

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4758

A BY-LAW to dispose of certain portions
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 for the purpose of 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. 3, 1965".
2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to stop up and close to traffic all that portion of lane in Blocks 21 and 28 of Lot 97, Group 1, New Westminster District, which said portion may be more particularly described as follows:

Commencing at the southwest corner of the North 50 feet of Lot 3, Block 21, Plan 3774, thence S.0°04'10"E. and following the easterly limit of Buller Avenue, 20.0 feet more or less to the northwest corner of Lot 40, Plan 27404; thence N.89°08'50"E. and following the north boundary of the said Lot 40, 203.79 feet; thence N.0°40'00"W. and following the west boundary of Lot 9, Plan 22309, 185.65 feet; thence N.63°27'50"E. 17.87 feet more or less to the southerly limit of Beresford Street; thence N.53°44'30"W. and following the southerly limit of Beresford Street 45.11 feet more or less to the East boundary of Lot A of Lot 2 of Block 21, Plan 4125; thence south 0°40'00"E. and following the east boundaries of Lots A, B and C of Lot 2, Plan 4125, and the east boundary of the North 50 feet of Lot 3 (except the East 10 feet thereof), Plan 3774, to the southeast corner thereof; thence S.89°08'50"W. and following the south boundary of the said North 50 feet of Lot 3, 183.58 feet more or less to the point of commencement, the said parcel containing 0.186 acres more or less and being shown outlined in red on plan annexed hereto, prepared by M. Bruce Paterson, B.C.L.S., dated the 10th day of June, 1965.

3. The Council is further authorized and empowered to grant and convey the said portion of lane by a good and sufficient deed in fee simple unto Columbia Estate Company, Limited, the registered owner of Blocks 21 and 28 of Lot 97, Group 1, New Westminster District, in exchange for a portion of Part of Lot A, Plan 4125, and Parcel 1 (Explanatory Plan 8393), Block 21 of Lot 97, Group 1, New Westminster District, which said portion may be more particularly described as follows:

Commencing at the northeast corner of Lot A of Lot 2 of the said Block 21, as same is shown on Plan 4125; thence N.53°44'30"W. and following the northerly boundary of the said Lot A, 62.20 feet; thence northerly and westerly and following a tangential curve to the left of radius 2839.93 feet, 159.49 feet more or less to the northwest corner of the said Lot A; Thence S.0°04'10"E. and following the west boundary of Lot A, 39.50 feet; thence southerly and easterly on a curve to the right of radius 2806.93 feet and parallel to the aforescribed north boundary of Lot A, 13608 feet; thence tangentially S.53°44'30"E., 87.00 feet more or less to the east boundary of Parcel 1, Explanatory Plan 8393, thence N.0°40'00"W. and following the east boundary of Parcel 1 and Lot A,

41.20 feet more or less to the point of commencement, the said parcel containing .168 acres more or less and being shown outlined in green on plan attached hereto, prepared by M. Bruce Paterson, B.C.L.S., dated the 10th day of June, 1965.

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 lands hereinbefore described taken in exchange shall be a public highway and the title thereto shall be vested in the Crown.

Read a first time this 19th day of July, 1965.

Read a second time this 19th day of July, 1965.

Read a third time this 19th day of July, 1965.

Reconsidered and adopted this 20th day of September, 1965.



A handwritten signature in cursive script, appearing to read "H. Cannon".

REEVE

A handwritten signature in cursive script, appearing to read "J. Paterson".

DEPUTY CLERK

Scale 1 inch = 50 feet.

Registrar.

