

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5078

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. 1, 1967".
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 in the Province of British Columbia and being a portion (formerly Road), of Lots 57 and 59, Group 1, District of New Westminster, Province of British Columbia, according to Plan 28938, deposited, and being more particularly described as follows:

Commencing at a point on the Southerly boundary of Lot 37 according to Plan 28938, deposited, said point being the beginning of a simple curve to the left of radius 111.00 feet;

Thence Eastwardly and following the Easterly prolongation of the Southerly boundary of Lot 37, aforesaid, 189.65 feet, more or less, to a point of curve;

Thence Eastwardly and following the arc of a simple curve to the right of radius 87.00 feet, 29.10 feet, more or less, to an intersection with a portion of the Westerly boundary of Lot 44, according to Plan 29156, deposited;

Thence Northwestwardly, Westwardly and Southwestwardly and following a portion of the Southwesterly boundary of said Lot 44 and a portion of the Southerly boundary of said Lot 37, said boundaries being arcs of a simple curve to the left of radius 87.00 feet, 173.77 feet, more or less, to a point of compound curve;

Thence Southwestwardly and following a portion of the Southerly boundary of Lot 37 aforesaid, said boundary being an arc of a simple curve to the right of radius 111.00 feet, 83.97 feet, more or less, to the point of commencement, and containing by admeasurement 6687 square feet, (0.153 of an acre), be the same, more or less, as shown outlined in Green Colour on the Plan prepared by D. S. Black, dated the 27th day of January, 1967, a copy of which is attached hereto.

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 Lake-City Industrial Corporation Ltd., the registered owner of Lot 37 of Lot 59, Group 1, Plan 28938, New Westminster District, and of Lot 44, of Lots 57 and 59, Group 1, Plan 29156, New Westminster District, in exchange for 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 being a

portion of Lot 44 of Lot 57, Group 1, District of New Westminster, Province of British Columbia, according to Plan 29156, deposited, and being more particularly described as follows:

Commencing at a point on the Westerly boundary, of Lot 44, aforesaid, said point being the Northeasterly corner of Lot 38, according to Plan 28938, deposited;

Thence Eastwardly, Northeastwardly and Northwardly and following a portion of the Westerly boundary of Lot 44, aforesaid, said boundary being an arc of a simple curve to the left of radius 87.00 feet, 194.45 feet, more or less, to a point;

Thence Southeastwardly, Southwardly, Southwestwardly, Westwardly and Northwestwardly and following the arc of a simple curve to the right of radius 87.00 feet, 352.18 feet, more or less, to the point of commencement and containing by admeasurement 12819 square feet, (0.294 of an acre), be the same, more or less, as shown outlined in RED COLOUR on the plan prepared by D. S. Black, dated the 27th day of January, 1967, a copy of which is attached hereto.

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.

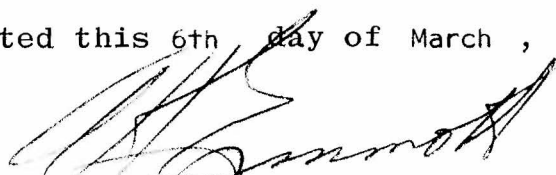
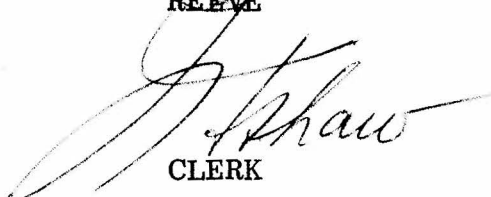
Read a first time this 13th day of February , 1967.

Read a second time this 13th day of February , 1967.

Read a third time this 27th day of February , 1967.

Reconsidered and adopted this 6th day of March , 1967.



  
REEVE  
  
CLERK