

TO: CITY MANAGER

DATE: APRIL 18, 1994

FROM: CITY SOLICITOR

RE: WALKWAY BETWEEN PAULUS CRESCENT AND
CLIFF AVENUE

PURPOSE: To obtain Council's authority to accept the bids received for the walkway closure areas after Ministerial approval is granted.

RECOMMENDATIONS:

1. THAT Council authorize the City Solicitor to prepare a Road Closing Bylaw and petition Victoria for consolidation with adjoining properties.
2. THAT Council authorize the Director Engineering to prepare a Road Closing Bylaw Plan, Subdivision Plan for each property and a Statutory Right of Way Plan.
3. THAT the redundant walkway (see attached sketch) be sold to the adjoining owners on the following terms:

2121 Paulus Crescent (Chung)

Lane allowance 5' x 117' = 585 sq. ft.

Tendered Offer \$2,000 (\$3.42 per sq. ft.)

2085 Paulus Crescent (Gutjahr)

Lane allowance 5' x 117' = 585 sq. ft.

Tendered Offer \$2,000 (\$3.42 per sq. ft.)

2120 Cliff Avenue (Lo)

Lane allowance 5' x 140' = 700 sq. ft.

Tendered Offer \$2,300 (\$3.28 per sq. ft.)

2080 Cliff Avenue (Kuvotani)

Lane allowance 5' x 140' = 700 sq. ft.

Tendered Offer \$2,300 (\$3.28 per sq. ft.)

Total Area 2,570 sq. ft. - Sale price \$8,600

All costs associated with the preparation of a Road Closing Bylaw, Road Closing Bylaw Plan, a Subdivision Plan for each property, a Statutory Right of Way Plan and Land Title Office registration fees are to be borne by the City of Burnaby.

A statutory right of way is required over that portion of the walkway between Cliff Avenue and the rear lane in favour of B.C. Hydro and B.C. Tel for the protection of existing overhead lines and of the City of Burnaby for storm sewer purposes.

The approval of the Minister of Municipal Affairs to the abandonment of the highway and vesting title in the adjoining owners is required.

R E P O R T

INTRODUCTION:

Council, at its meeting of December 16, 1991, received an In Camera Report (Item 1, Manager's Report No. 73) prepared by the Director Engineering and adopted the following recommendations:

1. That the walkway between Paulus Crescent and Cliff Avenue remain closed permanently.
2. That the walkway be offered for sale to abutting property owners.

BACKGROUND:

The walkway in question was created as a condition of subdivision in 1959 and title vested in the Crown. Following a number of complaints and a petition from the area residents the walkway was closed in 1973.

VALUATION:

Increasing the lot area of the subject properties by 585 and 700 sq. ft. would have little effect on the value of the property. However, combined with the closure of the walkway, we estimate that the value of the properties fronting Paulus Crescent would increase by approximately \$3,000 with the properties fronting Cliff Avenue increasing in value by approximately \$3,500.

The relocation and replacement of the existing fencing, removal of concrete and blacktop will cost an estimated \$1,000 for each of the Paulus Crescent properties and \$1,200 for each of the Cliff Avenue properties. Having deducted the cost of restoration from the estimated increase in property value, we arrived at the following values:

Paulus Crescent properties	\$2,000 each
Cliff Avenue properties	\$2,300 each

CALL FOR PUBLIC TENDER:

The redundant walkway was posted for sale at the City Hall and the Justice Building from March 22, 1994 to April 5, 1994. Four bids were received.

2121 Paulus Crescent (Chung)	\$2,000
2085 Paulus Crescent (Gutjahr)	\$2,000
2120 Cliff Avenue (Lo)	\$2,300
2080 Cliff Avenue (Kuvotani)	<u>\$2,300</u>
Total value of bids	<u>\$8,600</u>

Each bid was accompanied by a cheque representing 5 percent of the bid.

STATUTORY RIGHTS OF WAY:

A statutory right of way is required over that portion of the former walkway between Cliff Avenue and rear lane in favour of B.C. Hydro and B.C. Tel for the protection of existing overhead lines and of the City of Burnaby for storm sewer purposes.

CONCLUSION:

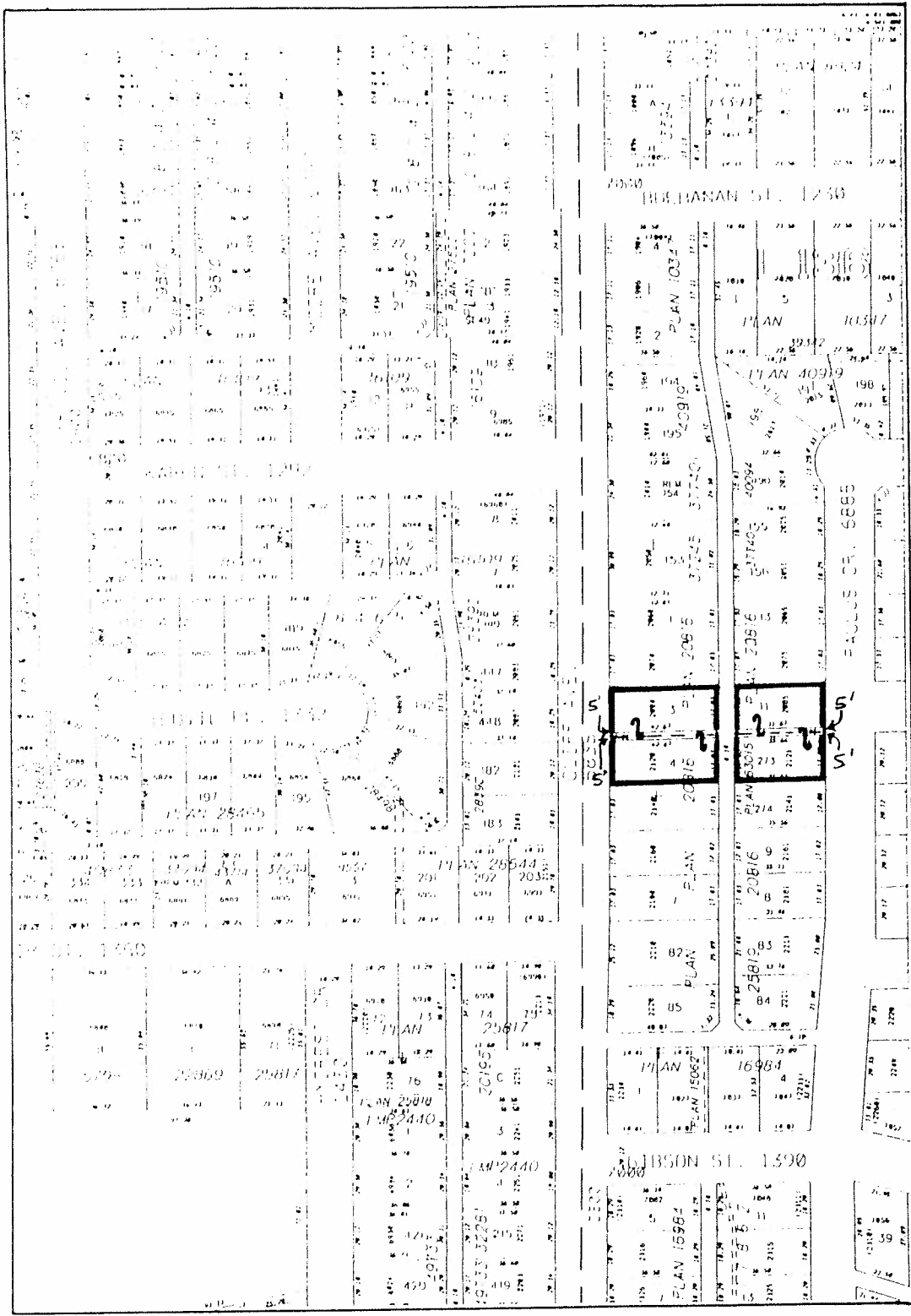
We would recommend acceptance of these offers.



Patricia W. Fliieger
City Solicitor

FAE:bi

- c.c. Director Administrative & Community Services
- Director Engineering
- Director Planning & Building



ITEM 8
 MANAGER'S REPORT NO. 27
 COUNCIL MEETING 94/04/25

Date:
 1992 NOV.

Scale:
 1:2000M

Drawn By:
 C.M.M.



R.C.R.F. # 13/92
 D.L. 136

PROPOSED CLOSURE OF WALKWAY BETWEEN PAULUS CRESC. AND CLIFF AVE.

ZONING: R2