

ITEM 19

MANAGER'S REPORT NO. 47

COUNCIL MEETING June 24/74

Re: Letter dated June 18, 1974 from Mr. Curtis Allsup
7072 Cariboo Road

Appearing on the Agenda for the June 21, 1974 meeting of Council is a letter from Mr. Curtis Allsup regarding the subject property. Because this letter was received during the afternoon of Friday, June 21, 1974, the following comments could not be included with the report that was processed earlier in the week (Item 11, Page 31).

Mr. Allsup in his letter advises that " ... our property was sold for an agreed price, plus the consideration that we were to have rental of the house for so long as needed by members of our family until such time as property needed for park ".

The Land Agent advises that the verbal agreement that was originally made with Mr. Allsup was not as broad in scope as has been indicated in the correspondence. Mr. H. Hargreaves, who negotiated the settlement on behalf of the Municipality, recalls that the terms were made on the basis that Mr. Allsup's elderly mother was cared for by her daughter, and that both of these persons were in need of the accommodation that the premises could provide. It was not intended by staff that anyone other than the correspondent, his mother or sister should occupy the premises; this also appears to have been the understanding of Council who on January 18, 1971 made this precise meaning a condition of the rental agreement.

The Indenture made on May, 1970 is attached.

RECOMMENDATION:

THAT a copy of this report be sent to Mr. C. Allsup.

ITEM 19
MANAGER'S REPORT NO. 47
COUNCIL MEETING June 24/74

This Indenture

Form 1

Made the 21st day of July in the
year of our Lord one thousand nine hundred and seventy.

IN PURSUANCE OF THE "SHORT FORM OF DEEDS ACT"

BETWEEN

State Full Name
Address and
Occupation

CURTIS RAYMOND ALLSUP and WILLIS MORRIS ALLSUP,
"Joint Tenants"

(hereinafter called the Grantor)

AND

State Full Name
Address and
Occupation

THE CORPORATION OF THE DISTRICT OF BURNABY

(hereinafter called the Grantee).

WITNESSETH that in consideration of and for the sum of One (\$1.00) Dollar and
other good and valuable consideration -----
Dollars of lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt
whereof is hereby by him acknowledged). -----

THE said Grantor DOTH GRANT unto the said Grantee, his heirs and assigns, FOREVER:
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 more particularly known and described as Lot Ten (10),
of Block One (1), Lot Fourteen (14), Group One (1), Plan 3047,
Except Parcel "A" (Explanatory Plan 9817) thereof, New Westminster
District. -----

TOGETHER with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and
appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or
enjoyed, or appurtenant thereto; and the estate, rights, title, interest, property, claim and demand
of the said Grantor in, to, or upon the said premises. -----

TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns, to and for his and their
sole and only use forever; SUBJECT NEVERTHELESS, to the reservations, limitations, provisos,
and conditions expressed in the original grant thereof from the Crown; and subject to all taxes,
rates, and local improvement assessments whether already or hereafter assessed. -----

THE said Grantor Covenants with the said Grantee that he has the right to convey the said lands
to the said Grantee, notwithstanding any act of the said Grantor, and the said Grantee shall have
quiet possession of the said lands, free from all encumbrances. -----

AND the said Grantor Covenants with the said Grantee that he will execute such further assur-
ances of the said lands as may be requisite. -----

AND the said Grantor Covenants with the said Grantee that he has done no acts to encumber the
said lands. -----

AND the said Grantor RELEASES to the said Grantee ALL CLAIMS upon the said lands
WHEREVER the singular and masculine are used throughout this Indenture, the same shall be
construed as meaning the plural or the feminine or body corporate or politic where the context
or the parties hereto so require -----

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

State Full Name
Address and
Occupation
of Witness

[Signature] } [Signature]
[Signature] } [Signature]
[Signature] } [Signature]