

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5732

A BY-LAW to expropriate a 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. 2, 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 being a portion of Lot "E", of Lot "B", of Block Five (5), of Lot Sixty-nine (69), Group One (1), Plan 17688, New Westminster District, which said portion may be more particularly known and described as follows:

Commencing at the Northwest corner of said Lot "E", of Plan 17688;

Thence S. 89° 11' 56" E. along the northerly boundary of said Lot "E" 10.00 feet;

Thence South 40° 07' 30" W., 15.51 feet, more or less, to a point on the westerly boundary of said Lot "E", said point situate distant 12.00 feet on a bearing of S. 0° 00' 56" E. from the said northwest corner;

Thence N. 0° 00' 56" W. along the said westerly boundary, 12.00 feet to the point of commencement;

All the said bearings are Astronomic and are derived from the meridian referred to Plan 17688; the said parcel containing 60.00 square feet, more or less, as shown outlined in red on explanatory plan prepared by K.K. Wong, B.C.L.S., dated the 2nd day of June, 1965, a copy of which said plan is attached hereto.

(2) The rights expropriated by this by-law shall include the rights 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 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 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.

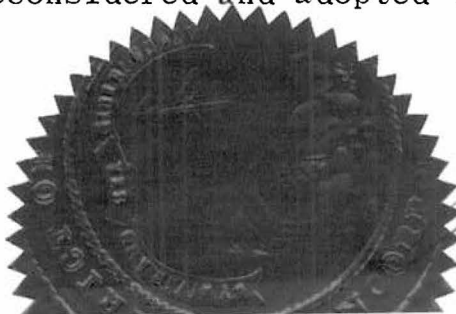
5. This by-law shall, before coming into effect, be published once in the B.C. Gazette and in a newspaper published or circulating in the Municipality of Burnaby and a certified copy of the by-law shall be filed in the Land Registry Office in the City of New Westminster, Province of British Columbia.

Read a first time this 13th day of July 1970.

Read a second time this 13th day of July 1970.

Read a third time this 13th day of July 1970.

Reconsidered and adopted this 27th day of July 1970.

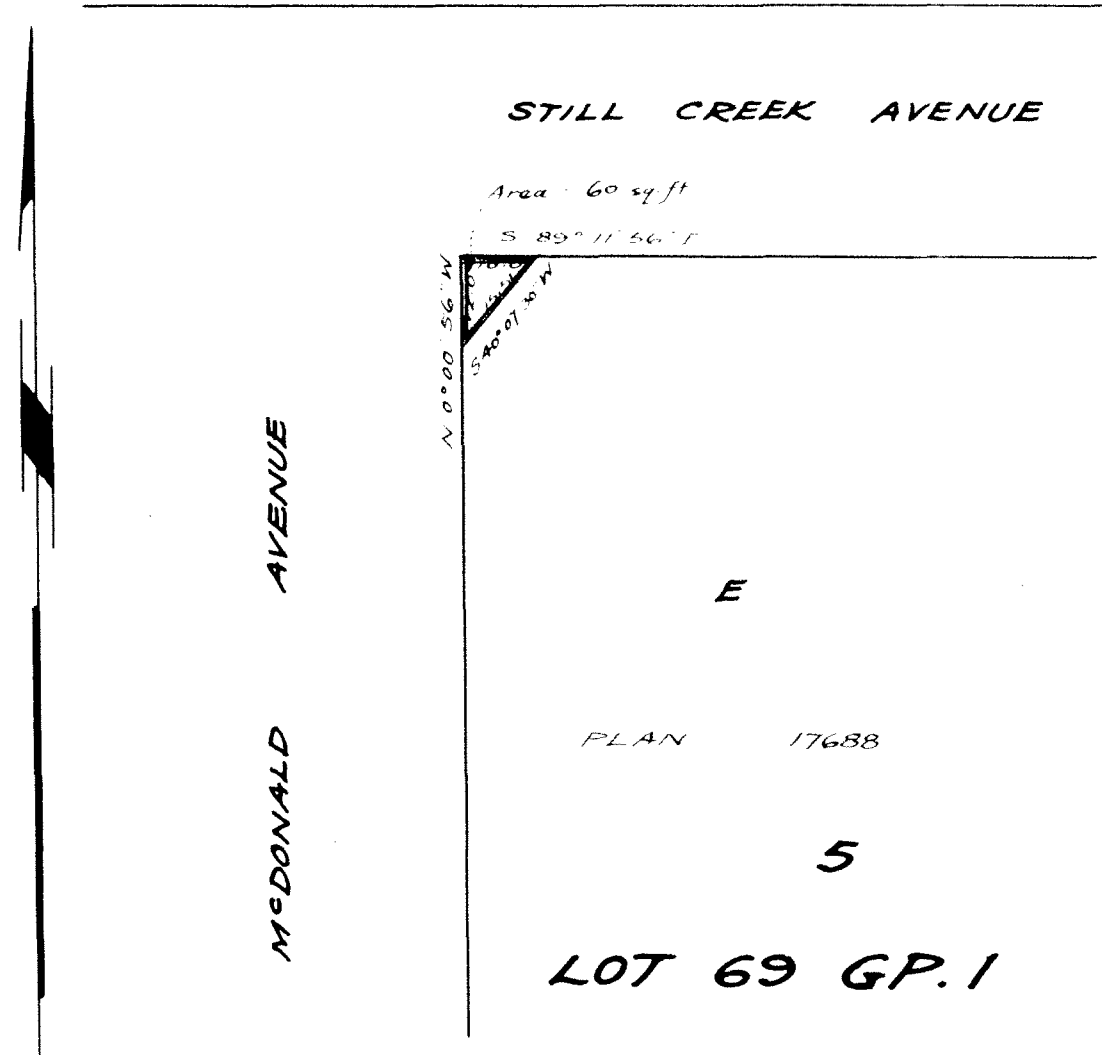


Robert H. Rutledge
MAYOR
J. Shaw
CLERK

EXPLANATORY PLAN OF A PORTION
OF LOT "E" OF LOT B BLOCK 5
OF LOT 69 GROUP ONE
NEW WESTMINSTER DISTRICT
PLAN 17688

SCALE 1 INCH = 20 FEET

Deposited in the Land Registry Office
 at New Westminster, B.C. this ___
 day of _____, 196__



 Registrar

 Owner

 Witness

Certified Correct according to
 Land Registry Office records:

Bearings are Astronomic and are
 referred to meridian of Plan 17688

Approved under the Land Registry Act