

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6118

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 a 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. 3, 1972".
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 (hereinafter called portion "A") situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and being a portion of District Lot 70, Group 1, Plan 1775, New Westminster District, which said portion is more particularly described in Schedule "A" attached hereto.
3. 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 (hereinafter called portion "B"), situate, lying and being in the Municipality of

Burnaby, in the Province of British Columbia, and being a portion of District Lot 70, Group 1, Plan 20240, New Westminster District, which said portion is more particularly described in Schedule "B" attached hereto.

4. The Council is further authorized and empowered to grant and convey portion "A" and portion "B" by a good and sufficient deed in fee simple unto Shirlaw Enterprises Limited, in exchange for ALL AND SINGULAR that certain parcel or tract of land, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia and being the West 20 feet of Lot 9, Block 7 of the South part of the East Half of the East Half of District Lot 70, Group 1, Plan 1775, which said portion is shown outlined in red on By-Law plan sworn correct by K. K. Wong, British Columbia Land Surveyor on the 31st day of May, 1972, A.D., a print of which is annexed hereto.

5. The said deeds 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.

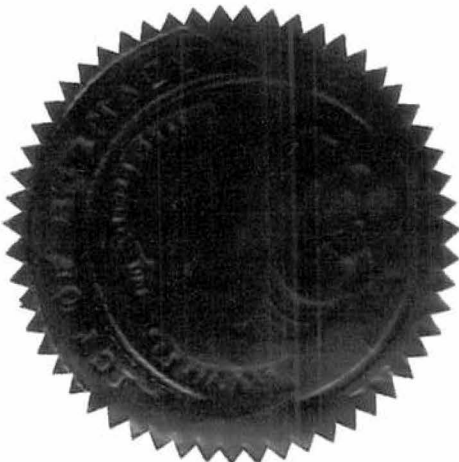
Read a first time this 12th day of June , 1972

Read a second time this 12th day of June , 1972

Read a third time this 26th day of June , 1972

Reconsidered and adopted this 4th day of July,

1972.



Robert W. Ruthe
MAYOR

J. Shaw
CLERK

SCHEDULE "A"

DESCRIPTION

All that portion of District Lot Seventy (70), Group One (1), New Westminster District according to the plan deposited in the Land Registry Office at New Westminster, Province of British Columbia and numbered One thousand seven hundred and seventy-five (1775) which said portion is more particularly described as follows:

Commencing at a point on the southerly boundary of Lot Nine (9) of Block Seven (7), situate distant Twenty (20) feet on a bearing of South eighty-nine degrees fifty-three minutes and thirty-five seconds east (S $89^{\circ} 53' 35''$ E) from the southwest corner of of said lot thereof; thence South eighty-nine degrees fifty-three minutes and thirty-five seconds east (S $89^{\circ} 53' 35''$ E) along the said southerly boundary forty-five and eighty-seven hundredths (45.87) feet, more or less, to the southeast corner thereof; thence South zero degree thirty-two minutes and fifty seconds west (S $0^{\circ} 32' 50''$ W) along the easterly boundary of said Lot Nine (9) produced southerly, twenty (20) feet to the point of intersection with the northerly boundary of Lot Fourteen (14), Plan 1775, said point being the northeast corner of said Lot 14; thence North eighty-nine degrees fifty-three minutes and thirty-five seconds west (N $89^{\circ} 53' 35''$ W) along the northerly boundary of said Lot Fourteen (14), forty-five and eighty-seven hundredths (45.87) feet, more or less, to a point, said point situate distant twenty (20) feet on a bearing of South eighty-nine degrees fifty-three minutes and thirty-five seconds east (S $89^{\circ} 53' 35''$ E) from the northwest corner of said Lot Fourteen (14), said corner is distant twenty (20) feet on a bearing of South zero degree thirty-two minutes and fifty seconds west (S $0^{\circ} 32' 50''$ W) from the southwest corner of said Lot nine (9); thence North zero degree thirty-two minutes and fifty seconds east (N $0^{\circ} 32' 50''$ E), twenty (20) feet to the point of commencement; all the said bearings are Astronomic and are derived from the meridian referred to Plan Thirty-three thousand six hundred and thirty-eight (33638), the said parcel containing twenty-one one thousandths (0.021) of an acre, more or less, as shown outlined green on the By-law Plan sworn correct by K. K. Wong, British Columbia Land Surveyor on the Thirty-first (31st) Day of May, 1972, A. D. a print of which is annexed hereto.

K. K. Wong
K. K. WONG, B. C. L. S.

SCHEDULE "B"

DESCRIPTION

All that portion of District Lot Seventy (70), Group One (1), New Westminster District according to the plan deposited in the Land Registry Office at New Westminster, Province of British Columbia and numbered Twenty thousand two hundred and forty (20240) which said portion is more particularly described as follows:

Commencing at the northeast corner of Lot Nine (9), Block Seven (7), Plan One thousand seven hundred and seventy-five (1775) deposited; thence South eighty-nine degrees fifty-five minutes and forty seconds east ($S 89^{\circ} 55' 40'' E$) along the northerly boundary of said Lot Nine (9) produced easterly, twenty (20) feet to the northwest corner of Lot "F", Plan Twenty thousand two hundred and forty (20240); thence South zero degree thirty-two minutes and fifty seconds west ($S 0^{\circ} 32' 50'' W$) along the westerly boundary of said Lot "F" and parallel to the easterly boundary of said Lot 9, one hundred seventeen and twenty-nine hundredths (117.29) feet, more or less, to the point of intersection with the northerly boundary of Lot Fourteen (14), Plan 1775 produced easterly; thence North eighty-nine degrees fifty-three minutes and thirty-five seconds west ($N 89^{\circ} 53' 35'' W$) along the said production of said northerly boundary, twenty (20) feet, more or less, to the point of intersection with the easterly boundary of said Lot Nine (9) produced southerly; thence North zero degree thirty-two minutes and fifty seconds east ($N 0^{\circ} 32' 50'' E$) along the said production of said easterly boundary and said easterly boundary thereof, one hundred seventeen and twenty-eighths hundredths (117.28) feet, more or less, to the point of commencement; all the said bearings are Astronomic and are derived from the meridian referred to Plan Thirty-three thousand six hundred and thirty-eight (33638), the said parcel containing fifty-four one thousandths (0.054) of an acre, more or less, as shown outlined green on the By-law plan sworn correct by K. K. Wong, British Columbia Land Surveyor on thirty-first (31st) Day of May, 1972, A. D. a print of which is annexed hereto.

K. K. Wong

K. K. WONG, B. C. L. S.