

## BOWEN ISLAND MUNICIPALITY

### BYLAW NO. 124, 2004

#### A Bylaw to close a portion of highway and to dispose of the lands.

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##### WHEREAS:

- A. Under s. 40 of the *Community Charter* S.B.C. 2003, c. 26, Council may by bylaw close a portion of a highway to traffic;
- B. As required by s.40 of the *Community Charter*, Council has caused public notice of its intention to close a portion of a highway to traffic be given by advertisement once each week for two consecutive weeks in a newspaper circulating in the Municipality, has posted a notice in the public notice posting places and Council has given persons who consider themselves to be affected by the highway closure an opportunity to make representations to Council;
- C. Under s. 26 of the *Community Charter* Council may by bylaw dispose of land owned by the Municipality which is not available for public acquisition;
- D. As required by Section 26(3) of the *Community Charter* Council has caused a notice of its intention to dispose of land that is not available to the public for acquisition be given by advertisement once each week for two consecutive weeks in a newspaper circulating in the Municipality, has posted a notice in the public notice posting places. The notice included a description of the land, the person who is to acquire the lands, the nature of the disposition and the consideration to be received by the Municipality for the disposition.

**NOW THEREFORE** the Council of the Bowen Island Municipality, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as “Bowen Island Municipality Road Closure and Disposition Bylaw No. 124, 2004.”
2. All those portions of road located within the boundaries of District Lot 1411 Group 1 New Westminster District Except portions in Plans 6372, 18015 Reference Plan 3514 and Statutory Right of Way Plan 15104 (“District Lot 1411”) or District Lot 1551 Group 1 NWD except portions in plans 18015 and LMP24875 (District Lot 1511):
  - (a) shown outlined on the reduced copy of the “Reference Plan to Accompany Bowen Island Municipality Road Closure and Disposition Bylaw” attached to this Bylaw and marked as Schedule “A” and identified on that plan as Parcel 1 (“PCL 1”); and
  - (b) shown outlined on the reduced copy of the “Reference Plan to Accompany Bowen Island Municipality Road Closure and

Disposition Bylaw” attached to this Bylaw and marked as Schedule “B” and identified on that plan as Parcel A (PCL A”);

are hereby stopped up and closed to traffic (“PCL 1” and “PCL A” are collectively the “Highway Lands”).

3. In consideration of the dedication of roads on the plan of subdivision of District Lot 1551 and 1411 as shown on the reduced copy of the plan attached to this Bylaw and marked as Schedule “C” (collectively the “New Roads”) that portion of the Highway Lands described as PCL A are hereby disposed of, to the owner(s) of District Lot 1411 and that portion of the Highway Lands described as PCL 1 are hereby disposed of to the owner(s) of District Lot 1511.
4. The Mayor and Clerk are hereby authorized to execute all transfers of estate, deeds of land, plans and other documents as are necessary to effect the aforesaid transfers and dispositions of lands.
5. On deposit of all documentation for the closure of the Highway Lands and the dedication of the New Roads in the Vancouver Land Title Office:
  - (a) the Highway Lands are stopped up and closed to public traffic and shall cease to be a public highway;
  - (b) the dedication of the Highways Lands as roads is removed; and
  - (c) the New Roads are dedicated and established as a public highway.
6. If any section or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST, SECOND AND THIRD READINGS this 29<sup>th</sup> day of June, 2004.

ADOPTED by the Council this 26<sup>th</sup> day of July, 2004.

(Original signed)  
 \_\_\_\_\_  
 Lisa Barrett  
 Mayor

(Original signed)  
 \_\_\_\_\_  
 Isabell Hadford  
 Municipal Clerk

I HEREBY CERTIFY that this is a true copy of “Bowen Island Municipality Road Closure and Disposition Bylaw No. 124, 2004” adopted by the Council of the Bowen Island Municipality this 26<sup>th</sup> day of July, 2004.

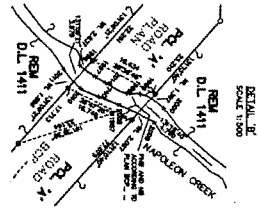
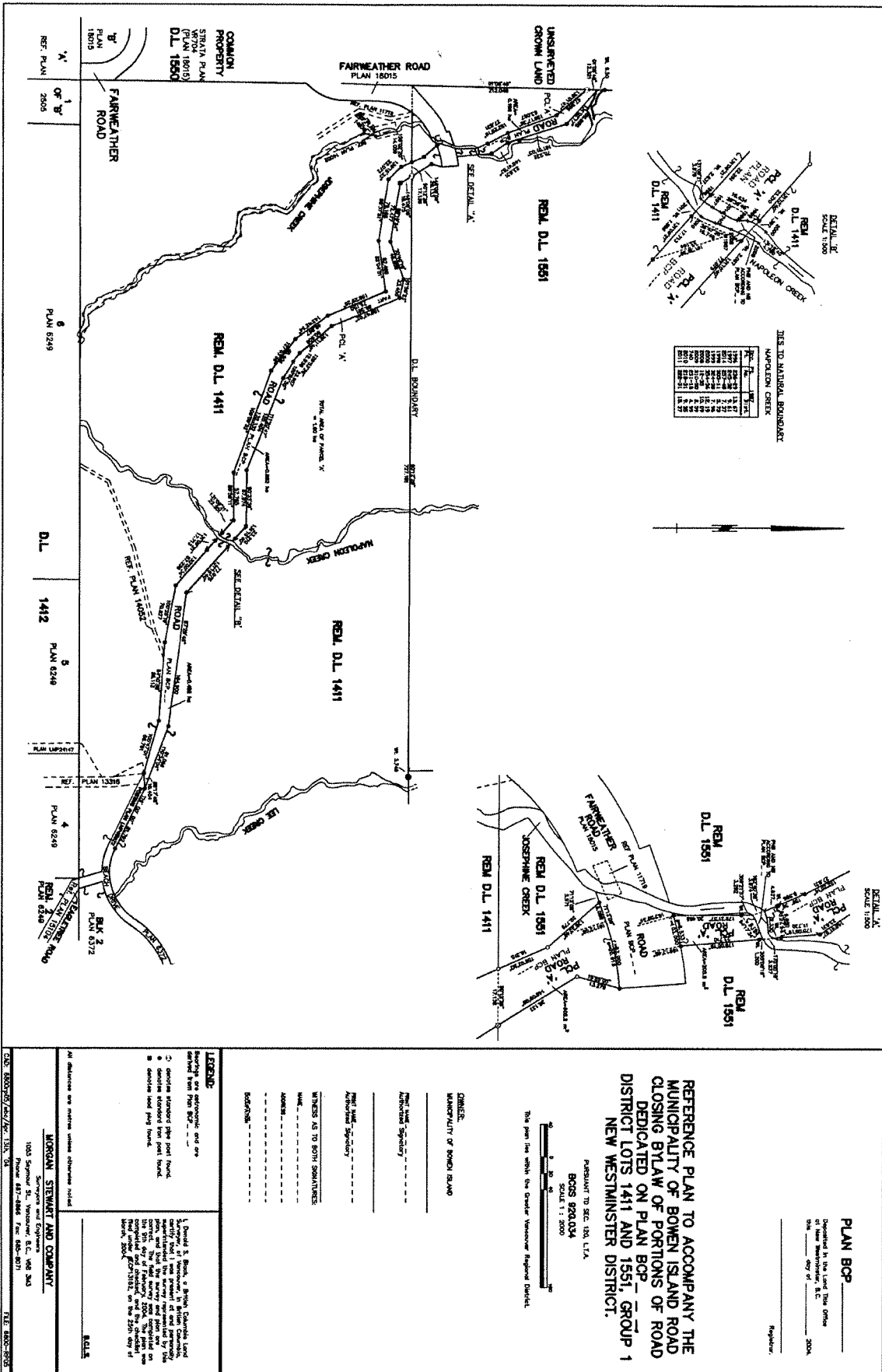
(Original signed)

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Isabell Hadford  
Municipal Clerk

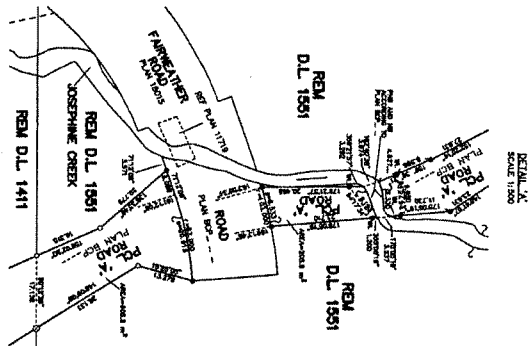
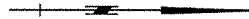


Schedule "B"



THIS IS A NATURAL BOUNDARY

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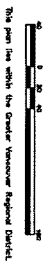
PLAN BCP

Prepared by the Local Title Office  
 Date: \_\_\_\_\_  
 Scale: \_\_\_\_\_

Register

REFERENCE PLAN TO ACCOMPANY THE  
 MUNICIPALITY OF BOMEN ISLAND ROAD  
 CLOSING BYLAW OF PORTIONS OF ROAD  
 DEDICATED ON PLAN BCP GROUP 1  
 DISTRICT LOTS 1411 AND 1551, GROUP 1  
 NEW WESTMINSTER DISTRICT.

PAYMENT TO SEC. 100, L.T.A.  
 BCS 920.004  
 SCALE 1:2000



OWNER:  
 MUNICIPALITY OF BOMEN ISLAND

PREPARED BY:  
 Authorized Signatory

DATE:  
 Authorized Signatory

WITNESSES AS TO BOTH SIGNATURES:

NAME:  
 ADDRESS:  
 SIGNATURE:

DATE:

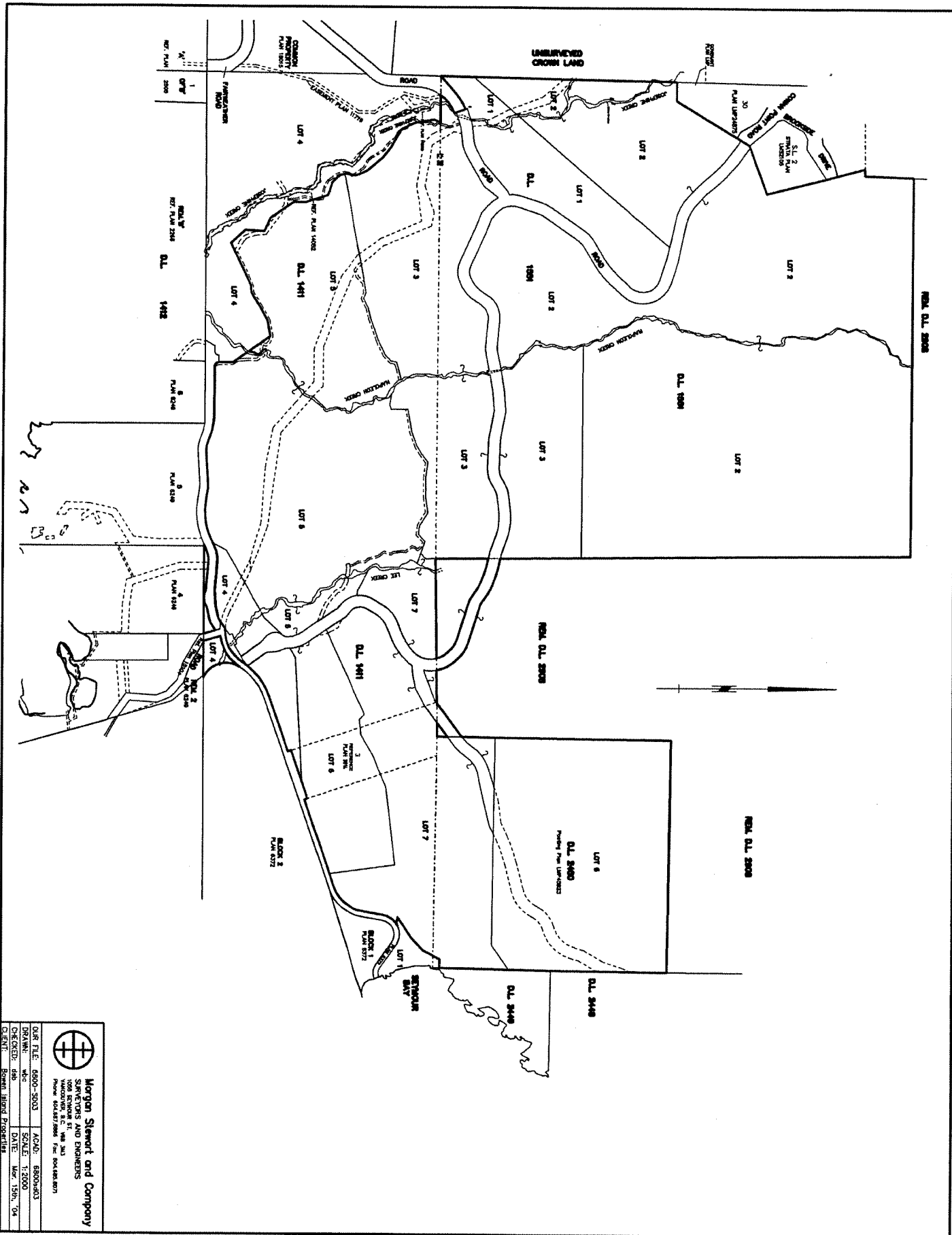
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At distances not marked unless otherwise noted

**LOGAN, STEWART AND COMPANY**  
 Surveyors and Engineers  
 1000 Seymour St., Vancouver, B.C., V6B 3A3  
 Phone: 687-8888 Fax: 682-8071  
 TEL: 682-8888

Schedule "C"



OUR FILE: 4800-3003	AGNO: 8800003
DRAWN: wbc	SCALE: 1:2000
CHECKED: dbp	DATE: Mar. 15th, 04
CLIENT: Boman, Alfred Properties	


**Morgan Stewart and Company**  
 Surveyors and Engineers  
 1000 SHERBOURNE ST.  
 HALLOWDEN, B.C. V8B 3A3  
 Phone: 604.877.9888 Fax: 604.877.8071