

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5332

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 for sewerage purposes the rights-of-way hereinafter described.

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. 5, 1968".
2. (1) The Council is hereby authorized and empowered for the purpose of constructing and installing sewers to expropriate, break up, take, enter into possession of and use a right-of-way in perpetuity over, through, under and upon those lands hereinafter described without the consent of the owner 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 follows:
 - (a) The North three (3') feet of Block Five (5) of Lot Forty-two (42), Group One (1), Plan 3055, New Westminster District;
 - (b) A Portion of Parcel "A" (Explanatory Plan 7085) of Block Six (6) of Lot Forty-two (42), Group One (1), Plan 3055, New Westminster District, which said portion may be more particularly described as follows:

Commencing at the North West corner of the said Parcel "A";

Thence S. $89^{\circ} 33'$ E and following the North boundary of the said Parcel "A" for 205.00 feet;

Thence S. $0^{\circ} 27'$ W for 3.00 feet;

Thence N. $89^{\circ} 33'$ W for 69.03 feet;

Thence S. $0^{\circ} 27'$ W for 9.00 feet;

Thence N. $89^{\circ} 33'$ W for 45.00 feet;

Thence N. $0^{\circ} 27'$ E for 9.00 feet;

Thence N. 89° 33' W for 91.00 feet, more or less, to an intersection with the West boundary of the said Parcel "A";

Thence N. 1° 00' E and following the said West boundary for 3.00 feet, more or less, to the point of commencement, the said Portion containing 1020 square feet, more or less, or 0.023 acres, more or less, as shown outlined in red on the plan prepared by J. E. Rattenbury, B.C.L.S., dated the 11th day of April, 1968, a copy of which said plan is attached hereto.

(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 expropriation 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 6th day of May, 1968.

Read a second time this 6th day of May, 1968.

Read a third time this 6th day of May, 1968.

Reconsidered and adopted this 13th day of May,
1968.



A handwritten signature in cursive script, likely belonging to the Mayor, positioned above the printed title.

MAYOR

A handwritten signature in cursive script, likely belonging to the Deputy Clerk, positioned above the printed title.

DEPUTY CLERK

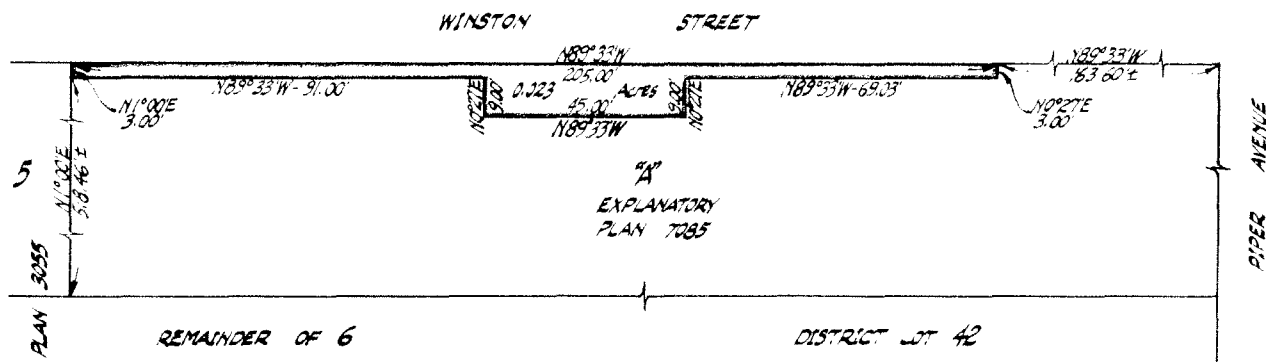
EXPLANATORY PLAN OF RIGHT-OF-WAY
 IN PARCEL "A" (EXPLANATORY PLAN 7085)
 OF BLOCK 6 OF LOT 42, GROUP 1,
 PLAN 3055, NEW WESTMINSTER DISTRICT

Scale: 1 inch = 30 feet

Astronomic bearings derived
 From Explanatory Plan 7085.

Deposited in the Land Registry
 Office at New Westminster, B.C.
 this day of _____ 1968

 Registrar



Certified correct according to
 Land Registry Office Records
 C. E. [Signature] B.C.L.S.
 April 11, 1968

THE CORPORATION OF THE DISTRICT OF BURNABY

MAYOR [Signature]

DEPUTY CLERK [Signature]