

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5221

A BY-LAW to authorize the expropriation of certain real property.

WHEREAS it is deemed necessary and in the public interest to expropriate the real property hereinafter described for highway purposes and to construct and install thereon necessary municipal works and services.

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 EXPROPRIATION BY-LAW NO. 9, 1967".

2. For highway purposes and for the construction and installation thereon of necessary municipal works and services, The Corporation of the District of Burnaby is hereby authorized and empowered, without the consent of the owners of the real property, but subject to the provisions of Division (4) of Part XII of the "Municipal Act": -

(a) By its servants and agents to enter upon, expropriate, break up, take or enter into possession of or use all and singular those certain parcels or tracts of lands and premises situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and being more particularly known and described as follows:

(i) A portion of Lot Seventy-seven (77) of District Lot Forty-three (43), Group 1, Plan 24681, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at the northerly corner of the said Lot 77;

Thence S. 52° 45' 35" E. 30.0 feet and following the northeasterly boundary of the said Lot 77 to a point;

Thence S. 63° 49' W., 26.86 feet, more or less, to an intersection with the westerly boundary of the said Lot 77;

Thence N. 0° 25' 30" E., 30.0 feet and following the said westerly boundary to the point of commencement; and containing by admeasurement 360 square feet, be the same, more or less;

(ii) A portion of Parcel "B" (Explanatory Plan 10305) of Lot Seventeen (17) of Blocks One (1), Two (2) and Three (3), District Lot Forty-three (43), Group 1, Plan 3227, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at a point on the easterly boundary of Parcel "B" aforesaid, said point lying northerly 13.97 feet from the southeasterly corner thereof;

Thence N. $0^{\circ} 23' 35''$ E., 71.14 feet and following the said easterly boundary to a point;

Thence following a circular curve to the right of radius 651.79 feet, an arc distance of 156.86 feet to a point;

Thence tangentially N. $52^{\circ} 45' 35''$ W., 148.40 feet, more or less to an intersection with the westerly boundary of the said Parcel "B", said intersection being also the southerly corner of Lot 76, according to Plan 24861 deposited;

Thence S. $0^{\circ} 24'$ W., 82.47 feet and following the said westerly boundary to a point, said point being also the easterly corner of Lot 77 according to Plan 24861 deposited;

Thence S. $52^{\circ} 45' 35''$ E., 98.95 feet to a point;

Thence following a circular curve to the left of radius 717.79 feet, an arc distance of 200.62 feet to the point of commencement, and containing by admeasurement 0.465 acres, be the same, more or less;

(iii) A portion of Lot "B" of Lot Sixteen (16), of Block Two (2), District Lot Forty-three (43), Group 1, Plan 18537, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at the southeasterly corner of the said Lot "B";

Thence N. $0^{\circ} 26' 30''$ E., 33.0 feet, to a point;

Thence following a circular curve to the right of radius 651.79 feet, an arc distance of 261.76 feet, more or less, to an intersection with the westerly boundary of Lot "B" aforesaid;

Thence S. $0^{\circ} 23' 35''$ W., and following the said boundary, 85.11 feet, to the southwesterly corner of said Lot "B";

Thence S. $89^{\circ} 37'$ E., 254.71 feet and following the said southerly boundary to the point of commencement; and containing by estimation 0.304 acres, be the same, more or less;

(iv) A portion of Lot Nineteen (19) of District Lot Forty-three (43), Group 1, Plan 3227, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at the northeasterly corner of the said Lot 19;

Thence N. $89^{\circ} 37'$ W., 214.44 feet, and following a portion of the northerly boundary of Lot 19 aforesaid, to a point;

Thence following a circular curve to the left of radius 717.79 feet, an arc distance of 217.77 feet, more or less, to a point;

Thence N. $0^{\circ} 26' 30''$ E., 33.0 feet to the point of commencement, and containing by admeasurement 0.098 acres, be the same, more or less;

(v) The 0.077 acre portion of the West One Hundred and Two (102') feet of Lot Fifteen (15) of District Lot Forty-three (43), Group 1, Plan 3227, New Westminster District, which said portion may be more particularly described as the southerly 33.0 feet thereof, be the same, more or less;

(vi) The 0.097 acre portion of the West Half of Lot Fourteen (14) of Blocks One (1), Two (2) and Three (3) of District Lot Forty-three (43), Group 1, Plan 3227, New Westminster District, which said portion may be more particularly described as the southerly 33.0 feet thereof, be the same, more or less;

(vii) A portion of Lot One (1) of Lot "A" of Lot Twenty-six (26), Block Eight (8), District Lot Forty (40), Group 1, Plan 11689, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at the northwesterly corner of the said Lot 1;

Thence S. $89^{\circ} 42' 30''$ E., 20.0 feet, and following the northerly boundary of the said Lot 1 to a point;

Thence S. $45^{\circ} 38' 30''$ W., 28.46 feet, more or less, to an intersection with the westerly boundary of the said Lot 1;

Thence N. 1° 00' E., 20.0 feet, and following the said westerly boundary to the point of commencement; and containing by admeasurement 198 square feet, be the same, more or less;

(viii) The 0.087 acre portion of Lot Two (2), Block Five (5), District Lot Forty (40), Group 1, Plan 12477, New Westminster District, which said portion may be more particularly described as the southerly 20.0 feet thereof, be the same, more or less;

(ix) A portion of Lot "A", Block Three (3), District Lot Forty (40), Group 1, Plan 5275, New Westminster District, which said portion may be more particularly described as follows: -

Commencing at the southwesterly corner of the said Lot "A";

Thence S. 89° 42' 30" E., 119.95 feet to the southeasterly corner thereof;

Thence N. 0° 57' 10" E., 20.51 feet and following the easterly boundary of the said Lot "A" to a point;

Thence following a circular curve to the right of radius 767.0 feet, an arc distance of 27.89 feet to a point;

Thence N. 89° 42' 30" W., 92.08 feet, more or less, to an intersection with the westerly boundary of the said Lot "A";

Thence S. 01° 00' 20" W. and following the said westerly boundary to the point of commencement; and containing by admeasurement 0.055 acres, be the same, more or less;

(x) A portion of the West One Hundred and Eighty (180') feet of Lot "A", of part of Lot One (1), Block Two (2), District Lot Forty (40), Group 1, Plan 9704, having a frontage of One Hundred Eighty (180') feet on Government Road with a uniform width for the full depth of said Lot "A", and adjoining Lot Three (3), New Westminster District, which said portion is more particularly described as follows: -

A strip of land having a uniform depth of 66.0 feet lying adjacent to the southerly boundary of the said West 180 feet of the said Lot "A", and bounded by the easterly and westerly boundaries thereof; and containing by admeasurement 0.296 acres, be the same, more or less;

all shown outlined in red on plan prepared by Peter Aplin, B.C.L.S., dated the 7th day of August, 1967 and filed in the New Westminster Land Registry Office under number 31802.

(b) By its servants and agents to enter upon any real property which may be injuriously affected by the exercise of any of the aforesaid powers for the purpose of executing any works of construction, maintenance or repair in mitigation of injuries done or apprehended or in reduction of compensation.

3. 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 at the City of New Westminster, in the Province of British Columbia.

Read a first time this 16th day of October, 1967.

Read a second time this 16th day of October, 1967.

Read a third time this 16th day of October, 1967.

Reconsidered and adopted this 23rd day of October,

1967.



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