

CITY OF PRINCE RUPERT

ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW NO. 3391, 2016

BEING A BYLAW TO CLOSE A HIGHWAY, OR A PORTION OF IT, TO TRAFFIC
AND TO REMOVE THE DEDICATION OF IT AS HIGHWAY (PORTION OF 3RD
AVENUE WEST, BESNER BLOCK)

WHEREAS the Council of the City of Prince Rupert (“**Council**”) has the authority under the *Community Charter* to close a highway, or a portion of it, to traffic and to remove the dedication of it as highway;

AND WHEREAS Council considers it desirable to close up a portion of highway to enable an easement associated with the Besner Block building;

AND WHEREAS the portion of highway to be closed and to have the dedication removed is not a highway, or part of a highway, that provides access to the ocean or a lake, river or other stream or watercourse;

AND WHEREAS no owner will be deprived of access to their property as a result of the closure of the subject portion of highway;

AND WHEREAS no transmission or distribution facilities or works of any utility operator will be affected by the closure of the subject portion of highway;

AND WHEREAS as required by Section 40 of the *Community Charter*, notice of Council's intention to undertake this highway closure was published in a newspaper, once each week for two consecutive weeks and persons who considered themselves affected by this Bylaw have been provided an opportunity to make representations to Council;

AND WHEREAS as required by Section 41(3) of the *Community Charter*, this Bylaw has been approved by the Minister responsible for the *Transportation Act*.

NOW THEREFORE THE COUNCIL of the City of Prince Rupert enacts as follows:

1. This Bylaw may be cited for all purposes as "**Road Closure and Removal of Highway Dedication Bylaw No. 3391, 2016**".
2. That approximately 275.5 sq. ft. portion of Road Right of Way abutting Lots 23 and 24, Block 20, Section 1, District Lot 251, Range 5, Coast District, Plan 923, located on Third Avenue West and as shown bolded on Reference Plan EPP62563, prepared by Todd E. Basky, BCLS 899 on the 24th day of May, 2016, a reduced copy of which is attached hereto as Schedule "A" (the “**Closed Road**”) is hereby stopped up and closed to traffic of all types.
3. The dedication as highway of the Closed Road is hereby removed.

4. The Mayor and the Corporate Officer for the City of Prince Rupert are hereby authorized to execute such transfers, deeds of land, survey plans, land title applications and other documents, and to affix the Corporate Seal of the City of Prince Rupert thereto, as may be necessary to effect this road closure and removal of highway dedication and to transfer title to the Closed Road to the owner of lands adjacent to the Closed Road for the purposes of consolidating the Closed Road with the said adjacent lands.
5. Schedule "A" attached hereto forms part of this Bylaw.

Read a First time this 30th day of May, 2016.

Read a Second time this 30th day of May, 2016.

Read a Third time this 30th day of May, 2016.

Notice given in accordance with Sections 40 and 94 of the *Community Charter* by way of posting in the required locations on the 15th day of April, 2016 and by publication in the Northern View on the 20th day of April, 2016 and on the 27th day of April, 2016.

Ministry of Highways' Approval received on this 16th day of September, 2016.

Final Consideration and Adopted this 11th day of October, 2016.

Mayor

Corporate Administrator

BC LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

LOTS 23 & 24, BLOCK 20, SECTION 1, DL 251,
RANGE 5, COAST DISTRICT, PLAN 923.

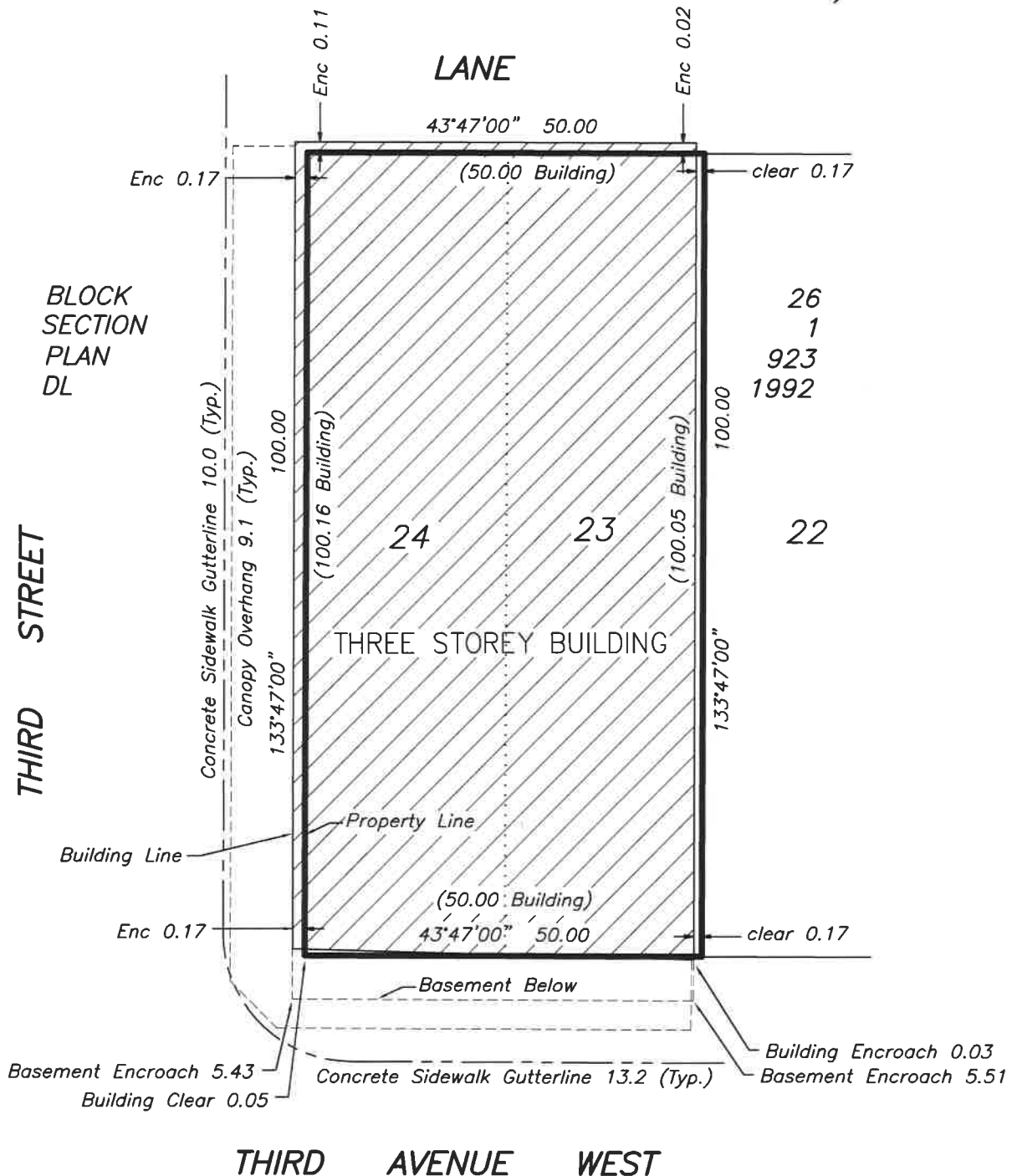
SCALE 1" = 20'

CIVIC ADDRESS
342 THIRD AVENUE WEST
PRINCE RUPERT, B.C.

PID: LOT 23 014-772-175
LOT 24 014-772-183



ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
LOT DIMENSIONS ARE DERIVED FROM PLAN 923.



THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED IN RED AND SEALED.

THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT
TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY
BOUNDARIES.

CERTIFIED CORRECT

ACCORDING TO LAND TITLE PLAN AND SURVEY
EVIDENCE AS SHOWN.

Todd Basky

Todd Basky, BCLS 899

THIS 31st DAY OF March, 2016.



McElhanney

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