

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5644

A BY-LAW to expropriate certain right-of-way for sewerage purposes.

WHEREAS the Council deems it necessary and in the public interest to expropriate for sewerage purposes the right-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. 1, 1970".

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 more particularly described as the 0.02 acre portion of Lot Five (5), Block Seventy-two (72) of District Lot Thirty-three (33), Group One (1), Plan 7598, New Westminster District, as shown outlined in red on plan of right-of-way deposited in the Land Registry Office at the City of New Westminister, Province aforesaid, under number 25792.

(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, man-holes, and all other necessary appurtenances and works (hereinafter called "the said sewerage works") over, through, under and upon the said right-of-way and the right to have unobstructed access to and to enter upon the said right-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 effecient 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 26th day of January, 1970

Read a second time this 26th day of January, 1970

Read a third time this 26th day of January, 1970

Reconsidered and adopted this 2nd day of February,

1970.



Robert W. Putter
MAYOR
J. Shaw
CLERK