

ITEM 6
MANAGER'S REPORT NO. 24
COUNCIL MEETING 86/04/07

RE: ACQUISITION OF INTEREST IN PARCEL "A", REF. PLAN 2937 OF LOT 1, PART OF
LOT 79, GROUP 1 - DEER LAKE PARK

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations as contained in the report from the Director
Recreation & Cultural Services be adopted.

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1986 APRIL 02

TO : MUNICIPAL MANAGER
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE : DEER LAKE PARK -
PARCEL 'A', REF. PLAN 2937 OF LOT 1, PART OF LOT 79, GROUP 1

RECOMMENDATIONS:

1. THAT Council resolve that the 6/11 interest in Parcel A, Ref. Plan
2937 of Lot 1, Part of Lot 79, Group 1, which is conveyed from the
Mathers family to the Municipality of Burnaby, be used for park
purposes only.
2. THAT Council request the Municipal Solicitor to advise the solicitor
for the Mathers family of Council's action.
3. THAT Council send a letter of thanks to the Mathers family.

REPORT

At its meeting of 1986 April 02, the Parks & Recreation Commission received
the attached staff report on the above subject and adopted the three
recommendations contained therein.



for: DENNIS GAUNT
DIRECTOR RECREATION &
CULTURAL SERVICES

ps
Attach.

cc: Municipal Solicitor
Director Planning & Building Inspection

ITEM 6
MANAGER'S REPORT NO. 24
COUNCIL MEETING 86/04/07

RE: DEER LAKE PARK -
PARCEL 'A', REF. PLAN 2937 OF LOT 1, PART OF LOT 79, GROUP 1 **120**

RECOMMENDATIONS:

1. THAT the Commission request that Council resolve that the 6/11 interest in Parcel A, Ref. Plan 2937 of Lot 1, Part of Lot 79, Group 1, which is conveyed from the Mathers family to the Municipality of Burnaby, be used for park purposes only.
2. THAT Council request the Municipal Solicitor to advise the solicitor for the Mathers family of Council's action.
3. THAT Council send a letter of thanks to the Mathers family.

REPORT

Included in the 1980 Park Acquisition Program is a piece of waterfront property at the south end of Deer Lake Avenue. This property is shown on the attached Map 9.

The title to the property was originally held as "tenancy in common" by the original property owners in the Deer Lake Avenue area. Six owners held the property which was divided into 1/11 interests.

Through purchases of the Universal Life Foundation property and the W. and C.E. Dowad property, the Corporation acquired 3/11 of the interest in the title.

In 1961 the Municipal Land Agent was contacted by Lt. Col. William W. Mathers, whose family (self and sister) owned 6/11 of the property. He offered to convey this 6/11 interest to the Municipality provided that adequate assurance was given that the land be retained for park purposes. For some reason the Municipality lost contact with Lt. Col. Mathers and the matter was not pursued.

In 1984 the subject was reopened and it was determined that Lt. Col. Mathers was deceased. The Legal Department contacted Mrs. W.W. Mathers and with her assistance an agreement was reached to transfer title of the 6/11 interest to the Municipality. The transfer was to contain a restriction that the land was for park purposes only.

The New Westminster Land Title Office has declined to register the transfer with this restriction as the Municipality does not have exclusive possession of the property (2/11 are still to be acquired).

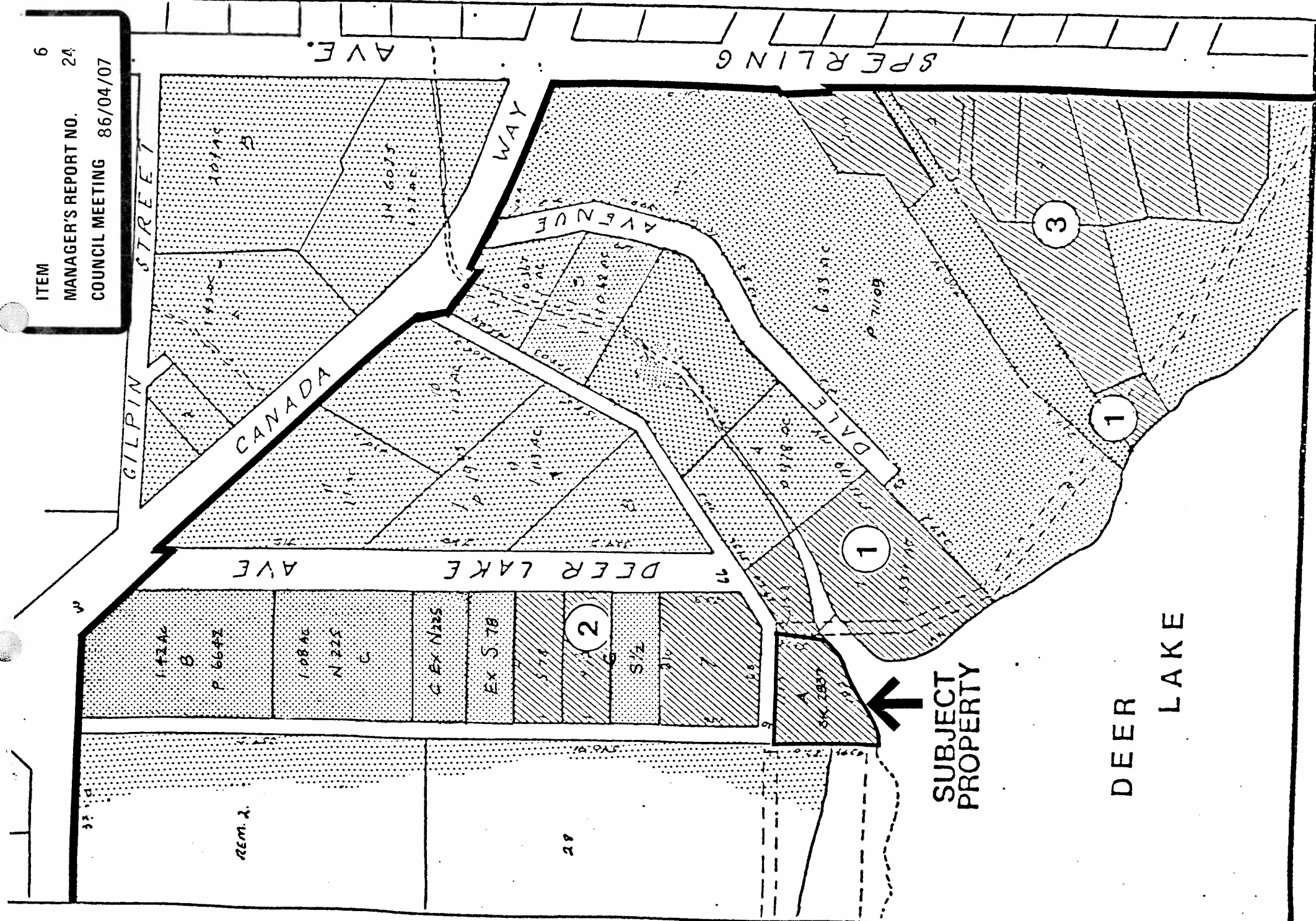
The solicitors for the Mathers family have advised that in these circumstances their clients are prepared to have the transfer document amended by removing the words "for park purposes only" on the condition that Council pass a resolution designating the 6/11 interest in the property for park purposes only.

The Municipal Solicitor supports this request and it would be appropriate for the Commission to request Council to take this action.

PAL:ps
Attach.

cc: Municipal Solicitor
Director Planning & Building Inspection





DEER LAKE PARK - EAST SIDE

121

Proposed Acquisition

Existing Park and/or Municipal Property

Proposed Park Area (Ultimate Boundary)

① ② ③ Priority Category

MAP 2

Scale: 1" = 200'

N

