

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5360

A BY-LAW to dispose of a certain portion 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, 1968".
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 Lot One Hundred and Seventeen (117), Group One (1), New Westminster District, according to Plan 26447 deposited, and being more particularly described as follows:

Commencing at the Southeasterly corner of Lot 51, according to Plan 26866, deposited;

Thence N. 0° 08' 00" W. and following the Easterly boundary of Lot 51, aforesaid, 101.40 feet, more or less, to an angle corner thereof;

Thence N.45° 04' 00" W. and following the Northeasterly boundary of said Lot 51, 14.15 feet, more or less, to an angle corner thereof;

Thence East and following the Eastwardly prolongation of a portion of the Northerly boundary of Lot 51, aforesaid, 30.00 feet, more or less, to an intersection with the Westerly boundary of Lot 45, according to Plan 26447, deposited, said intersection lying Southwardly and 20.00 feet perpendicularly distant from the Northerly boundary of a lane as shown on Plan 26447, deposited;

Thence S.0° 08' 00"E. and following the Westerly boundary of Lot 45, aforesaid, 111.40 feet, more or less, to the Southwesterly corner thereof;

Thence East 20.00 feet, more or less, to the point of commencement and containing 0.052 of an acre, be the same, more or less, as shown outlined in Green Colour on reference plan prepared by Donald S. Black, B.C.L.S., sworn the 3rd day of July, 1968 and deposited in the Land Registry Office at New Westminster, a copy of which is hereunto annexed.

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 Langis Foods Limited, 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 Forty-five (45) of Lot One Hundred and Seventeen (117), Group One (1), New Westminster District, according to Plan 26447 deposited, and being more particularly described as follows:

Commencing at the Southeasterly corner of Lot 45, aforesaid;

Thence N.0° 13' 30" E. and following the Easterly boundary of said Lot 45, 115.55 feet, more or less, to an angle corner thereof;

Thence N.36° 27' 50" W. and following the Northeasterly boundary of Lot 45, aforesaid, 19.74 feet, more or less, to an angle corner thereof;

Thence West and following the Northerly boundary of said Lot 45, 54.06 feet, more or less, to the Northwesterly corner thereof;

Thence S.0° 08' 00" E. and following a portion of the Westerly boundary of said Lot 45, 20.00 feet, more or less, to a point, said point lying Southwardly and 20.00 feet perpendicularly distant from the Northerly boundary thereof;

Thence East and parallel to the Northerly boundary of Lot 45, aforesaid, 38.32 feet, more or less, to a point;

Thence S. 36° 27' 50" E. and parallel to the Northeasterly boundary of Lot 45, aforesaid, 12.43 feet, more or less, to a point, said point lying Westwardly and 20.00 feet perpendicularly distant from the Easterly boundary of said Lot 45;

Thence S.0° 13' 30" W. and parallel to the Easterly boundary of Lot 45, aforesaid, 101.40 feet, more or less, to an intersection with the Southerly boundary thereof;

Thence East and following a portion of the Southerly boundary of said Lot 45, 20.00 feet, more or less, to the point of commencement, and containing, by admeasurement, 0.080 of an acre, be the same, more or less, as shown outlined in Red Colour on reference plan prepared by Donald S. Black, B.C.L.S., sworn the 3rd day of July, 1968 and deposited in the Land Registry Office at New Westminster, a copy of which is hereunto annexed.

4. The said deed in fee simple shall be executed on behalf of the Municipality by the Mayor 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.

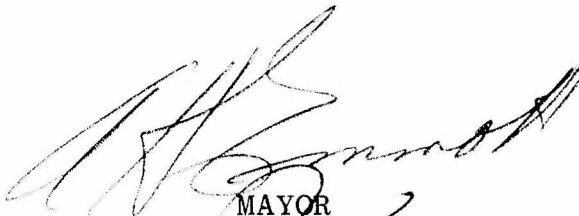

Read a first time this 9th day of July 1968.

Read a second time this 9th day of July 1968.

Read a third time this 9th day of July 1968.

Reconsidered and adopted this 22nd day of July,

1968.


MAYOR

CLERK

