

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6960

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 advertisement.

AND WHEREAS the Council deems it expedient and in the public interest to stop up and close to traffic that portion 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. 7, 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 that certain parcel or tract of land and premises, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, more particularly described as all that portion of District Lot 87, Group 1, shown as road on Reference Plan 1844 deposited, lying to the south-east of and adjacent to

the remainder of Parcel '2' (Reference Plan 1844) of District Lot 87, Group 1, which portion may be more particularly described as follows:-

Commencing at the most southerly corner of Lot 240 aforesaid;

thence $N50^{\circ}15'59''E$ and following the south-easterly boundary of the said Lot 240 a distance of 819.15' more or less to the most northerly corner thereof;

thence in a south-easterly direction and following a circular curve to the left of radius 623.70' an arc distance of 33.34' more or less to an intersection with the north-westerly boundary of the said remainder of Parcel '2'.

thence $S50^{\circ}15'49''W$ and following the said north-westerly boundary of Parcel '2' a distance of 825.59' more or less to the most westerly corner thereof;

thence $N36^{\circ}40'32''W$ a distance of 33.09' more or less to the point of commencement, containing by admeasurement 0.62 acres, be the same more or less, shown outlined in green on plan prepared by Gordon Herold Murray, B.C.L.S., sworn the 12th day of November, 1976, a copy of which is annexed hereto.

3. The Council is further authorized and empowered to grant and convey that certain parcel or tract 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 that certain parcel or tract of land, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, more particularly hereinafter described and in exchange therefor:

(a) All that portion of Parcel "3" (Reference Plan 1843) of District Lot 87, Group 1, except: firstly: part shown on Reference Plan 1783; secondly: part shown on Plan 26009; thirdly: part lying north of Plan 26009; New Westminster District, which portion may be more particularly described as follows:

Commencing at the most southerly corner of Parcel "3" aforesaid;

thence $N50^{\circ}18'50''E$ and following the south-easterly

boundary of the said Parcel "3" a distance of 1132.4' to a point thereon;

thence $N36^{\circ}56'53''W$ a distance of 33.04' to a point, the said point being perpendicularly distant 33.0' to the north-west from the said boundary of Parcel "3";

thence $S50^{\circ}18'50''W$ a distance of 1113.18' to a point;

thence $N27^{\circ}22'25''W$ a distance of 49.66' to a point;

thence $N36^{\circ}40'32''W$ a distance of 150.0' to a point;

thence $N43^{\circ}48'02''W$ a distance of 32.13' more or less to an intersection with the north-westerly boundary of Parcel "3" aforesaid;

thence $S50^{\circ}17'20''W$ and following the said north-westerly boundary of Parcel "3" a distance of 23.05' more or less to the most westerly corner thereof;

thence $S36^{\circ}40'32''E$ and following the south-westerly boundary of Parcel "3" aforesaid a distance of 263.72' more or less to the point of commencement, containing by admeasurement 1.0 acre, be the same more or less; and

(b) All that portion of Parcel "2" (Reference Plan 1844) of District Lot 87, Group 1, except: firstly; part shown on Reference Plan 1783; secondly; part shown on Plan 26009; thirdly; part lying north of Plan 26009; New Westminster District, which portion may be more particularly described as follows:

Commencing at the most southerly corner of Parcel "2" aforesaid;

thence $N50^{\circ}17'20''E$ and following the south-easterly boundary of Parcel "2" aforesaid a distance of 23.05' to a point thereon;

thence $N43^{\circ}48'02''W$ a distance of 48.49' to a point;

thence $N40^{\circ}08'46''W$ a distance of 280.83' more or less to the most westerly corner of Parcel "2" aforesaid;

thence $S36^{\circ}40'32''E$ and following the south-westerly boundary of the said Parcel "2" a distance of 329.64' more or less to the point of commencement containing by admeasurement 0.08 acres, be the same more or less;

all as shown outlined in red on plan prepared by Gordon Herold

Murray, B.C.L.S., sworn the 12th day of November, 1976, 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 29th day of November, 1976.

Read a second time this 29th day of November, 1976.

Read a third time this 29th day of November, 1976.

Reconsidered and adopted this 13th day of December,

1976.



A handwritten signature in cursive script, appearing to read "Hon. J. H. ...", written over a horizontal line.

M A Y O R

A handwritten signature in cursive script, appearing to read "James Hudson".

C L E R K