

BY-LAW NO. 4097

A BY-LAW to dispose of a certain portion of highway in exchange for other lands.

WHEREAS, pursuant to section 507 of the Municipal Act, the Council may by by-law dispose of any portion of a highway in exchange for such lands as may be necessary for the purpose of improving, widening, straightening, relocating or diverting the highway.

AND WHEREAS all deeds executed under this section have effect as a Crown grant, and all lands taken in exchange for any portion of a highway under this section are public highways and the title thereto is vested in the Crown.

AND WHEREAS the Council, before adopting this by-law, has caused the required statutory public notice of its intention to be given by advertisement.

AND WHEREAS the Council deems it expedient and in the public interest to stop-up and close to traffic that portion of highway more particularly hereinafter described for the purpose of relocating and diverting the same.

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

1. This By-law may be cited as "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 4, 1959."
2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to stop-up and close to traffic 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 more particularly known and described as that portion, formerly lane, in Block "C", District Lot 96, Group 1, New Westminster District, Plan 1594, commencing at the south-

easterly corner of Lot 3, according to Plan 1594;

Thence S 0° 00' 40" E and following the easterly boundary of said Block "C", 16.02 feet, more or less, to the northeasterly corner of Lot 4, according to Plan 1594;

Thence N 87° 00' 00" W and following the northerly boundary of said Lot 4, 182.62 feet, more or less, to the northwesterly corner thereof;

Thence S 0° 01' 30" W and following the westerly boundary of said Lot 4, 40.57 feet, more or less, to a point lying 6.23 feet, N 0° 01' 30" E of the southwesterly corner thereof;

Thence N 89° 55' 10" W, 18.00 feet, to a point on the easterly boundary of Lot "D", according to Plan 14257;

Thence N 0° 01' 30" E and following a portion of the easterly boundary of said Lot "D", 57.49 feet, more or less, to an angle corner thereof;

Thence S 87° 00' 00" E and following a portion of the southerly boundary of said Lot "D", and of the southerly boundaries of Lot 2, Plan 1594, and of Lot 3, aforesaid, 200.71 feet, more or less, to the point of commencement, and containing by estimation 0.091 of an acre, be the same more or less, as shown outlined in green on the plan hereunto annexed, prepared by D. E. Watson, B. C. L. S. and certified on the 11th day of September, 1959.

3. The Council is further authorized and empowered to grant and convey the said portion of highway by a good and sufficient deed in fee simple unto the registered owners of Lot 4, Block "C", Lot 96, Group 1, New Westminster District, Plan 1594 and Lot "B", Block "C", Lot 96, Group 1, New Westminster District, Plan 13411, in exchange for those portions of the said Lots 4 and "B" more particularly described as follows:

(a). That portion of Lot 4, Block "C", District Lot 96, Group 1, New Westminster District, Plan 1594, commencing at the southeasterly corner of said Lot 4;

Thence N 0° 00' 40" W and following the easterly boundary of said Lot 4, 15.78 feet;

Thence N 89° 55' 10" W, 182.38 feet, more or less, to a point on the westerly boundary of said Lot 4, said point lying 6.23 feet N 0° 01' 30" E of the southwesterly corner thereof;

Thence S 0° 01' 30" W and following the westerly boundary of said Lot 4, 6.23 feet to the southwesterly corner thereof;

Thence S 86° 55' 20" E and following the southerly boundary of said Lot 4, 182.63 feet, more or less, to the point of commencement, and containing by estimation 0.046 of an acre, be the same more or less, as shown outlined in red colour on the said plan hereunto annexed prepared by D. E. Watson, B. C. L. S. and certified on the 11th day of September, 1959.

(b) That portion of Lot "B", Block "C", District Lot 96, Group 1, New Westminster District, Plan 13411 commencing at the northeasterly corner of said Lot "B";

Thence S 0° 00' 40" E and following the easterly boundary of said Lot "B", 2.22 feet;

Thence N 89° 55' 10" W, 182.38 feet, more or less, to a point on the westerly boundary of said Lot "B", said point lying 11.77 feet, S 0° 01' 30" W of the northwesterly corner thereof;

Thence N 0° 01' 30" E and following the westerly boundary of said Lot "B", 11.77 feet to the northwesterly corner thereof;

Thence S 86° 55' 20" E and following the northerly boundary of said Lot "B", 182.63 feet, more or less, to the point of commencement, and containing by estimation 0.029 of an acre, be the same more or less, as shown outlined in red on the said plan hereunto annexed prepared by D. E. Watson, B. C. L. S. and certified on the 11th day of September, 1959.

4. The said deed in fee simple shall be executed on behalf of the Municipality by the Reeve and Clerk and shall have effect as a Crown grant and the said lands hereinbefore described taken in exchange shall be a public highway and title thereto shall be vested in the Crown.

Read a first time this 30th day of November, 1959.

Read a second time this 30th day of November, 1959.

Read a third time this 30th day of November, 1959.

Reconsidered and adopted this 28th day of December, 1959.



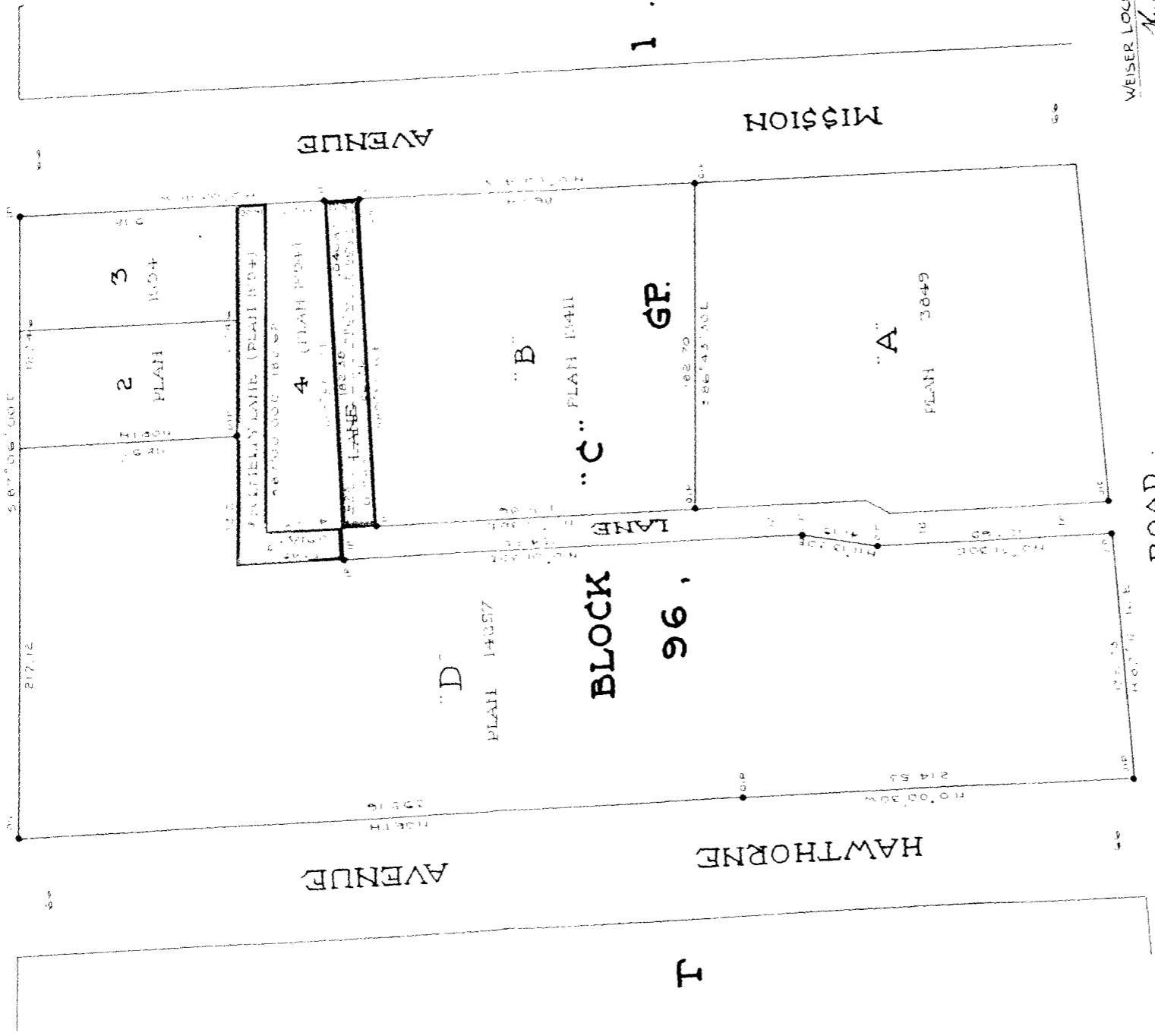
A. H. Kenneth
R E E V E.

J. Shaw
C L E R K.

[Handwritten mark]

1. THE PLAN ABANDONED IS SHOWN
 2. THE PLAN IS NOT ABANDONED
 3. THE PLAN IS ABANDONED BY THE PLAN 2 SHOWN
 4. THE PLAN IS ABANDONED BY THE PLAN 1 SHOWN

BERESFORD STREET



BLOCK 96

HAWTHORNE AVENUE

MISSION AVENUE

ROAD

WEISER LOCK COMPANY
 by *W. Johnson*
 Secretary

B. JOHNSON

Approved under the Land Registry Act, 1950
 dated this 15th day of July 1950

By W. Johnson, of the Municipality of Burnaby, in the Province of British Columbia, as Registrar of the Land Registry Act, 1950, in and to the effect that the above plan was presented and approved by the Registrar of the Land Registry Act, 1950, on the 15th day of July 1950.