and Thirty (130) Group One (1) more particularly described as follows, that is to say :- A strip of land Sixty-six (66) feet in width lying Thirty-three (33) feet on each side of the following described centre line:- Commencing at the point on the West boundary of said Lot One Hundred and Thirty (130) Group One (1) distant Southerly Eight Hundred and Twenty-nine and Three One Hundredths (829.03) feet thereon from the Northwest corner of said Lot One Hundred and Thirty (130); thence South  $61^{\circ} 49'$  East Six Hundred and Sixty-five and Six Tenths (665.6) feet; thence South  $73^{\circ} 12'$  East Four Hundred and Sixty-four (464) feet; thence South  $45^{\circ} 23\frac{1}{2}'$  East One Hundred and Seventy-nine and Eight Tenths (179.8) feet; thence South  $73^{\circ} 45\frac{1}{2}'$  East Nine Hundred and Seventy-one and Seven Tenths (971.7) feet; thence South  $65^{\circ} 42\frac{1}{2}'$  East Five Hundred and Twenty-five and Five Tenths (525.5) feet; thence South  $51^{\circ} 51\frac{1}{2}'$  East Eighty-three and One Tenth (83.1) feet more or less to the East boundary of said Lot One Hundred and thirty (130) Group One (1) said parcel being Sixty-six (66) feet in width lying Thirty-three (33) feet on each side of the herein described centre line, containing by admeasurement Four and Thirty-eight

One Hundredths (4.38) acres be the same more or less.

2. In lieu of substitution and exchange for the road or highway closed by the preceding paragraph, a street, highway or public thoroughfare is hereby established and opened over the lands and premises described as follows:- 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 a strip of land Sixty-six (66) feet in width and Thirty-three (33) feet on each side of the following described centre line and being portion of District Lot One Hundred and thirty (130) Group One (1), more particularly described as follows :- Commencing at the point on the West boundary of District Lot One Hundred and thirty (130) Group One (1) distant Southerly thereon Eight Hundred and Twenty-five and Eight one hundredths (825.08) feet from the North-west corner of said Lot 130, Group 1; thence South  $66^{\circ} 40' 30''$  East Twenty-eight Hundred and Sixty-six and Ninety-two One Hundredths (2866.92) feet more or less to the point on the East boundary of said Lot 130, Group 1, distant Southerly thereon Nineteen Hundred and Fifty-four and Seventy-eight One Hundredths (1954.78) feet from the North east corner of said Lot 130, said parcel Thirty-three (33) feet on each side of the herein described centre line and Sixty-six (66) feet in width and containing by admeasurement Four and Thirty-four One Hundredths (4.34) acres be the same more or less.

3. The said lands described in paragraph 1 shall be conveyed by the Corporation of the District of Burnaby to the said Elizabeth F. Debell in exchange for the lands described in paragraph 2 hereof required for straightening of said road, and that the deed or deeds of said land as executed under the corporate seal of the Corporation of the District of Burnaby by the Reeve and Clerk bearing date the 21st day of April A.D.

1913, be delivered in exchange for the deed dated 29th. day of May A.D. 1916 from the said Elizabeth F. Dobell to the Corporation of the District of Burnaby of the lands described in paragraph 2 hereof.

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 "JOHNSTON ROAD AND DISTRICT LOT 180 BY-LAW, 1917."

DONE AND PASSED in Open Council this Twenty-fourth (24th). day of September A.D. 1917.

RECONSIDERED and finally passed this Sixth (6th.) day of October, A.D. 1917.

Hugh W. Finlay

R E A V E.

Arthur G. Moore

C L E R K.

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 Sixth (6th.) day of October, 1917.

Arthur G. Moore  
C L E R K.

COPY.

"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  
Lieutenant-Governor on the 3rd day of December 1917.

TO HIS HONOUR

THE LIEUTENANT-GOVERNOR IN COUNCIL :

The undersigned has the honour to submit for the con-  
sideration of the Council the following:

CERTIFIED COPY of By-law No. 229 of The Corporation of  
the District of Burnaby, being a By-law to dispose of a portion  
of a road designated the "Johnston Road" as extending through  
and situate in District Lot 130, in the Municipality of Burnaby  
as set out and described in the said By-law in exchange for  
certain adjacent or contiguous lands in the said District Lot  
130 as also set out and described in the said By-law and to  
execute deeds for the lands to be so given in exchange:

PETITION from the Council of the said Corporation  
praying that authorization be given by His Honour the Lieutenant-  
Governor in Council for the execution of such deeds:

AND TO RECOMMEND that pursuant to the provisions of  
Subsection (202) of Section 54, such authorization be given:

AND THAT a certified copy of this Minute, if approved,  
be transmitted to McQuarrie, Martin, Cassady and Macgowan,  
Solicitors for the said Corporation at New Westminster, B.C.

DATED this 29th day of November A.D. 1917.

"J.W.deB. Farris"

Attorney-General

Approved this 29th day of November A.D.1917.

"H.C.Brewster"

Presiding Member of the Executive Council.