

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5433

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. 4, 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 the North half of Block Twenty-eight

(28), District Lot One hundred fifty-nine (159), Group One (1), New Westminster District, according to Plan 2476 deposited, said portion being more particularly described as follows:

Commencing at the northwesterly corner of Lot "J" of the north half of Block 28, Lot 159, Group 1, Plan 15803, thence N 89° 09' E and following the westerly production of the northerly boundary of said Lot "J" twenty (20.00) feet more or less to the northeasterly corner of Lot 8 of the said north half of Block 28, Plan 2476;

Thence S 0° 24' E and following the easterly boundary of said Lot 8, One hundred and twenty-one and ninety-five one hundredths (121.95) feet more or less to the southeasterly corner of Lot 8 aforesaid;

Thence S 89° 03' 10" E and following the easterly production of the southerly boundary of said Lot 8 twenty (20.00) feet more or less to a point on the westerly boundary of Lot "J" aforesaid;

Thence N 0° 24' W and following the westerly boundary of said Lot "J" one hundred and twenty-one and ninety-eight hundredths (121.98) feet more or less to the point of commencement and containing 0.056 of an acre more or less;

as shown outlined in Red Colour on reference plan prepared by R.A. Baxter, B.C.L.S. sworn the 21st day of October, 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 described in Section 2 of this by-law by a good and sufficient deed in fee simple unto the registered owner of Lot "J" of the North half of Block Twenty-eight (28), District Lot One hundred fifty-nine (159), Group One (1), Plan 15803, New Westminster District in exchange for a conveyance free and clear of all encumbrances of ALL AND SINGULAR those portions of Lots "K" and "J", North half of Block Twenty-eight (28), District Lot One hundred fifty-nine (159), Group One (1), Plan 15803, New Westminster District, said portions being more particularly described as follows:

(a) that portion of said Lot "K" lying south of a line drawn parallel to and perpendicularly distant ten (10.00) feet northerly of the southerly boundary of Lot "K" aforesaid and containing 0.013 of an acre more or less; and

(b) that portion of said Lot "J" lying south of a line drawn parallel to and perpendicularly distant ten (10.00) feet northerly of the southerly boundary of Lot "J" aforesaid and containing 0.013 of an acre more or less;

as shown outlined in Green colour on reference plan prepared by R. A. Baxter, B.C.L.S. sworn the 21st day of October, 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 12th day of November, 1968.

Read a second time this 12th day of November, 1968.

Read a third time this 12th day of November, 1968.

Reconsidered and adopted this 25th day of November,

1968.



A handwritten signature in cursive script, appearing to read "W. Bennett", is written over the printed title "MAYOR".

MAYOR

A handwritten signature in cursive script, appearing to read "J. L. ...", is written over the printed title "DEPUTY CLERK".

DEPUTY CLERK

REFERENCE PLAN TO ACCOMPANY ROAD EXCHANGE BYLAW
OF THE CORPORATION OF THE DISTRICT OF BURNABY OF A
PORTION OF LOTS J AND K OF THE NORTH HALF OF BLOCK
28 PLAN 15803 AND A PORTION OF LANE AS SHOWN ON
PLAN 2476 LOT 159, GROUP I, NEW WESTMINSTER DISTRICT.

DEPOSITED IN THE L.A.
OFFICE AT NEW WEST,
THIS ___ DAY OF ___

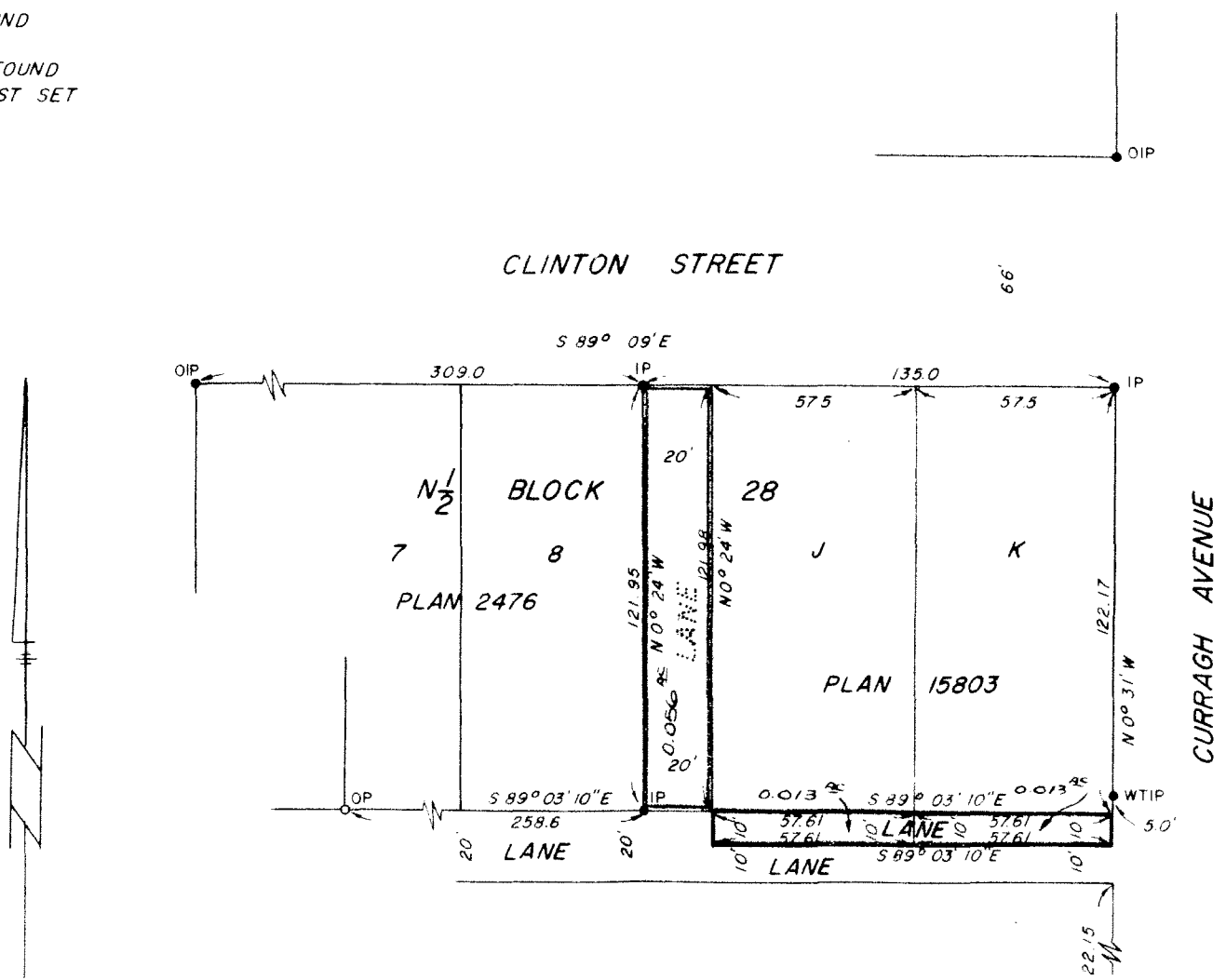
SCALE 1 INCH = 40' FEET

BEARINGS REFER TO PLAN 2476

LEGEND

- OIP INDICATES OLD IRON PIN FOUND
- IP " IRON PIN SET
- OP " OLD WOOD POST FOUND
- WTIP " WITNESS IRON POST SET

REGISTRAR



MAYOR

CLERK