

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3852

A BY-LAW for disposing of a portion of a public highway in exchange for a portion of lands adjacent thereto.

WHEREAS pursuant to subsection 260 of section 58 of the Municipal Act Council may pass by-laws for disposing of a public street or highway or any portion thereof in exchange for such adjacent or contiguous lands as may be necessary for the purpose of improving, widening, straightening or diverting any public street or highway, and for executing deeds for the lands so given in exchange.

AND WHEREAS all deeds executed under this clause shall have effect as a Crown grant.

AND WHEREAS all lands taken in exchange for any public street or highway or portion thereof under this clause shall be public highways, and the title thereof shall be vested in the Crown.

AND WHEREAS Russell Turchak is the owner in fee simple of Lot Eighteen (18), Block Forty-eight (48) of Lots One Hundred and Twenty-two (122), One Hundred and Twenty-three (123) and One Hundred and Twenty-four (124), Group One (1), New Westminster District, Plan 1543.

AND WHEREAS it is deemed desirable and in the public interest to dispose of certain portions of Alpha Avenue adjacent to the said Lot Eighteen (18) in exchange for a portion of the said Lot Eighteen (18) as hereinafter provided.

NOW THEREFORE the Municipal Council of The Corporation of the District of Burnaby ENACTS as follows:

1. The Municipal Council of The Corporation of the District of Burnaby is hereby authorized and empowered for the purpose of improving and diverting Alpha Avenue to grant and convey unto

*688B
11897*

Russell Turchak that portion of Alpha Avenue adjacent to the said Lot Eighteen (18) more particularly described as All and Singular that certain parcel or tract of land and premises situate, lying and being a portion, formerly road, in Block ~~Block~~ *688B
11897* "N" of Lots One Hundred and Twenty-two (122), One Hundred and Twenty-three (123) and One Hundred and Twenty-four (124), Group One (1), New Westminster District, Plan No. 16792, deposited, commencing at the Northeasterly corner of Lot Eighteen (18) of Block Forty-eight (48) according to Plan 1543, deposited;

Thence S. 89° 54' E. and following the Easterly prolongation of the Northerly boundary of said Lot Eighteen (18), 19.12 feet, more or less, to an intersection with the Southwesterly prolongation of the Westerly boundary of Alpha Avenue, and with radius of 1176.53 feet, according to Plan 16792, deposited;

Thence Southwestwardly and following the Southwesterly prolongation of the Westerly boundary of Alpha Avenue, aforesaid, 83.44 feet, more or less, to an intersection with the Easterly boundary of said Lot Eighteen (18);

Thence North and following the Easterly boundary of said Lot Eighteen (18), 81.21 feet, more or less, to the point of commencement, and containing 0.018 of an acre, be the same more or less, as shown on the plan hereunto attached, prepared by David H. Burnett, B. C. L. S., dated the Fourth (4th) day of May 1957 and thereon outlined in Green Colour.

2. The Municipal Council is further authorized and empowered to acquire in exchange therefor that portion of the said Lot Eighteen (18) more particularly described as All and Singular that certain parcel or tract of land and premises situate, lying, and being a portion of Lot Eighteen (18), Block Forty-eight (48), of District Lots One Hundred and Twenty-two (122), One Hundred and Twenty-three (123) and One Hundred and Twenty-four (124), Group One (1), New Westminster District, Plan No. 1543, deposited, commencing at the Southeasterly corner of Lot Eighteen, aforesaid;

Thence North and following the Easterly boundary of said Lot Eighteen (18), 40.75 feet, more or less, to an intersection with the Southwesterly prolongation of the Westerly boundary of Alpha Avenue, according to Plan 16792, deposited;

Thence Southwestwardly and following the said Southwesterly prolongation of the Westerly boundary of Alpha Avenue, 41.41 feet, more or less, to a point on the Southerly boundary of Lot Eighteen (18), aforesaid;

Thence S. 89° 54' E. and following the Southerly boundary of said Lot Eighteen (18), 7.4 feet, more or less, to the point of commencement, and containing by estimation 0.003 of an acre, be the same more or less as shown on the plan hereunto attached prepared by David H. Burnett, B. C. L. S., dated the Fourth (4th) day of May, 1957 and thereon outlined in Red Colour.

3. The said portion of Lot Eighteen (18) is hereby established as a public road and title thereof shall be vested in the Crown.

4. The Reeve and Clerk are hereby authorized and empowered to execute any conveyance, plan or other document on behalf of the Corporation for such purposes, signing the same and affixing the corporate seal thereto.

5. This By-law may be cited for all purposes as "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 3, 1957."

DONE AND PASSED in Open Council this Twenty-seventh(27th)
day of May A. D. 1957.

RECONSIDERED AND FINALLY PASSED this Third (3rd)
day of June A. D. 1957.



W. W. Reeves
acting R E E V E.

Charles B. Brown
C L E R K.

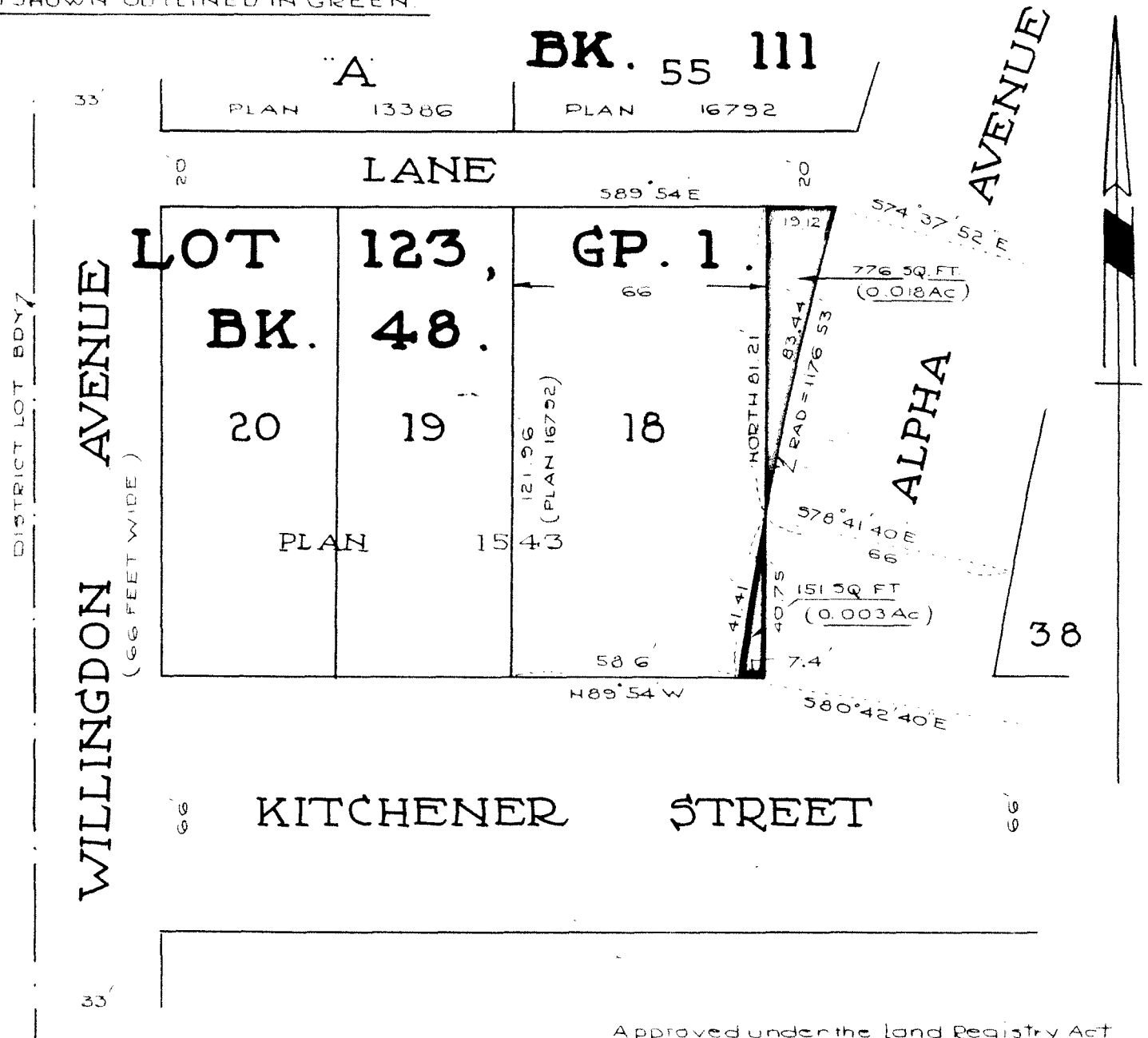
PLAN OF A PORTION OF LOT 18,
BLOCK 48, ACCORDING TO PLAN 1543,
AND OF A PORTION, FORMERLY ROAD,
IN BLOCK 'N', ACCORDING TO PLAN 16792,
OF LOTS 122, 123 AND 124, GROUP 1,
NEW WESTMINSTER DISTRICT
TO ACCOMPANY ROAD EXCHANGE BY LAW N°

deposited in the Land Registry
Office at New Westminster, B.C.
this _____ day of _____ 1957

Registrar

SCALE - 1 INCH = 40 FEET

NOTE: PORTION OF LOT 18, DEDICATED FOR ROAD
PURPOSES, IS SHOWN OUTLINED IN RED.
PORTION OF ROAD TO BE CLOSED AND ABANDONED
IS SHOWN OUTLINED IN GREEN.



Approved under the Land Registry Act
dated this _____ day of _____ 1957

Certified correct according to
Land Registry Office Records
dated this 4th day of
May, 1957.

David H. Burnett, B.C.L.S.

Approving Officer

Owner: R. Turhak
Witness: [Signature]

David H. Burnett, B.A.Sc.
B.C. Land Surveyor
South Burnaby, B.C.