

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4738

A BY-LAW to expropriate certain rights-of-way  
for sewerage purposes.

WHEREAS the Council deems it necessary and in the public interest to expropriate certain rights-of-way for sewerage purposes.

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

1. This by-law may be cited as "BURNABY EXPROPRIATION BY-LAW NO.10, 1965".

2, (1) The Council is hereby authorized and empowered for the purpose of constructing sanitary sewers to expropriate, break up, take, enter into possession of and use rights-of-way in perpetuity over, through, under and upon those lands hereinafter described without the consent of the owners of the said lands. The said lands are situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and are more particularly described as:

- (a) The North 20 feet of Lot 135, of Lot 129, Group 1, Plan 1492, New Westminster District; and
- (b) That portion of Lot 23 of Blocks 1 and 3 of Lot 95, Group 1, Plan 556, New Westminster District, and more particularly described as follows: Commencing at a point on the Easterly boundary of Lot 23 aforesaid, said point lying Northwardly, 10.00 feet perpendicularly distant from the Southerly boundary thereof; Thence Westwardly and parallel to the Southerly boundary of Lot 23, aforesaid, 198.33 feet, more or less, to an intersection with the Westerly boundary thereof; Thence Northwardly and following a portion of the Westerly boundary of said Lot 23, 10.01 feet, more or less, to a point, said point lying 10.00 feet perpendicularly distant from the previously described course or the previously described course produced; Thence Eastwardly and parallel to the Southerly boundary of Lot 23, aforesaid, 198.33 feet, more or less, to an intersection with the Easterly boundary thereof; Thence Southwardly and following a portion of the Easterly boundary of said Lot 23, 10.01 feet, more or less, to the point of commencement and containing by admeasurement 1983 square feet, be the same, more or less, as shown outlined in red colour on the plan hereunto annexed and prepared by C.P. Aplin, B.C.L.S., dated the 13th day of June, 1964.

(2) The rights expropriated by this by-law shall include the right to construct, install, inspect, maintain, operate, repair,

improve, extend and enlarge sewer pipes, manholes, and all other necessary appurtenances and works (hereinafter called "the said sewerage works") over, through, under and upon the said rights-of-way and the right to have unobstructed access to and to enter upon the said rights-of-way at all times with men, equipment, machinery and materials for all of the aforesaid purposes.

(3) The Council shall file plans and specifications of the said sewerage works with the Clerk who shall, on receiving the same, issue the statutory notice required by section 483 of the Municipal Act.

(4) The Council shall by its servants, agents and licensees exercise the rights hereby expropriated in a good and workmanlike and reasonable manner.

3. No person shall construct any buildings or other works of any kind whatsoever over, through, under or upon the said rights-of-way or do anything therein or thereon or adjacent thereto which might injure or endanger the said sewerage works or impair the efficient functioning thereof.

4. The expropriations authorized by this by-law shall be subject to the provisions of division (4) of Part XII of the Municipal Act.

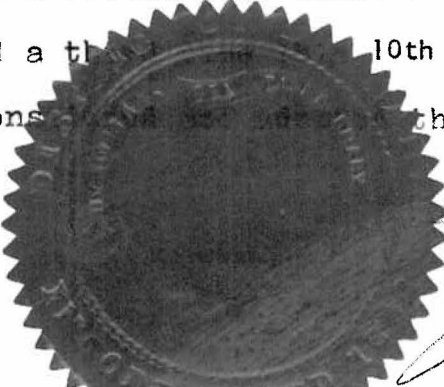
5. This by-law shall, before coming into effect, be published once in the B.C. Gazette and in a newspaper published or circulating in the Municipality of Burnaby and a certified copy of the by-law shall be filed in the Land Registry Office in the City of New Westminster, Province of British Columbia.

Read a first time this 10th day of May, 1965.

Read a second time this 10th day of May, 1965.

Read a third time this 10th day of May, 1965.

Reconsolidated and adopted this 25th day of May, 1965.



*[Handwritten signature]*  
REEVE  
*[Handwritten signature]*  
CLERK