

DISTRICT OF SECHELT

MEDUSA STREET ROAD CLOSURE AND DISPOSITION BYLAW NO. 479, 2009

A bylaw to remove dedication and dispose of portions of highway on Medusa Street over parts of Lot F, Plan 18108, District Lot 1331 in exchange for land necessary for relocating portions of a highway on Medusa Street in DL 1331

WHEREAS, pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Council of the District of Sechelt deems it expedient to close to traffic, remove the dedication of highway, and dispose of those portions of highway comprising approximately 96.63 square metres in total known as Medusa Street dedicated as highway by Plan 18108, which are shown outlined in bold black on the reference plan prepared by John Theed, B.C.L.S. on the 5th day of September, 2008, a reduced copy of which is attached hereto (the "Road Closure Plan");

AND WHEREAS the disposition of those portions of highway will be to Frank Morgan Enterprises Ltd. and 473235 B.C. Ltd. for the purpose of consolidation with the adjacent properties owned by them legally described as PID 007-230-605 Lot F, District Lot 1331, Plan 18108 and PID 023-427-370, Remainder Lot 11, DL 1331, Group 2, New Westminster District, Plan LMP28032 (the "Adjacent Parcels") in exchange for the dedication of those portions of highway shown outlined in bold black on the subdivision plan prepared by John Theed, B.C.L.S. on the 19th day of February, 2009, a reduced copy of which is attached hereto (the "New Road Plan");

AND WHEREAS notices of Council's intention to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representations to Council;

AND WHEREAS the Council does not consider that the closure of the Closed Road will affect the transmission or distribution facilities or works of utility operators;

NOW THEREFORE the Council of the District of Sechelt, in open meeting assembled, enacts as follows:

1. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the reference plan of highway closure (the "Road Closure Plan"). Attached to this Bylaw as Schedule "B" and forming part of this Bylaw is a reduced copy of the reference plan of highway dedication (the "New Road Plan").

2. The District hereby authorizes the closure to traffic and removal of highway dedication of the 96.63 square metre portion of highway (which was dedicated as highway at the Vancouver Land Title Office by Plan 18108), labelled "Parcel A" on the Road Closure Plan (the "Closed Road").
3. On deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Vancouver Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
4. The District of Sechelt is hereby authorized to dispose of and convey the Closed Road in fee simple to Frank Morgan Enterprises Ltd. and 473235 B.C. Ltd., the registered owners of the Adjacent Parcels, in exchange for Frank Morgan Enterprises Ltd. and 473235 B.C. Ltd. dedicating as highway those areas shown outlined in bold black and marked "Road" on the New Road Plan, on the condition that the Closed Road is consolidated with the Adjacent Parcels in the manner shown on the New Road Plan.
5. The District of Sechelt's signing authorities are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.
6. By this bylaw, District of Sechelt Road Exchange Bylaw 478, 2008 is repealed and replaced.
7. This Bylaw may be cited as "District of Sechelt Medusa Street Road Closure and Disposition Bylaw No. 479, 2009".

READ A FIRST TIME this 6th day of May, 2009

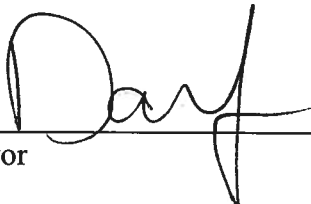
READ A SECOND TIME this 6th day of May, 2009

READ A THIRD TIME this 6th day of May, 2009

PUBLIC NOTICES PUBLISHED ON THE 10th day of April, 2009

AND ON THE 17th day of April, 2009

ADOPTED this 13th day of May, 2009



 Mayor



 Corporate Officer

I certify this to be a true and accurate copy of
 The "District of Sechelt Medusa Street Road Closure
 And Disposition Bylaw No. 479, 2009".

 Corporate Officer

SCHEDULE "A" - Road Closure Plan

REFERENCE PLAN TO ACCOMPANY DISTRICT OF SECHelt
ROAD CLOSURE BY LAW NUMBER 478, 2009, DISPOSING
OF PART OF MEDUSA ROAD DEDICATED IN DL 1337,
GP 1, MND, BY THE DEPOSIT OF PLAN 18108.

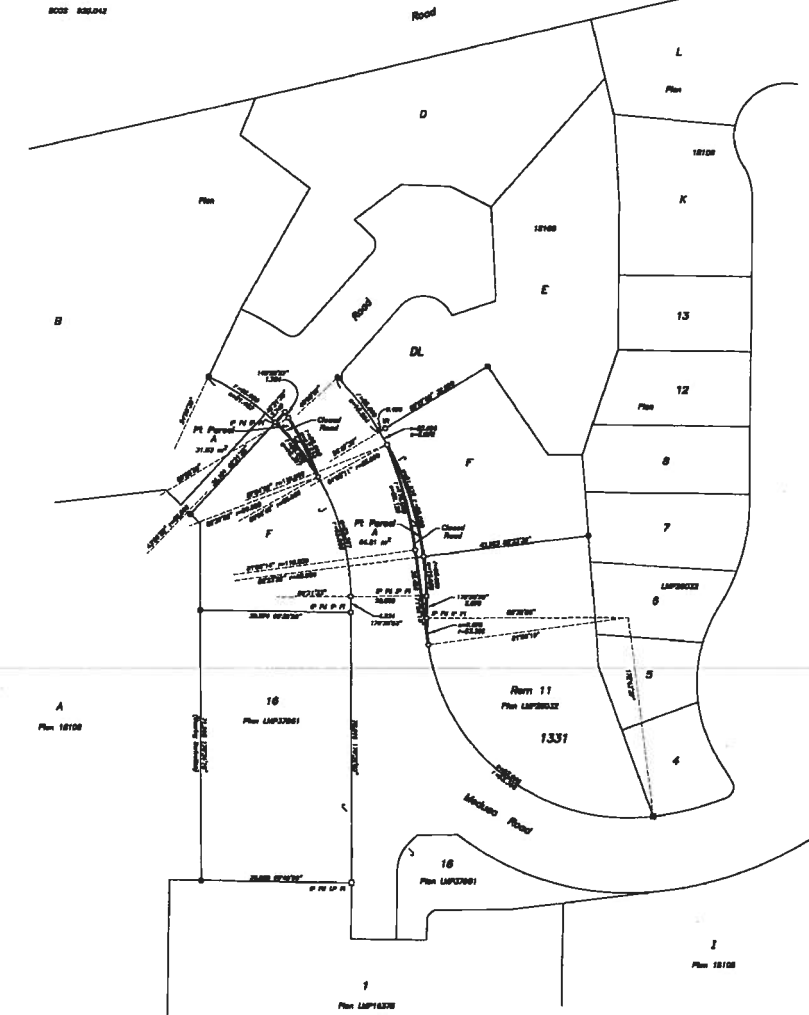
PLAN BCP

Approved in the Land Use Office of
the Municipality of St. John's, Nfld., on _____, 20____.

PURSUANT TO SECTION 130 OF THE LAND USE ACT
PURSUANT TO SECTION 40 OF THE CONDUITY CHARTER

Scale - 1:500 (Annotated)

The annotated plan area of this plan is effective to 2008,
by virtue of being filed under a 2' scale in 1986.



For the District of St. John's

Mayor _____
Deputy Mayor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____
Councillor _____

Legend
Boundary line delineated and here marked from
Plan 18108
Boundary line delineated from other
plans
Boundary line delineated from other
plans
Boundary line delineated from other
plans
All distances are in meters.

This plan was submitted to
the Planning Board, Municipal District
of St. John's, Nfld., for approval on
the 14th day of _____, 20____.
The Planning Board, Municipal District
of St. John's, Nfld., has approved this
plan on the 14th day of _____, 20____.
John C. Reed M.L.L.

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