

THE CORPORATION OF THE DISTRICT OF BURNABY

VF 1804

BY-LAW NO. 4375

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

WHEREAS pursuant to Section 509 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, free of all rights-of-way, 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 and to take in exchange therefor those lands more particularly hereinafter described for the purpose of improving, straightening, relocating and diverting the said highway.

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. 2, 1962".

2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to stop-up and close to traffic that portion of District Lot 11, Group 1, Plan 9148, New Westminster District, more particularly described as follows:

Commencing at the most Easterly corner of Lot 4, according to Plan 3045, deposited;

Thence Northwestwardly and following the North-easterly boundary of said Lot 4, 350.83 feet, more or less, to a point lying 33.00 feet Southeastwardly from the most Northerly corner thereof;

Thence Southwestwardly and parallel to the North-westerly boundary of Lot 4, aforesaid, 33.00 feet, more or less, to the most Northerly corner of Lot 73, according to Plan _____, deposited;

Thence Southeastwardly and parallel to the North-easterly boundary of Lot 4, aforesaid, 350.90 feet, more or less, to the most Easterly corner of Lot 75, according to Plan _____, deposited;

Thence Northeastwardly and following the South-easterly boundary of said Lot 4, 33.00 feet, more or less, to the point of commencement, and containing by estimation 0.266 of an Acre, be the same more or less, as shown outlined in green colour on the plan hereunto annexed prepared by C. P. Aplin, B.C.L.S., dated the 23rd day of April, 1962.

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 Board of School Trustees of School District No.41 (Burnaby), the registered owner, of Parcel "B" (Explanatory Plan 13204) of Lots 5 and 6, District Lot 11, Group 1, New Westminster District, Plan 3045, in exchange for that portion of the said Parcel "B", more particularly described as follows:

Commencing at the most southerly corner of said Parcel "B", said corner being on the southeasterly boundary of Lot 5, according to Plan 3045, deposited and lying 124.20 feet northeastwardly from the most southerly corner thereof; thence northwestwardly and parallel to southwesterly boundary

of said Lot 5, 350.60 feet, more or less, to the most westerly corner of Parcel "B", said corner lying 33.00 feet southeastwardly from the northwesterly boundary of Lot 5, aforesaid;

Thence northeastwardly and parallel to the northwesterly boundary of said Lot 5, 66.00 feet to a point;

Thence southeastwardly and parallel to the southwesterly boundary of Lot 5, aforesaid, 350.46 feet, more or less, to an intersection with the southeasterly boundary thereof;

Thence southwestwardly and following the southeasterly boundary of said Lot 5, 66.00 feet, more or less, to the point of commencement, and containing by estimation 0.531 of an acre, be the same more or less, as shown outlined in red colour on the said plan hereunto annexed.

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, free of all rights-of-way, 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 16th day of July, 1962.

Read a second time this 16th day of July, 1962.

Read a third time this 16th day of July, 1962.

Reconsidered and adopted this 13th day of August, 1962.



A. B. Bennett
R E E V E

J. Shaw
C L E R K

**PLAN 3045, OF LOTS 5 AND 6,
AND OF A PORTION, FORMERLY ROAD, PLAN 9148,
LOT 11, GROUP 1,
NEW WESTMINSTER DISTRICT.**

TO ACCOMPANY ROAD EXCHANGE BY LAW FILING N^o

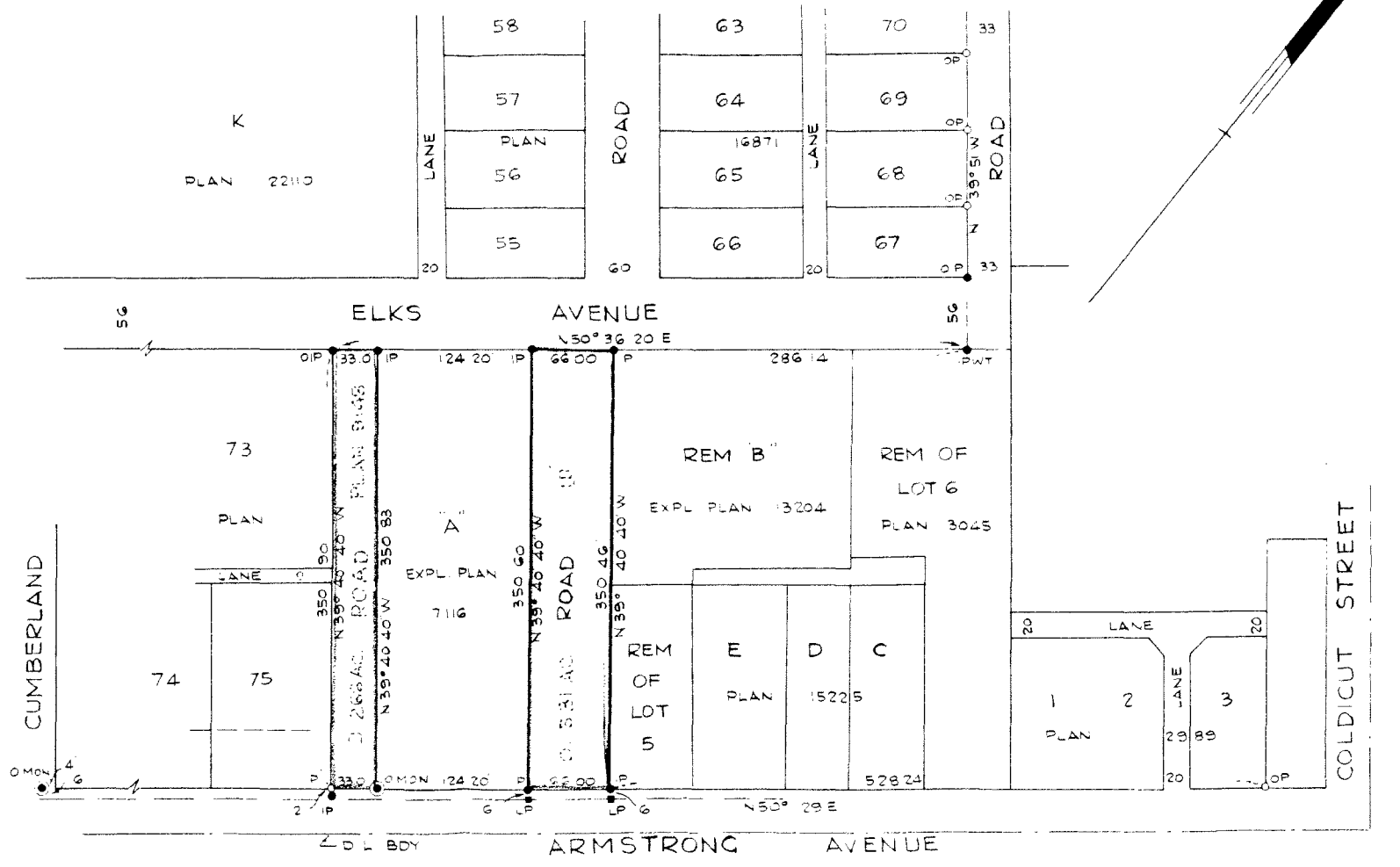
Deposited in the Land Regis
Office at New Westminster
This day of

Registrar.

Scale: 1 inch = 100 feet

Bearings are astronomic and referred to the Meridian of Plan 3045.

- O MON denotes old survey monument found.
- OIP denotes old iron post found.
- OP denotes old wooden post found.
- IP denotes iron post set.
- LP denotes lead plug set.



AS TO THE PORTION OF PARCEL B

THE CORPORATION OF THE DISTRICT OF BURN

REEVE

CLERK

I, C.P. Apin of Burnaby in the Province of British Columbia a British Columbia Land Surveyor make oath and say that I was present at and did personally superintend the survey.