

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5230

A BY-LAW to dispose of a certain portion of
highway in exchange for other land.

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 for the purpose of 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. 3, 1967".
2. The Council of The Corporation of the District of Burnaby is hereby authorized and empowered to stop up and close to traffic 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 a portion (formerly road) of District Lots Ten (10) and Fifty-seven (57), Group 1, New Westminster District, according to Plan 31019, deposited, and being more particularly described as follows:

Commencing at a point on the northerly boundary of a portion (formerly road) aforesaid, said point being a point of tangency of a curve of radius 229.93 feet;

Thence S. 89° 34' 55" E., and following part of the northerly boundary of the portion (formerly road) aforesaid, 651.00 feet, more or less, to a point of compound curve;

Thence eastwardly and northeastwardly and following a northwesterly boundary of the portion (formerly road) aforesaid, said boundary being the arc of a simple curve to the left of radius 35.00 feet, 48.60 feet, more or less, to an intersection with a curve of radius 614.62 feet;

Thence southwesterly and following the arc of a simple curve to the right of radius 614.62 feet, 151.60 feet, more or less, to a point of compound curve;

Thence northwestwardly and westwardly and following a southwesterly boundary of the portion (formerly road) aforesaid, said boundary being the arc of a simple curve to the left of radius 35.00 feet, 69.88 feet, more or less, to a point of curve;

Thence N. 89° 34' 55" W., and following part of the southerly boundary of the said portion (formerly road), 441.46 feet, more or less, to a point;

Thence N. 54° 30' 30" W., 42.19 feet, more or less, to a point of curve;

Thence Northwestwardly and westwardly and following the arc of a simple curve to the left of radius 229.93 feet, to the point of commencement, and containing 0.865 of an acre, be the same, more or less, as shown on the Plan hereunto annexed and thereon outlined in Green Colour, prepared by D. S. Black, B.C.L.S., sworn to the 6th day of October, 1967, and filed in the Land Registry Office at New Westminster under number

3. The Council is further authorized and empowered to grant and convey the said portion of highway by a good and sufficient deed in fee simple unto Lake City Industrial Corporation Ltd., in exchange for 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 a portion of Lot Fifty-nine (59) of District Lots Ten (10), Fifty-seven (57) and Fifty-eight (58), Group 1, New Westminster District, according to Plan 31019, deposited, and being more particularly described as follows:

Commencing at a point on the northerly boundary of part of Lot 59, aforesaid, said point being the point of tangency of a curve of radius 163.93 feet;

Thence eastwardly and southeastwardly and following the arc of a simple curve to the right of radius 163.93 feet, 100.35 feet, more or less, to a point of tangency;

Thence S. 54° 30' 30" E., 396.03 feet, more or less, to a point of curve;

Thence Southeastwardly and southwardly and following the arc of a simple curve to the right of radius 35.00 feet, 61.90 feet, more or less, to an intersection with the southeasterly boundary of said Lot 59;

Thence northeastwardly and following a portion of the southeasterly boundary of Lot 59, aforesaid, said boundary being the arc of a simple curve to the right of radius 700.62 feet, 58.44 feet, more or less, to a point of reverse curve;

Thence northeastwardly and following a portion of the southeasterly boundary of Lot 59, aforesaid, said boundary being the arc of a simple curve to the left of radius 614.62 feet, 82.97 feet, more or less, to a point of compound curve;

Thence southwestwardly, westwardly and northwestwardly and following the arc of a simple curve to the right of radius 35.00 feet, 49.87 feet, more or less, to a point of tangency;

Thence N. 54° 30' 30" W., 384.95 feet, more or less, to an intersection with a portion of the northerly boundary of Lot 59, aforesaid;

Thence N. 89° 34' 55" W., and following a portion of the northerly boundary of said Lot 59, 166.65 feet, more or less, to the point of commencement, and containing 0.707 of an acre, be the same, more or less, as shown on the Plan hereunto annexed and thereon outlined in Red Colour, prepared by D. S. Black, B.C.L.S., sworn to the 6th day of October, 1967 and filed in the Land Registry Office at New Westminster, Province of British Columbia, under number

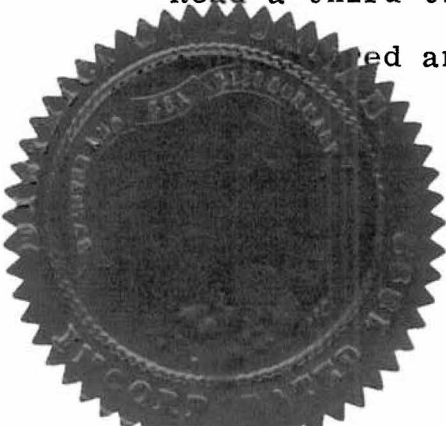
4. The said deed in fee simple shall be executed on behalf of the municipality by the Reeve and Clerk and shall have effect as a Crown grant, free of all rights-of-way, and the lands hereinbefore described taken in exchange shall be a public highway and the title thereto shall be vested in the Crown.

Read a first time this 6th day of November, 1967.

Read a second time this 6th day of November, 1967.

Read a third time this 6th day of November, 1967.

Read and adopted this 20th day of November, 1967.




REEVE

CLERK