

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5912

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 those portions 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. 1, 1971".
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 of District Lot Six (6), Group One (1), Plan 38739, New Westminster District, (hereinafter called portion "A") which said portion is more particularly described in Schedule "A" attached hereto.

3. The Council is further authorized and empowered to grant and convey portion "A" by a good and sufficient deed in fee simple unto Dawson Developments 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, Province of British Columbia and being a portion of Lot Ninety-seven (97) of District Lots Four (4) and Six (6), Group One (1), Plan 38739, New Westminster District, which said portion is more particularly described in Schedule "B" attached hereto.

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 31st day of May , 1971.

Read a second time this 31st day of May , 1971.

Read a third time this 31st day of May , 1971.

Reconsidered and adopted this 21st day of June,

1971.



Robert W. Pitte
M A Y O R

J. Shaw
C L E R K



DAVID H. BURNETT & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

PARTNERS:

DAVID H. BURNETT, P.ENG., B.C.L.S.

GORDON M. THOMSON, B.C.L.S.

DONALD S. BLACK, B.C.L.S.

JAMES DAVIDSON, P.ENG., B.C.L.S.

E. N. HUDSON, MANAGER

FILE:
OUR FILE: 71-3198

SCHEDULE "A"

May 7th, 1971

Description of a portion (Formerly Walkway) of District Lot 6,
Group 1, Plan 38739, N.W.D.

ALL AND SINGULAR, that certain parcel or tract of land and premises,
situate, lying and being a portion (Formerly Walkway) of District
Lot 6, District of New Westminster, Province of British Columbia,
according to Plan 38739, deposited, and being more particularly
described as follows:

Commencing at an angle corner on the Northeasterly boundary of the
said Walkway;

Thence S.15°44'00"E., 2.75 feet, more or less, to a point;

Thence S.23°30'30"E., 16.58 feet, more or less, to an intersection
with a Southwesterly boundary of the said Walkway;

Thence S.53°36'00"E. and following a portion of a Southwesterly
boundary of the said Walkway 165.51 feet, more or less, to a point;

Thence S.81°04'10"E., 21.68 feet, more or less, to an angle corner
of the said Walkway;

Thence N.53°36'00"W. and following a Northeasterly boundary of the
said Walkway, 201.26 feet, more or less, to the point of commence-
ment, and containing by calculation 0.0433 of an acre, be the same,
more or less, as shown outlined in Green Colour on the Plan hereunto
annexed.

Donald S. Black B.C.L.S.



DAVID H. BURNETT & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

PARTNERS:

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FILE:

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SCHEDULE "B"

May 7th, 1971

Description of a portion of Lot 97 of District Lots 4 and 6,
Plan 38739, N.W.D.

ALL AND SINGULAR, that certain parcel or tract of land and premises,
having a full width of 10 feet, situate, lying and being a portion
of Lot 97 of District Lots 4 and 6, Group 1, District of New
Westminster, Province of British Columbia, according to Plan 38739,
deposited, and being more particularly described as follows:

Commencing at an angle corner on the Southwesterly boundary of a
Walkway according to Plan 38739, deposited;

Thence S.23°30'30"E., 113.20 feet, more or less, to a point;

Thence S.81°04'10"E., 124.31 feet, more or less, to an intersection
with a Southwesterly boundary of said Walkway;

Thence N.67°20'05"W. and following a portion of the Southwesterly
boundary of the said Walkway, 2.40 feet, more or less, to an angle
corner thereof;

Thence N.53°36'00"E. and following a portion of a Southwesterly
boundary of the said Walkway 20.44 feet, more or less, to a point;

Thence N.81°04'10"W., 98.34 feet, more or less, to a point;

Thence N.23°30'30"W., 90.45 feet, more or less, to an intersection
with a Southwesterly boundary of the said Walkway;

Thence N.53°36'00"W., 19.94 feet, more or less, to the point of
commencement and containing by calculation 0.0488 of an acre, be
the same, more or less, as shown outlined in Red Colour on the Plan
hereunto annexed.

Donald S. Black B.C.L.S.