

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6907

A BY-LAW to dispose of certain portions 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 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 a 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. 6, 1976".
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 those certain parcels or tracts of land and premises, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, more particularly described as follows:

(a) That portion of District Lot 91, Group 1, New Westminster District, dedicated as Lane by Plan 3243, and more particularly described as follows:

Commencing at a point on the boundary of Lot 279, Plan 42810, S.51⁰05'55"W., 12.42 feet from the Northwesterly corner of Lot 2, Plan 5336;

Thence, along the boundary of the said Lot 279, S51⁰05'55"W., 7.58 feet, more or less, to a point on the Westerly boundary of said lane;

Thence, along the Westerly boundary of said lane, N.38⁰54'05"W., 5.0 feet;

Thence, following the arc of a circle to the left of radius 75 feet, a distance of 9.09 feet, more or less, to the point of commencement and containing 18.0 square feet, more or less, as shown outlined in Green on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(b) That portion of District Lot 91, Group 1, New Westminster District, dedicated as Road by Plan 5336, and more particularly described as follows:

Commencing at a point on the South boundary of Lot 50, Plan 24846, 5.0 feet from the Southwesterly corner of the said Lot 50;

Thence, along the Southerly boundary of the said Lot 50, N.51⁰06'00"E., 278.87 feet;

Thence, following the arc of a circle to the right of radius 55 feet, a distance of 33.69 feet;

Thence, parallel to and 10 feet perpendicularly distant from the said Southerly boundary of Lot 50, S.51⁰06'00"W., 227.25 feet;

Thence, following the arc of a circle to the right of radius 25 feet, a distance of 23.18 feet, more or less, to the point of commencement and containing 0.060 of an Acre, more or less, as shown outlined in Green on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(c) That portion of District Lot 91, Group 1, New Westminster District, dedicated as Road by Plan 5336, and more particularly described as follows:

Commencing at the Southeasterly corner of Lot 50, Plan 24846;

Thence, along the Westerly boundary of Canada Way, S.37⁰44'25"E., 15.00 feet;

Thence, S.27⁰27'45"E., 35.71 feet, more or less, to a point on the Northerly boundary of Lot 2, Plan 5336;

Thence, along the Northerly boundary of the said Lot 2, S.51⁰06'00"W., 149.64 feet;

Thence, following the arc of a circle to the left of radius 45 feet, a distance of 55.39 feet, more or less, to a point on the Southerly boundary of the said Lot 50;

Thence, along the said Southerly boundary of Lot 50, N.51⁰06'00"E., 142.87 feet, more or less, to the point of commencement and containing 0.162 of an Acre, more or less, as shown outlined in Green on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

3. The Council is further authorized and empowered to grant and convey those certain parcels or tracts of land and premises more particularly described in Section 2 hereof by a good and sufficient deed in fee simple unto the registered owner of those certain parcels or tracts of land, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, more particularly herein-after described and in exchange therefor:

(a) That portion of Lot 2 of Block "G" of District Lot 91, Group 1, Plan 5336, New Westminster District, and more particularly described as follows:

Commencing at the Southeasterly corner of the said Lot 2;

Thence, along the Southerly boundary of the said Lot 2, S.51⁰27'25"W., 28.24 feet;

Thence N.27⁰27'45"W., 122.47 feet, more or less, to a point on the Northerly boundary of the said Lot 2;

Thence, along the Northerly boundary of the said Lot 2, N.51⁰06'00"E., 6.37 feet, more or less, to the Northeasterly corner of the said Lot 2;

Thence, along the Easterly boundary of the said Lot 2, S.37⁰44'25"E., 120.08 feet, more or less, to the point of commencement and containing 0.047 of an Acre, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(b) That portion of Lot 2 of Block "G" of District Lot 91, Group 1, Plan 5336, New Westminster District, and more particularly described as follows:

Commencing at the Northwesterly corner of the said Lot 2;

Thence, along the Northerly boundary of the said Lot 2, N.51⁰06'00"E., 360.53 feet;

Thence, following the arc of a circle to the right of radius 45 feet, a distance of 30.58 feet, more or less;

Thence parallel to and 10 feet perpendicularly distant from the Northerly boundary of the said Lot 2, S.51⁰06'00"W., 307.25 feet, more or less;

Thence, following the arc of a circle to the right of radius 75.00 feet a distance of 25.48 feet, more or less, to a point on the Westerly boundary of the said Lot 2;

Thence, along the Westerly boundary of the said Lot 2, N.38⁰54'05"W., 5.71 feet, more or less, to the point of commencement and containing 0.080 of an Acre, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(c) That portion of Lot 50 of District Lot 91, Group 1, Plan 24846, New Westminster District, and more particularly described as follows:

Commencing at a point on the Southerly boundary of the said Lot 50, 142.87 feet from the Southeasterly corner of the said Lot 50;

Thence, along the said Southerly boundary of Lot 50, S.51⁰06'00"W., 90.81 feet;

Thence, following the arc of a circle to the left of radius 55 feet, a distance of 17.31 feet;

Thence, following the arc of a circle to the right of radius 45 feet, 97.12 feet, more or less, to the point of commencement and containing 0.043 of an Acre, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(d) That portion of Lot 279 of District Lots 86 and 91, Group 1, Plan 42810, New Westminster District, and more particularly described as follows:

Commencing at the Northeasterly corner of the said Lot 279;

Thence, along the Easterly boundary of the said Lot 279, S.38⁰54'05"E., 250.03 feet;

Thence, following the arc of a circle to the right of radius 75 feet, a distance of 69.55 feet;

Thence N.38⁰54'05"W., 190.07 feet, more or less, to a point on the Northerly boundary of the said Lot 279;

Thence, along the said Northerly boundary N.51⁰10'55"E., 30.0 feet, more or less, to the point of commencement and containing 0.160 of an Acre, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(e) That portion of Lot 279 of District Lots 86 and 91, Group 1, Plan 42810, New Westminster District, and more particularly described as follows:

Commencing at the Northwesterly corner of Lot 2, Plan 5336;

Thence, along the Westerly boundary of the said Lot 2, S.38⁰54'05"E., 5.71 feet;

Thence, following the arc of a circle to the right of radius 75 feet, a distance of 13.69 feet, more or less, to a point on the boundary of the said Lot 279;

Thence, along the said boundary of Lot 279, N.51°05'55"E., 12.42 feet, more or less, to the point of commencement and containing 38 square feet, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed hereto.

(f) That portion of Lot 50 of District Lot 91, Group 1, Plan 24846, New Westminster District, and more particularly described as follows:

Commencing at the Southwesterly corner of the said Lot 50;

Thence, along the Westerly boundary of the said Lot 50, N.38°54'05"W., 15.00 feet;

Thence, following the arc of a circle to the left of radius 25 feet, a distance of 16.09 feet, more or less, to a point on the Southerly boundary of the said Lot 50;

Thence, along the Southerly boundary of the said Lot 50, S.51°06'00"W., 5.00 feet, more or less, to the point of commencement and containing 24.0 square feet, more or less, as shown outlined in Red on Plan prepared by James Davidson, B.C.L.S., sworn the 22nd day of December, 1975, a copy of which is annexed 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 16th day of August, 1976.

Read a second time this 16th day of August, 1976

Read a third time this 16th day of August, 1976.

Reconsidered and adopted this 20th day of September, 1976.



[Signature]
MAYOR
James Hudson
CLERK