

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6403

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. 2, 1973".
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 road described on Schedule "A".

3. The Council is further authorized and empowered to grant and convey portion "A" by a good and sufficient deed in fee simple unto Simpsons-Sears Limited, in exchange for ALL AND SINGULAR those certain parcels or tracts of land situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and as described in Schedule "B".

4. 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 26th day of November , 1973.

Read a second time this 26th day of November , 1973.

Read a third time this 26th day of November , 1973.

Reconsidered and adopted this 10th day of December ,
1973.



M A Y O R



D E P U T Y C L E R K



SCHEDULE "A"

LEGAL DESCRIPTIONS

(PORTIONS OF FERN AVENUE TO BE CLOSED)

ALL THAT PART of Block 23, dedicated as Road by Plan 2322, of District Lot 152, Group 1, New Westminster District, included within the green outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

ALL THAT PART of Block 24, dedicated as Road by Plan 2001, of District Lot 152, Group 1, New Westminster District, included within the green outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

SCHEDULE "B"

LEGAL DESCRIPTIONS

(PORTIONS TO BE DEDICATED AS ROAD)

ALL THAT PART of Parcel "A" (Explanatory Plan 6692) of Lot 1, Block 24 of District Lot 152, Group 1, Plan 2001, New Westminster District, included within the red outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

ALL THAT PART of Lot 1, Block 24 of District Lot 152, Group 1, Plan 2001, Except Parcel "A" (Explanatory Plan 6692) thereof, New Westminster District, included within the red outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

ALL THAT PART of Lot 54 of District Lot 152, Group 1, Plan 36875, New Westminster District, included within the red outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

ALL THAT PART of Lot 55 of District Lot 152, Group 1, Plan 36875, New Westminster District, included within the red outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.

ALL THAT PART of Lot 57 of District Lot 152, Group 1, Plan 38938, New Westminster District, included within the red outline on a By-Law Plan prepared by Gordon E. McLaren, British Columbia Land Surveyor, on the 13th day of November, 1973, a copy of which is hereto attached.