

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3126

A BY-LAW to authorize The Corporation of the District of Burnaby to acquire an Easement for Corporate purposes.

WHEREAS it is desirable and expedient that an Easement should be acquired through the hereinafter described property for the purpose of right of way for a drainage ditch.

AND WHEREAS Leonard Greenall and William Joseph Greenall, of 2690 Beresford Street, in the Municipality of Burnaby, are the owners of Lot Seven (7) of Lot "A" of Block One (1) of the Northwest one-quarter of District Lot 175, Group One (1) New Westminster District, Map No.

AND WHEREAS the said Leonard Greenall and William Joseph Greenall have agreed to grant an easement for a right of way over and through the said property.

AND WHEREAS under the provisions of paragraph (a) of paragraph 19 of Section 58 of the Municipal Act the Municipal Council is authorized to make and pass by-laws to acquire or accept easements.

THEREFORE the Municipal Council of The Corporation of the District of Burnaby ENACTS as follows:-

1. It shall be lawful for the Municipal Council of The Corporation of the District of Burnaby to acquire an Easement from Leonard Greenall and William Joseph Greenall of the Municipality of Burnaby, Province of British Columbia, for a right of way for a drainage ditch across the East five (5') feet of Lot Seven (7) of Lot "A" of Block One (1) of Northwest one-quarter of District Lot 175, Group One (1) New Westminster District, Map No. 12205 , paying therefor the sum of One (\$1.00) dollar of lawful money of Canada.

2. This By-law may be cited as "BURNABY EASEMENT AUTHORIZATION BY-LAW 1951."

DONE AND PASSED in Open Council this Twenty-eighth (28th) day of May, A.D. 1951.

RECONSIDERED AND FINALLY PASSED by a three-fourths majority of all the members of the Municipal Council this Fifth (5th) day of June, A.D. 1951.

*M. Reeve*  
*acting* REEVE

*Charles B. Brown*  
CLERK



THIS INDENTURE made the 28th day of May, in the  
year of our Lord, one thousand nine hundred and fifty one  
BETWEEN:

LEONARD GREENALL and WILLIAM JOSEPH GREENALL, both  
of 2690 Beresford Street, in the Municipality  
of Burnaby, Province of British Columbia.

Hereinafter called the "Grantors"  
OF THE FIRST PART.

A N D:

THE CORPORATION OF THE DISTRICT OF BURNABY, a Body  
Corporate and politic, created under and by  
virtue of an Act of the Legislature of the  
Province of British Columbia.

Hereinafter called the "Grantee"  
OF THE SECOND PART.

WHEREAS the Grantors are the owners of the lands and  
premises hereinafter described.

AND WHEREAS the Grantee intends to construct a drainage  
ditch which will pass through and across the said hereinafter  
described lands and has requested the Grantor to grant to it an  
easement or right of way for such drainage ditch through and  
across the said hereinafter described lands.

AND WHEREAS the Grantors have agreed in consideration of  
the sum of One dollar (\$1.00) on the execution of this indenture  
to grant to the Grantee an easement or right of way through and  
across the said hereinafter described land for the aforesaid  
purpose and in the manner more particularly expressed.

NOW THIS INDENTURE WITNESSETH that in pursuance of the  
said agreement, and in consideration of the sum of One (\$1.00)  
dollar of lawful money of Canada, now paid by the Grantee to the  
Grantors (the receipt whereof is by the Grantors hereby acknowledged)  
the Grantors DO grant unto the Grantee, its successors and assigns,  
full and free right and liberty to enter upon and construct,  
maintain and operate a covered ten (10) inch concrete storm  
water drain through and across the said hereinafter described  
land, and for that purpose to make excavations and construct  
works thereon, and from time to time make all necessary repairs  
and alterations to the said drain, the Grantee, its successors  
and assigns, making good all damage arising out of the construction  
or maintenance of the said drain which may be caused to any

improvements which may now or hereafter be situate or constructed upon the said hereinafter described land.

TO HOLD the easements and rights hereby granted to and for the sole and only use of the Grantee, its successors and assigns, forever:

The land covered by this agreement is described as follows:-

The East Five (5') feet of Lot Seven (7) of Lot "A" of Block One (1) of the North west one-quarter of District Lot One hundred and seventy-five (175) Group One (1), New Westminster District, Map No. 12205.

In Witness Whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED  
in the presence of

---

---

THE CORPORATION OF THE DISTRICT OF BURNABY

REEVE

CLERK