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CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1703



A BY-LAW to provide for the stopping up of a portion of Alberta Avenue, in the Municipality of Burnaby.

WHEREAS the portion of Alberta Avenue, in the Municipality of Burnaby, in the Province of British Columbia, hereinafter more particularly described, was dedicated as a highway to and for the use of the public.

AND WHEREAS no actual highway has been constructed or maintained on the said portion of Alberta Avenue, and no public money has been expended thereon.

AND WHEREAS the Ocean View Burial Park Company is the owner in fee simple of the North-east quarter ( $\frac{1}{4}$ ) of District Lot One hundred and fifty (150), Group One (1), New Westminster District, as well as of Blocks "D" and "G" of said District Lot, the said North-east quarter ( $\frac{1}{4}$ ) and Block "D" being the only property lying to the east of the said portion of Alberta Avenue and the said Block "G" of said District Lot being the only property lying to the West of the said portion.

AND WHEREAS the Ocean View Burial Park Company has requested that the said portion of Alberta Avenue be stopped up and the title to the said portion be vested in the Company as transferee in terms of Subsection 2 of Section 324 of the Municipal Act of British Columbia to which the Corporation has agreed.

THEREFORE the Commissioner of the Corporation of the District of Burnaby in exercise of all the powers him thereunto enabling ENACTS as follows:

1. It shall be lawful for the Corporation of the District of Burnaby to stop up and the said Corporation doth hereby stop up the portion of Alberta Avenue more particularly known and described as,

ALL AND SINGULAR, that certain parcel or tract of land and premises situate, lying and being a portion of Alberta Avenue in District Lot 150, Group 1, District of New Westminster, Province of British Columbia, according to Plans No. 2041 and 2042, deposited, and being more particularly described as follows:

COMMENCING at the South-east corner of Block "G", Plan No. 5937, of District Lot 150, aforesaid; thence Northwardly and following the East Boundary of said Block "G" 901.9 feet to the North-east corner thereof; thence Eastwardly and following the Easterly production of the North Boundary of Block "G" aforesaid, 33.0 feet to an intersection with the West Boundary of the North-east quarter of District Lot 150; thence Southwardly and following the said West Boundary of the North-east quarter of District Lot 150, 294.7 feet to the South-west corner thereof; thence Eastwardly and following the South Boundary of the North-east quarter of District Lot 150, 33.0 feet to the North-west corner of Block "D", Plan 3719 of District Lot 150; thence Southwardly and following the West Boundary of said Block "D" 607.5 feet to the South-west corner thereof; thence Westwardly 66.0 feet to the point of commencement and containing, by estimation 1.143 acres, be the same more or less, as more particularly shewn on the plan hereunto annexed and thereon outlined with Red Colour.

2. That the said portion of Alberta Avenue is stopped up as aforesaid to the extent and effect that it is closed to public traffic of all kinds and that it shall, from and after the passing of this By-law, cease to be a street, highway or thoroughfare to or for the use of the public.

3. That the Petition of the Ocean View Burial Park Company to the Lieutenant-Governor in Council dated the 7th day of May 1940, praying that the said portion of Alberta Avenue be abandoned to it as transferee be and the same is hereby approved and consented to.

THIS BY-LAW shall not come into force and effect unless and until it shall have received the consent of the

Lieutenant-Governor in Council as required by law.

THIS BY-LAW will be cited for all purposes as  
"BURNABY HIGHWAY ABANDONMENT BY-LAW 1940."

DONE AND PASSED on the Twenty second (22nd) day of  
May, A.D. 1940.

RECONSIDERED AND FINALLY PASSED this Twenty ninth  
(29th) day of May, A.D. 1940.



*Hugh M. Fraser*

COMMISSIONER.

*Charles B. Brown*

CLERK.

I, Charles B. Brown, Clerk of the Corporation of the District of Burnaby do hereby certify the foregoing to be a true copy of a By-law passed by the Commissioner for the Corporation of the District of Burnaby on the Twenty ninth (29th) day of May, A.D. 1940.

*Charles B. Brown*  
CLERK.

1703



PLAN OF A PORTION OF D. L. 150, GP. 1,  
IN THE WESTMINSTER DISTRICT.

SHOWING THE PORTION OF ALBERTA AVENUE, WHICH  
IS TO BE CLOSED BY BYLAW, OUTLINED WITH RED.

REFERENCE:-  
PLANS NO 2041 AND 2042.

SCALE:- 1 INCH = 100 FEET.

17.	18.	19.	20.	21.
	PLAN	NO	1357.	
STREET.				

Commissioner of the District of Burnaby.

*W. G. G. G. G.*  
Commissioner.  
*Charles B. Brown*  
Clerk.

Approved under the Land Registry Act.  
on this day of April, 1940.

Approving Officer.

**D. L. 150,**  
**G.**  
PLAN NO 5937

**GP. 1.**

**D.**  
PLAN NO 3719.

Checked correct according to  
Registry Office Records.  
on this 25th day  
of April, 1940.  
*Geoffrey K. Burnett*  
B.C.L.S.

W. G. G. G. G. G.  
Engineers & Surveyors,  
Westminster, B.C.

**H.**  
PLAN NO 5937

**13.**  
PLAN NO 3372.

