

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5173

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. 2, 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, those certain parcels or tracts 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 District Lot Seventy-Three (73), Group One (1), New Westminster District, according to Plan

29596, deposited, and being more particularly described as follows:

(a) Firstly:

Commencing at a point on the West boundary of said road S.0°36'50"W., 265.71 feet from the Southeast corner of Lot 7, Plan 29596;

Thence S.0° 36' 50" W. on a production of said West boundary of road 75.12 feet, more or less, to intersection with curved boundary of said road;

Thence Northwesterly along the arc of a curve to the right of radius 50.0 feet, whose tangent at this point bears N. 48° 05' 10" W., an arc distance of 84.99 feet, more or less, to the point of commencement; said parcel containing 0.020 acres, more or less;

(b) Secondly:

Commencing at a point on the East boundary of said road S.0° 36' 50" W., 265.71 feet and S. 89° 23' 10" E., 66.0 feet from the Southeast corner of Lot 7, Plan 29596;

Thence S. 0° 36' 50" W. on a production of said East boundary of said road 75.12 feet, more or less to intersection with the curved boundary of said road;

Thence Northeasterly along the arc of a curve to the left of radius 50.0 feet, whose tangent at this point bears N. 49° 18' 50" E., an arc distance of 84.99 feet, more or less, to the point of commencement; said parcel containing 0.020 acres, more or less;

both of which are shown outlined in red on plan prepared by C. D. Underhill, B.C.L.S., dated the 15th day of June, 1967, and filed in the Land Registry Office at New Westminster, in the Province of British Columbia, under number

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 Dominion Construction Company Limited, the registered owner of Lot Eight (8) of District Lot Seventy-three (73), Group 1, Plan 29596, New Westminster District and Remainder "D" of District Lot Seventy-Three (73), Group 1, Plan 30495, 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, in the Province of British Columbia, and being a portion of Lot "D", Plan 30495, of District Lot Seventy-three (73), Group 1, New Westminster District, and being more particularly described as follows:

Commencing at the intersection of the Southerly production of the West boundary of the road dedicated by Plan 29596 and the curved boundary of said road, said point being S. 0° 36' 50" W., 340.83 feet, more or less, from the Southeast corner of Lot 7, Plan 29596;

Thence S. 0° 36' 50" W., 186.17 feet;

Thence S. 89° 53' 30" E., 50.00 feet; then along the arc of a tangential curve to the left of radius 50.0 feet, an arc distance of 140.79 feet, more or less, to intersection with a Southerly production of the East boundary of said road;

Thence N. 0° 36' 50" E., 88.23 feet, more or less to intersection with said curved road boundary and part north boundary of said Lot D;

Thence Westerly along the arc of a curve to the right of radius 50.0 feet, whose tangent at this point bears S. 49° 18' 50" W., an arc distance of 72.09 feet, more or less, to the point of commencement, said parcel containing 0.322 acres, more or less, as shown outlined in green on plan prepared by C. D. Underhill, B.C.L.S., dated the 15th day of June, 1967, and filed in the Land Registry Office at the City of New Westminster, under number

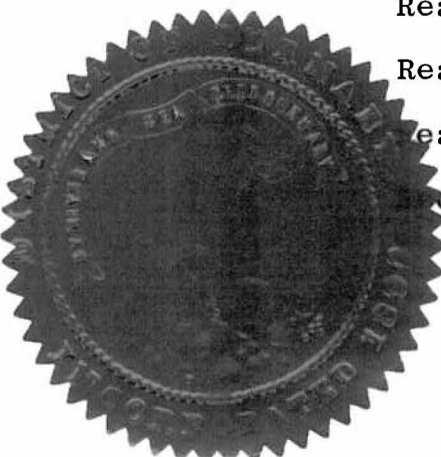
4. The said deed in fee simple shall be executed on behalf of the municipality by the Reeve and Clerk and shall have effect as a Crown grant, free of all rights-of-way, and the lands hereinbefore described taken in exchange shall be a public highway and the title thereto shall be vested in the Crown.

Read a first time this 31st day of July 1967.

Read a second time this 31st day of July 1967.

Read a third time this 21st day of August 1967.

considered and adopted this 28th day of August 1967.



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REEVE  
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