

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3131

A BY-LAW to authorize The Corporation of the District of Burnaby to acquire certain property within the Municipality and to dedicate the same and other land in the Municipality for highway purposes.

WHEREAS it is necessary and advisable that the hereinafter mentioned lands should be acquired by The Corporation of the District of Burnaby for Highway purposes.

AND WHEREAS the Council of The Corporation of the District of Burnaby deem it advisable and in the public interest that conveyances of the said hereinafter mentioned lands should be obtained from the respective owners thereof, and that when obtained, the said lands should be dedicated for road purposes.

AND WHEREAS the Council deem it advisable and in the public interest that certain other lands owned by the Corporation should be dedicated for highway purposes.

THEREFORE THE Council of The Corporation of the District of Burnaby, in open meeting ENACTS as follows:-

1. The Corporation is hereby authorized to accept from each of the owners of the respective parcels of land and premises described in Schedule "A" attached to this By-law, which schedule shall be deemed to be and is a part hereof, a conveyance or other form of transfer of the lands and premises owned by the respective owners, free from encumbrance, for highway purposes.

2. The Corporation may at any time hereafter, accept the said conveyance or conveyances from the said respective owners set forth in the Schedule "A" herein, notwithstanding any delay or failure to immediately receive a conveyance from any one or more of the said owners.

3. That upon registration of each of the said conveyances if, as and when obtained, the lands and premises thereby conveyed shall be deemed to be and are hereby dedicated as a highway,

to and for the free use of the public for all time thereafter.

4. Nothing herein contained shall either expressly or by implication be deemed or taken to be an expropriation or entry by the Corporation of or upon the said lands and premises, or any of them for highway purposes, and that right is hereby reserved to the said Corporation, in the event of its being unable to obtain a conveyance or conveyances of any of the said lands and premises, to abandon its right and authority to accept conveyances from the said owners or any of them, by by-law duly passed, reconsidered and approved and registered in the said Land Registry Office.

5. The Council of The Corporation of the District of Burnaby hereby further enacts that ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being a portion of Block 1 of Lot 120, Group 1, District of New Westminster, Province of British Columbia, according to Plan 3068 deposited, and being more particularly described as follows:-

COMMENCING at an iron post set on the Southerly boundary of Block 1 aforesaid, at a point 50.24 feet, N. $89^{\circ} 24' 30''$ W. from the Southwest corner of Lot 25, of Block 24 of Block 1 aforesaid, according to Plan 10100 deposited;

thence N. $89^{\circ} 24' 30''$ W. and following the Southerly boundary of said Block 1, 70.04 feet to an iron post;

thence N. $20^{\circ} 10' E.$ 84.56 feet to an intersection with the Southerly production of the Westerly boundary of Carlton Avenue as dedicated by Plan 9659 deposited;

thence N $0^{\circ} 09' E.$ 18.70 feet to the Southwest corner of the intersection of Carlton Avenue and Gravelley Street, according to said Plan 9659;

thence S. $89^{\circ} 02' 30'' E.$ and following the Southerly boundary of Gravelley Street, 76.67 feet to an iron post;

thence S. $20^{\circ} 10' W.$ 103.89 feet to the point of commencement and containing by admeasurement 0.160 of an acre, be the same more or less, as shown on the plan hereunto annexed and thereon outlined with Red Colour,

be and is hereby dedicated as a highway to and for the free use of the public in all time hereafter.

6. This By-law may be cited for all purposes as "BURNABY
LAND ACQUISITION AND ROAD DEDICATION BY-LAW NO. 4, 1951."

DONE AND PASSED in Open Council this Eleventh (11th)
day of June, A.D. 1951.

RECONSIDERED AND FINALLY PASSED this Eighteenth (18th)
day of June, A.D. 1951.



W. R. Beamish
REEVE

Charles B. Brown
CLERK

"BURNABY LAND ACQUISITION AND ROAD DEDICATION BY-LAW
NO.4. 1951"

SCHEDULE "A"

- (1) ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Municipality of Burnaby, Province of British Columbia, and being a portion of Block 2 of Lot 120, Group 1, District of New Westminster, according to Plan 3068 deposited, and being more particularly described as follows:-

COMMENCING at an iron post set on the Northerly boundary of said Block 2 at a point 50.24 feet, N 89°24'30" W from the Southwest corner of Lot 25, Block 24, of Block 1 of Lot 120, aforesaid, according to plan 10100 deposited;
thence N.89°24'30" W. and following the Northerly boundary of said Block 2, 70.04 feet to an iron post;
thence S.20°10'W. 111.50 feet to an iron post set on the Southwest boundary of said Block 2;
thence S.39°00'30"E. and following the Southwest boundary of said Block 2, 76.96 feet to an iron post;
thence N.20°10'E., 174.35 feet to the point of commencement and containing by admeasurement 0.217 of an acre, be the same more or less, as shown on the plan hereunto annexed and thereon outlined with Red Colour.

- (2) ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Burnaby, Province of British Columbia, and being more particularly described as the West thirty three (33') feet of the South half of Block Twenty eight (28) District Lot Thirty two (32) Group One (1) New Westminster District, plan numbered 812.

**PLAN OF A PORTION OF BLOCK 2,
LOT 120, GROUP 1,
NEW WESTMINSTER DISTRICT**

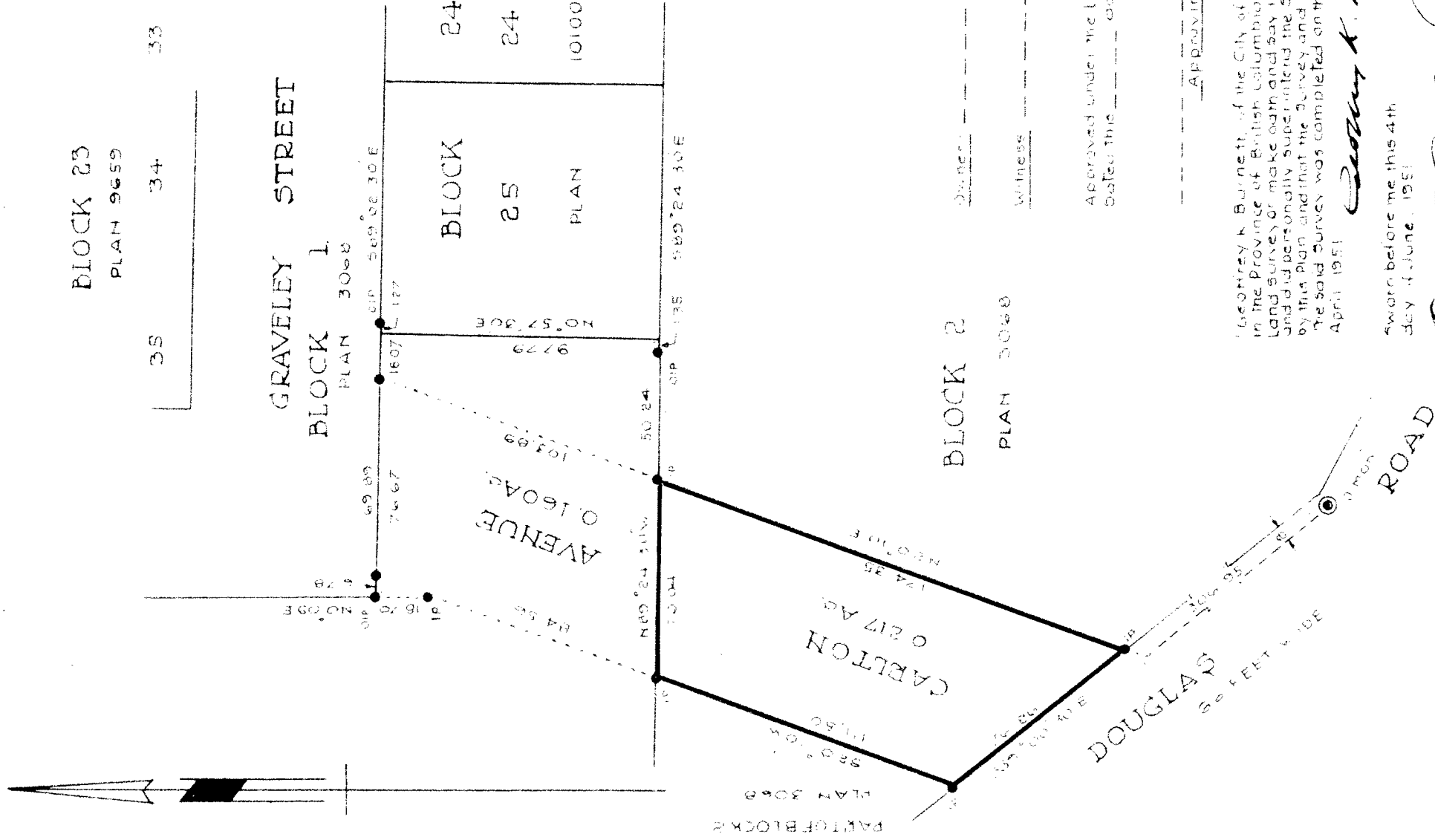
ACCORDING TO PLAN 3068

SHOWING AREA REQUIRED FOR CARLTON AVENUE

SCALE: 1 INCH = 50 FEET

Legend:

- Bearing referred to description of Plan 10100
- IP indicates Special Survey concrete Monument
- O.P. indicates iron post found in place
- IP indicates 12" x 30" epitomized iron post set



Deposited in the Land Registry
Office of New Westminster, B.C.
this _____ day of _____ 1951

Request for

Owner: _____

Witness: _____

Approved under the Land Registry Act
dated this _____ day of _____ 1951

Approving Officer

I, Geoffrey K. Burnett, of the City of New Westminster,
in the Province of British Columbia (British Columbia
Land Surveyor) make oath and say that I was present at
and did personally supervise the Survey described
by this plan and that the Survey and plan are correct.
The said Survey was completed on the 3rd day of
April 1951.

Geoffrey K. Burnett

Sworn before me this 4th
day of June, 1951

Robert MacGowan & Hunter

Robert MacGowan & Hunter
Engineers and Surveyors
New Westminster, B.C.

A Notary Public in and for the Province of British Columbia

PLAN OF A PORTION OF BLOCK 1.
 LOT 120, GROUP 1.
 NEW WESTMINSTER DISTRICT.

ACCORDING TO PLAN 3068

SHOWING AREA REQUIRED FOR CARLTON AVENUE

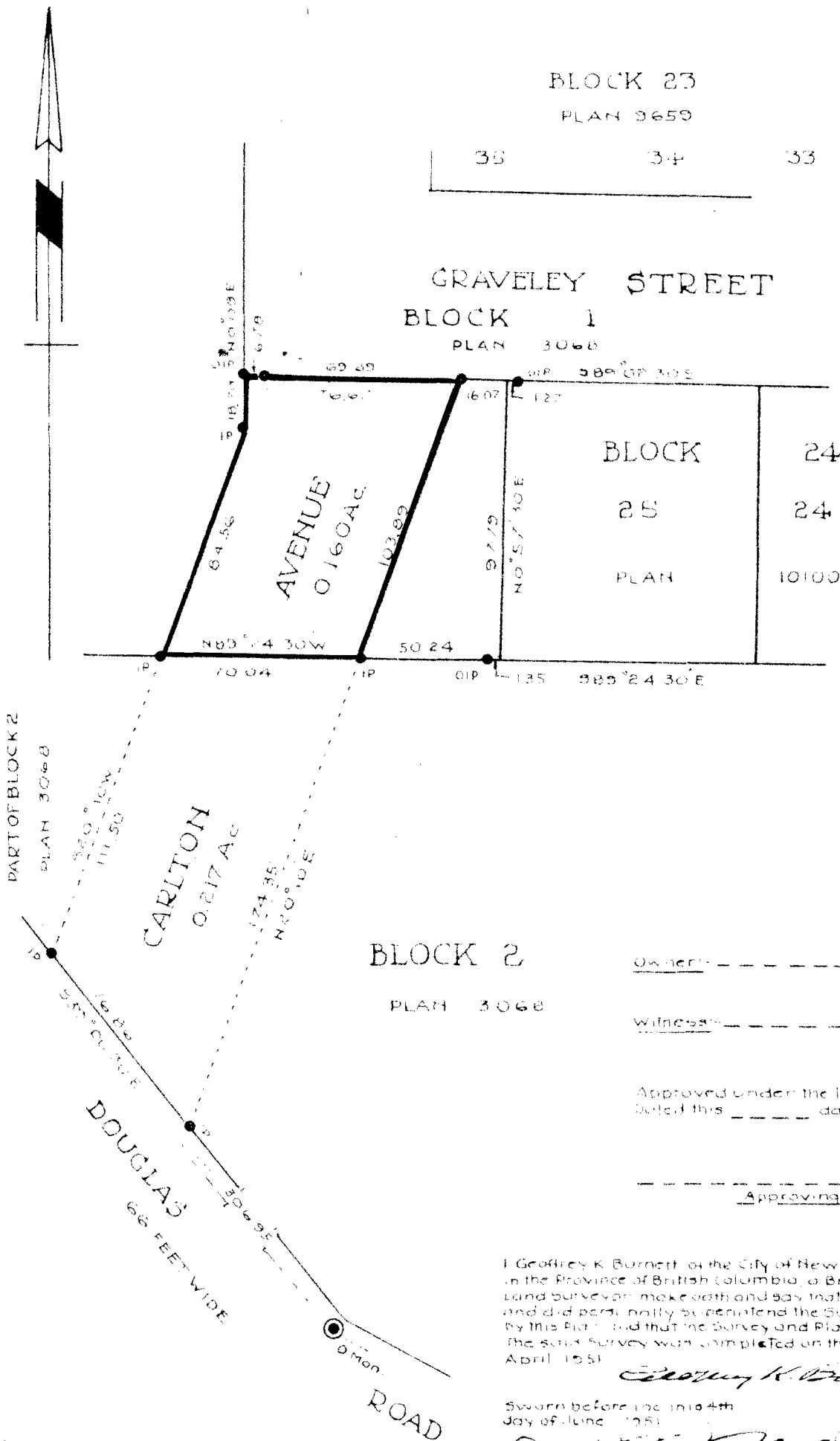
SCALE 1 INCH = 50 FEET

Deposited in the Land Registry
 Office at New Westminster, B.C.
 this _____ day of _____ 1951

Registration

Legend

- Mon indicates Meridian of Plan 10100
- O.M.S. indicates Special Survey Mon. Placement
- O.P. indicates iron perforated pipe
- I.P. indicates 2 1/2" x 30" galvanized iron post set



BLOCK 2

PLAN 3068

Owner: _____

Witness: _____

Approved under the Land Registry Act
 dated this _____ day of _____ 1951

Approving Officer: _____

I Geoffrey K. Burnett of the City of New Westminster
 in the Province of British Columbia, a British Columbia
 Land Surveyor, make oath and say that I was present at
 and did personally supervise the Survey represented
 by this Plan and that the Survey and Plan are correct.
 The said Survey was completed on the 3rd day of
 April 1951.

Geoffrey K. Burnett

Sworn before me on the 4th
 day of June 1951

[Signature]
 A Notary Public in and for the Province of British Columbia

Burnett McGuigan & Hunter
 Engineers and Surveyors
 New Westminster, B.C.