

ITEM 7

MANAGER'S REPORT NO. 17

COUNCIL MEETING Mar. 4/74

Re: Proposed Property Exchange Between the Municipality and Owners of
Lot 3 of Lot "A", Blocks 3/4, D.L. 88, Plan 2390
6849 Fareham Avenue

Attached is a letter dated February 23, 1974 from Mr. & Mrs. G.R. Forester to the Land Agent regarding their property at 6849 Fareham Avenue. The location of the property is shown on the attached sketch.

A more precise explanation of the matter that is of concern to the correspondents, and a suggested solution to the existing encroachment of their lot on Municipal property are contained in the following report from the Land Agent:

"The subject property is located within an area in which the Municipality is assembling land for future public use. At the present time this property is not included in the C.I.P. Parks Program, and therefore there is no priority on its purchase.

I have been recently contacted by Mr. & Mrs. Forester who advise that they are selling their house and in order to arrange a mortgage they had commissioned a surveyor to produce a certificate and plan regarding the location of the dwelling. The surveyor found that the Forester's house had slightly more than 4 feet encroaching onto the Municipally owned lot to the north (Lot 2 of Lot "A", Blocks 3/4, D.L. 88, Plan 2390). This matter was discussed with both the Planning and Lands Departments and it was agreed that as there was no urgency for this acquisition the matter could best be solved through an equal exchange of land so that the Forester's dwelling would wind up in a legal position on a lot the same size as that which it should have been located on originally. The suggestion was that the exchange be made of enough land which would give the Forester's house legal sideyard clearance on the north side from the Municipally owned lot and in return a like amount would be taken from the Forester's lot and added to the Municipal holdings on the south side. I feel this arrangement is reasonable provided the Foresters undertake the cost of all survey and legal procedures to effect the transaction.

If the suggested solution is not acceptable to Council, it is estimated the acquisition cost of this property would run in the area of between \$35,000 and \$40,000. However, in our consideration of this matter and owing to its not being required for a considerable period of time we felt that the land exchange method would be the most satisfactory solution rather than tying up this amount of money at the present to acquire a property which actually cannot get any worse than it is at the present time. For these reasons we would recommend the land exchange subject to the condition previously mentioned."

RECOMMENDATION:

THAT authorization be given for an exchange of land as noted in the body of this report, subject to the condition that Mr. & Mrs. Forester agree to bear the entire cost of all survey and legal procedures that are required to effect the transaction.

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21296 - 8th Avenue,
Langley, B.C.
February 23, 1974.

Mr. E.W.Grist, Land Agent,
Lands Department,
The Corp. of the District of Burnaby.

Dear Sir,

Re : 6849 Fareham Avenue, Burnaby, B.C.
Lot 3, Blks 3 & 4 A, D1 88, P1 2390.

Pursuant to our discussion of the exact location of the dwelling on the above property, and for which a building permit was issued to construct said dwelling, using apparently original survey pegs considered at that time not to be in error.

If you now are reasonably assured that it has been established an error does, in fact, exist, please consider my request for the preparation by your department, of the proper instrument re : subdivision or whatever, to be presented to Municipal Council at the earliest possible time.

Time is of the essence, thank you.

Yours truly,

Glen R. Forester
Glen R. Forester.

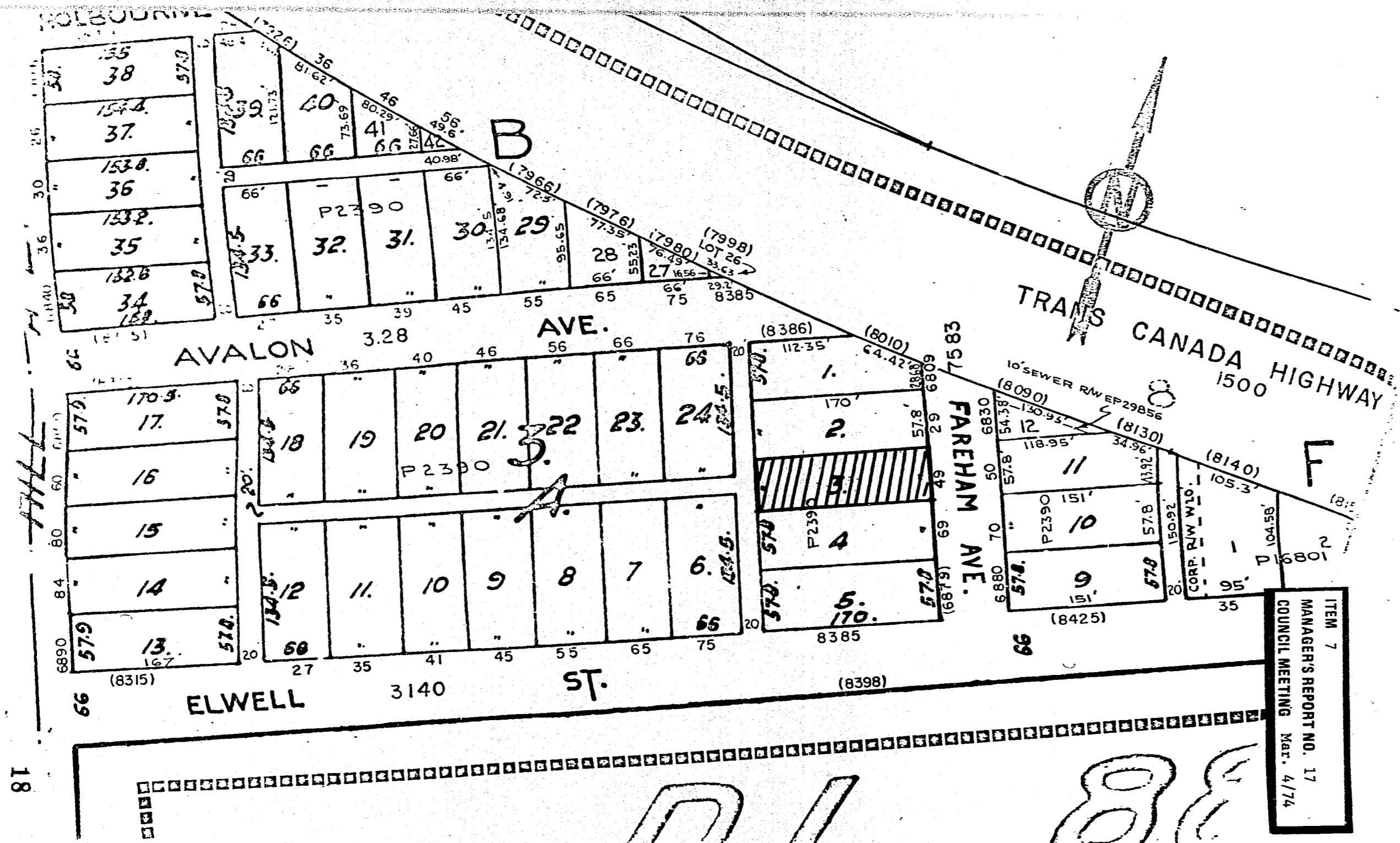
Mary Forester
Mary Forester.

Delivered by hand.

(Office : Phillips Cables Ltd.
325 - 8211.
Home : 530 - 3660).

RECEIVED
FEB 25 1974

Corporation of Burnaby
Lands Department



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