

ITEM	12
MANAGER'S REPORT NO.	9
COUNCIL MEETING	1980 02 04

Re: MARINE WAY - BOUNDARY ROAD TO BYRNE ROAD

RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

On 1980 January 03 the Municipal Manager received a letter dated 1979 December 28 from Mr. J. D. Killer, Property Negotiator, Ministry of Transportation and Highways advising that "...due to the imminency of said construction it will be necessary to gazette the Ministry's requirement across the Municipal lands and when notice of the lands herein described have been published in the B. C. Gazette the title thereto will be extinguished."

The notice appeared in the 1980 January 24 issue of the Gazette, and therefore pursuant to Section 8 of the Highway Act, the lands are now established as public highway.

We are also advised that no compensation will be tendered for the lands in question, however, the Municipality has in the past made arrangements on an ad hoc basis with the Province where it has contributed its land in exchange for the Province constructing the improvements thereon. Virtually all of the property involved as far as Burnaby is concerned were Tax Sale Lands. As of 1975 January 31 the Province has been acquiring right-of-way from private individuals as it has become available.

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