

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4723

A BY-LAW to dispose of certain portions of
highway in exchange for other lands.

WHEREAS pursuant to Section 509 of the Municipal Act the Council may by by-law dispose of any portion of a highway in exchange for such lands as may be necessary for the purpose of improving, widening, straightening, relocating or diverting the highway.

AND WHEREAS all deeds executed under this section have effect as a Crown grant, free of all rights-of-way, and all lands taken in exchange for any portion of a highway under this section are public highways and the title thereto is vested in the Crown.

AND WHEREAS the Council, before adopting this by-law, has caused the required statutory public notice of its intention to be given by advertisement.

AND WHEREAS the Council deems it expedient and in the public interest to stop up and close to traffic that portion of highway more particularly hereinafter described and to take in exchange therefor those lands more particularly hereinafter described for the purpose of improving, straightening, relocating and diverting the said highway.

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

1. This By-law may be cited as "BURNABY HIGHWAY EXCHANGE BY-LAW NO. 2, 1965".
2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to stop up and close to traffic that portion of highway (hereinafter called

"the Said Highway") being all and singular that certain parcel or tract of land and premises, situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and being portions of Trinity Street, according to Plan 1165 and Reference Plan 13238 and Gamma Avenue, according to Plan 4953, in Lot One Hundred and Eighty-eight (188), Group One (1), New Westminster District, which portions may be more particularly described as follows: ✓

Commencing at the Northwest corner of Lot 4, Block "G" of said Lot 188, said point being 66.0 feet, N.89°12'45"E. from the Southwest corner of Parcel 1 of Block "F", according to Reference Plan 13238;

Thence N.0°11'30"W., 34.0 feet to an angle corner of said Parcel 1;

Thence N.89°13'30"E. and following the boundary of said Parcel 1, 445.33 feet to a point located 6.11 feet, S.89°13'30"W., from the most Easterly corner thereof;

Thence S.65°57'W., 12.36 feet;

Thence S.41°50'36"W., 129.17 feet to a point on the South Boundary of Trinity Street, Plan 1165, being a portion of the North boundary of Lot 4, Block "G", aforesaid, located 51.87 feet, S.89°12'45"W., from the Northeast corner of said Lot 4; ✓

Thence S.89°12'45"W. and following the said South boundary of Trinity Street, Plan 1165, 179.13 feet to the Southwest corner thereof according to Plan 15301;

Thence N.0°55'W. and following the West boundary of Trinity Street, Plans 1165 and 15301, 66.0 feet to the Northwest corner thereof, being an angle corner of Lot 4, aforesaid; ✓

Thence S.89°12'45"W. and following the North boundary of said Lot 4, being the South boundary of Parcel 1, of Block "F", aforesaid, 167.57 feet to the point of commencement and containing, by estimation, 0.648 of an acre, be the same more or less, as shown outlined in green colour on plan hereunto annexed, prepared by Geoffrey K. Burnett, B.C.L.S., dated the 10th day of November, 1964. ✓

3. Upon the deposit of a certified copy of this by-law in the Land Registry Office, in the City of New Westminster, Province aforesaid, the Said Highway closed shall be vested in The Corporation of the District of Burnaby.

4. The said Council is further authorized and empowered to grant and convey the Said Highway by a good and sufficient deed in fee simple unto Standard Oil Company of British Columbia Limited, the registered owner of Block "F" of Lot One Hundred and Eighty-eight (188) and Lot One Hundred and Eighty-nine (189), Group One, Plan 13496, Except Parcel Three (3) (Reference Plan 13504) and Except Parcel One (1), (Reference Plan 13238), New Westminster District; Lot Twenty-one (21), Block Thirteen (13) of Block "E" of Lot One Hundred and Eighty-eight (188), Group One, Plan 1165, New Westminster District; and Lot Four (4), Block "G" of Lot One Hundred and Eighty-eight (188), Group One, Plan 15301, New Westminster District, in exchange for all and singular those certain parcels or tracts of land and premises (hereinafter called "the Said Land") situate, lying and being in the said Municipality of Burnaby, Province aforesaid, and being portions of Lot Four (4), Block "G", Plan 15301, and Block "F", Plan 13496, both in Lot One Hundred and Eighty-eight (188), Group One, New Westminster District, which said portions may be more particularly described as follows:

Commencing at the Southwest corner of said Lot 4;

Thence N.45°51'15"E. and following the Southeasterly boundary of said Lot 4, 554.8 feet to the Southeast corner thereof;

Thence N.0°55'W. and following the East boundary of said Lot 4, 0.94 of a foot to the Northeast corner thereof;

Thence S.89°12'45"W. and following a portion of the Northerly boundary of said Lot 4, 51.87 feet;

Thence S.41°50'36"W., 519.0 feet to the point of commencement and containing, by admeasurement, 0.232 of an acre; and

Commencing at the most Easterly corner of Parcel 1, of Block "F", according to Reference Plan 13238;

Thence N.56°43'E. and following the Southeasterly boundary of Block "F", Plan 13496, 15.04 feet to the concrete survey monument, Plan 4953, set on the East boundary of Gamma Avenue;

Thence S.65°57'W., 20.46 feet to a point on the boundary of Parcel 1, of Block "F", aforesaid;

Thence N.89°13'30"E. and following said boundary of Parcel 1, 6.11 feet to the point of commencement and containing, by admeasurement 25 square feet, be the same, more or less, both as shown outlined in red on plan hereunto annexed, prepared by Geoffrey K. Burnett, B.C.L.S., dated the 10th day of November, 1964.

5. The deed mentioned in paragraph 4 hereof shall be executed on behalf of the Municipality by the Reeve and Clerk and shall have effect as a Crown grant, free of all rights-of-way and the Said Land taken in exchange shall be a public highway and title thereto shall be vested in the Crown.

Read a first time this 10th day of May ,1965.

Read a second time this 10th day of May , 1965.

Read a third time this 10th day of May , 1965.

Reconsidered and adopted this 25th day of May 1965.



[Signature]
REEVE

[Signature]
CLERK