

THE CORPORATION OF THE DISTRICT OF BURNABY

VF1692

BY-LAW NO. 1106

A BY-LAW to stop up and close to traffic a portion of Douglas Road.

WHEREAS that portion of Douglas Road shown outlined in red colour on the plan annexed hereto prepared by Geoffrey K. Burnett, B. C. L. S., certified on the 24th day of September, 1959, was dedicated by Plan No. 651 deposited in the Land Registry Office in the City of New Westminster, Province of British Columbia on the 5th day of May, 1892.

AND WHEREAS no bearings were indicated on the said Plan No. 651.

AND WHEREAS Lot "A" as shown on the said plan annexed hereto was created by Plan No. 7076 deposited in the Land Registry Office aforesaid on the 6th day of October, 1942.

AND WHEREAS the said Plan No. 7076 was prepared by the said Geoffrey K. Burnett, who did endorse on the face of the said plan the following words:

"The dimensions on this plan are taken from Plan No. 651. At the time this subdivision was made there appears to have been considerable doubt as to the position of Douglas Road. The dimensions on Douglas Road and on the west boundary are correct. The dimensions on the south boundary and on Dalhousie Street are subject to correction by survey."

AND WHEREAS the said Geoffrey K. Burnett has re-surveyed the area and prepared the said plan annexed hereto which discloses that Douglas Road adjoining the said Lot "A" exceeds 66 feet in width.

AND WHEREAS the said portion of Douglas Road outlined in red on the said plan is not therefore required for highway purposes.

AND WHEREAS Hugh MacDonald Gawley, the registered owner in fee simple of the said Lot "A", is deceased, and William Donald Richards is the duly appointed executor of his estate.

AND WHEREAS Albert Emmanuel Nelson and Ida Ruth Nelson are the holders of a right to purchase the said Lot "A" registered in the Land Registry Office aforesaid under number 166796-C.

AND WHEREAS the said William Donald Richards as executor of the estate of the said Hugh MacDonald Gawley and the said Albert Emmanuel Nelson and the said Ida Ruth Nelson have consented in writing to the stopping up and closing to traffic of the said portion of Douglas Road adjoining the said Lot "A".

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

1. This By-law may be cited as "BURNABY ROAD CLOSING BY-LAW NO. 1, 1960."
2. The Council does hereby stop up and close to traffic that portion of Douglas Road shown outlined in red colour on the plan hereunto annexed prepared by Geoffrey K. Burnett, B. C. L. S., certified on the 24th day of September, 1959. The said portion of Douglas Road is more particularly described as:

"ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being a portion of Douglas Road in the Central Portion of Lot 91, Group 1, District of New Westminster, Province of British Columbia, according to Plan 535 deposited, and being more particularly described as follows:-

COMMENCING at the most Easterly corner of Lot "A" of Blocks 3 and 4 aforesaid, according to Plan 7076 deposited:-

Thence N.33° 04' 30" W. and following the North-easterly boundary of said Lot "A", 155.51 feet more or less,

to a point 10.28 feet, S. 33° 04' 30" E. from the most Northerly corner thereof:

Thence N. 51° 06' E. 10.82 feet to a point located 7.0 feet, S. 51° 06' W. from the Northeasterly boundary of said Lot 91:

Thence S. 37° 44' E. and parallel to the said Northeasterly boundary of Lot 91, 154.73 feet to an intersection with the Northeastwardly production of the Southeasterly boundary of Lot "A" aforesaid:

Thence S. 51° 06' W. 23.46 feet to the point of commencement and containing by admeasurement 0.061 of an acre, be the same more or less."

3. The Reeve and Clerk are hereby authorized and empowered to petition the Lieutenant-Governor in Council to abandon that portion of Douglas Road more particularly hereinbefore described and to vest title thereto in the said Hugh MacDonald Gawley subject to the said right to purchase number 166796-C in favour of the said Albert Emmanuel Nelson and the said Ida Ruth Nelson.

4. The Reeve and Clerk are further authorized and empowered to accept in exchange for the said portion of Douglas Road abandoned, from the said Hugh MacDonald Gawley a good and sufficient deed in fee simple, and from the said Albert Emmanuel Nelson and the said Ida Ruth Nelson a good and sufficient quit claim deed of All and Singular that certain parcel or tract of land and premises situate, lying and being a portion of Lot "A" of Blocks 3 and 4 of the Central Portion of Lot 91, Group 1, District of New Westminster, Province of British Columbia, according to Plan 7076 deposited, and being more particularly described as follows:-

COMMENCING at the most Northerly corner of Lot "A" aforesaid:

Thence S. 51° 06' W. and following the Northwesterly

boundary of said Lot "A" 180.84 feet to the most Westerly corner thereof:

Thence S. 38° 54' E. and following the Southwesterly boundary of said Lot "A" 10.23 feet:

Thence N. 51° 06' E. and parallel to the Northwesterly boundary of said Lot "A", 179.80 feet to a point on the Northeasterly boundary thereof:

Thence N. 33° 04' 30" W. 10.28 feet to the point of commencement and containing by admeasurement 0.042 of an acre, be the same more or less, as shown outlined in green colour on the said plan annexed hereto."

5. Upon registration of the said deed in fee simple and the said quit claim deed in the Land Registry Office aforesaid the lands herein described shall be established as a public highway.

Read a first time this 25th day of January, 1960.

Read a second time this 25th day of January, 1960.

Read a third time this 25th day of January, 1960.

Reconsidered and adopted this 1st day of February,

1960.



*[Signature]*  
R E E V E.

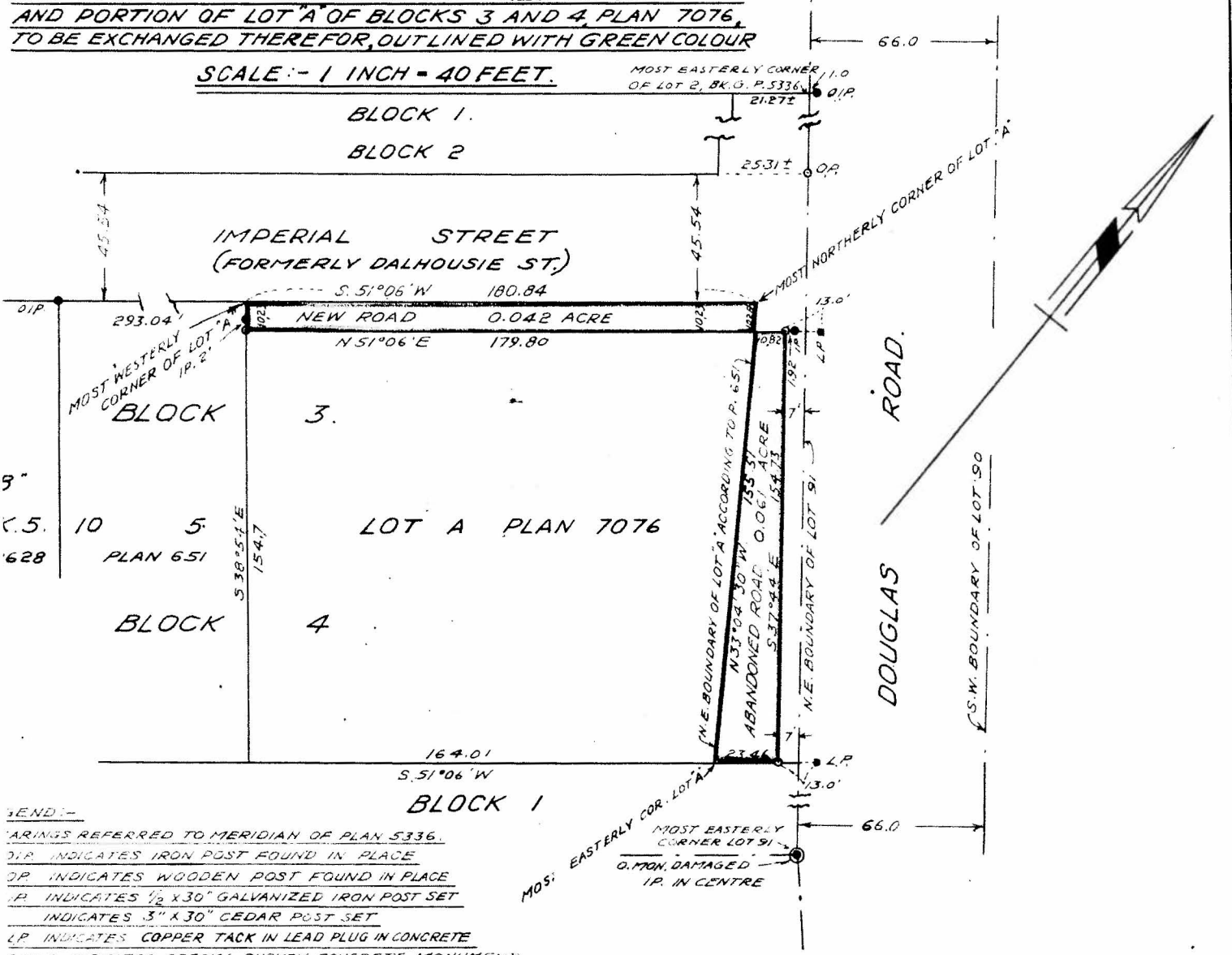
*[Signature]*  
C L E R K.

CORPORATION OF THE DISTRICT OF BURNABY.  
ROAD EXCHANGE BYLAW NUMBER

PLAN OF PORTIONS OF THE CENTRAL PORTION OF  
LOT 91, GROUP 1, NEW WESTMINSTER DISTRICT.

SHOWING PORTION OF DOUGLAS ROAD TO BE CLOSED  
AND STOPPED UP OUTLINED WITH RED COLOUR  
AND PORTION OF LOT 'A' OF BLOCKS 3 AND 4, PLAN 7076,  
TO BE EXCHANGED THEREFOR, OUTLINED WITH GREEN COLOUR

SCALE: - 1 INCH = 40 FEET.



LEGEND:-  
BEARINGS REFERRED TO MERIDIAN OF PLAN 5336.  
I.P. INDICATES IRON POST FOUND IN PLACE  
W.P. INDICATES WOODEN POST FOUND IN PLACE  
G.I.P. INDICATES 1/2" x 30" GALVANIZED IRON POST SET  
C.P. INDICATES 3" x 30" CEDAR POST SET  
C.P. INDICATES COPPER TACK IN LEAD PLUG IN CONCRETE  
S.P.M. INDICATES SPECIAL SURVEY CONCRETE MONUMENT

CORPORATION OF THE DISTRICT OF BURNABY

Offrey K. Burnett, of the City of New Westminster,  
 the Province of British Columbia, a British Columbia  
 Surveyor, make oath and say that I was present at  
 said plan and personally superintend the survey represented  
 by this plan and that the survey and plan are correct.  
 said survey was completed on the \_\_\_\_\_ day of  
 August, 1959.  
*Offrey K. Burnett.*

In before me this 24<sup>th</sup>  
 day of September, 1959  
 \_\_\_\_\_  
 Public Officer for the Province of British Columbia.

REEVE

CLERK

APPROVED UNDER THE LAND REGISTRY ACT,  
 DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1959

APPROVING OFFICER  
BURNABY MUNICIPAL ENGINEER.