

CITY OF PRINCE RUPERT

ANNUNCIATION ROAD CLOSURE BYLAW NO. 3360, 2015

A BYLAW TO CLOSE AND REMOVE THE DEDICATION OF A CERTAIN HIGHWAY/ROAD

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;

WHEREAS Council considers it desirable to close up a portion of highway to enable its consolidation with the adjacent property for the purpose of creating a new parcel;

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;

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

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

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 “**Annunciation Road Closure Bylaw No. 3360, 2015.**”
2. That approximately 526.0 m² portion of a lane originally dedicated as lane by Plan 923, Section 5, District Lot 251 Range 5 Coast District in the Land Title Office and shown outlined in bold and referred to as “Lane To Be Closed” on Reference Plan EPP48626, prepared by Todd E. Basky, B.C.L.S., survey control number 142-428-5709, and certified correct on the 18th day of February, 2015, 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 Administrator 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 lane 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. The City of Prince Rupert Bylaw No. 1493 adopted on June 12, 1961 is hereby repealed.

Schedule "A" attached hereto forms part of this Bylaw.

Read the First time this 13th day of April, 2015.

Read the Second time this 13th day of April, 2015.

Read the Third time this 13th day of April, 2015.

Notice given in accordance with sections 40 and 94 of the *Community Charter* by way of posting in the required locations on the 17th day of March, 2015 and by publication in the Prince Rupert Northern View Newspaper on the 1st day April, of 2015 and on the 8th day of April, 2015.

Approved by the Minister responsible for the transportation act on the 16th day of April, 2015.

Adopted this 16th day of April, 2015.

Mayor

Corporate Administrator

Schedule "A"

REFERENCE PLAN TO ACCOMPANY CITY OF PRINCE RUPERT ROAD CLOSURE BYLAW NO. 3360, 2015 CLOSING A PORTION OF LANE DEDICATED ON SECTION 5, PLAN 923, WITHIN DISTRICT LOT 251, RANGE 5, COAST DISTRICT. PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND 40 OF THE COMMUNITY CHARTER.

BCGS 1031039

THE INTENTED BYLAW OF THIS PLAN IS TO SHOW, IN ACCORDANCE WITH SECTION 120 OF THE LAND TITLE ACT, THE PLANNED CLOSURE OF A PORTION OF LANE DEDICATED ON SECTION 5, PLAN 923, WITHIN DISTRICT LOT 251, RANGE 5, COAST DISTRICT. DISTANCES ARE IN METERS AND DECIMALS THEREOF, UNLESS OTHERWISE INDICATED.

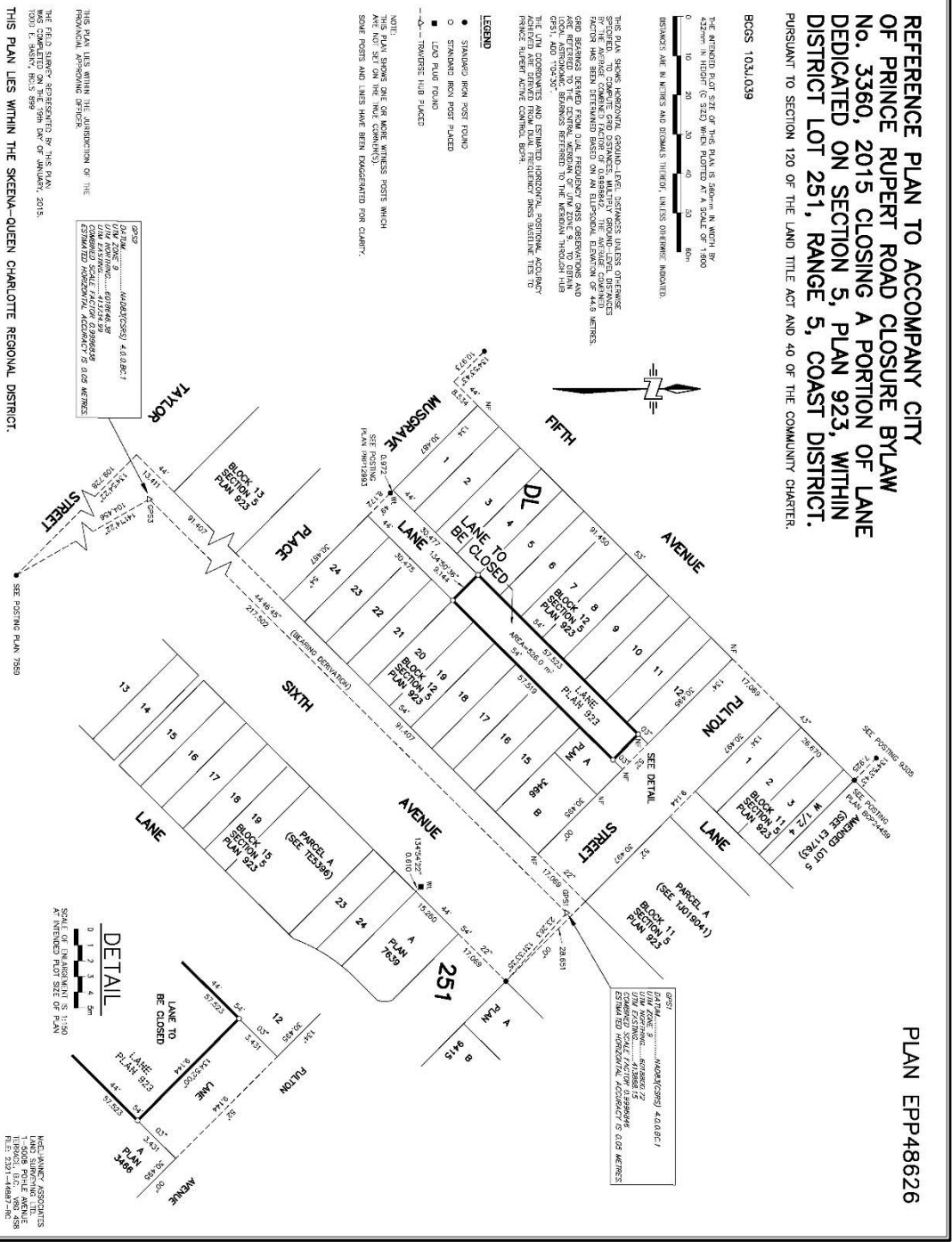
THIS PLAN SHOWS HORIZONTAL, VERTICAL, AND DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPARE GRID DISTANCES, MULTIPLY GRID LEVEL DISTANCES BY 0.9996 AND GRID DISTANCES BY 0.9994. ELEVATION OF 44.9 METERS HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 44.9 METERS DERIVED FROM D.L. FREQUENCY PENS OBSERVATIONS AND REFERRED TO THE CENTER POINT OF THE ZONE 5, TO CORRELATE WITH THE CENTER POINT OF THE ZONE 5, TO CORRELATE WITH THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 METERS. THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 METERS ARE PROVIDED FOR INFORMATION ONLY. THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 METERS ARE PROVIDED FOR INFORMATION ONLY.

- LEGEND**
- STANDARD IRON NEST FOUND
 - STANDARD IRON POST PLACED
 - LEAD PILE FOUND
 - TRAVELER HUB PLACED

NOTE:
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE PLACED AT THE CORNERS OF THE LANE TO BE CLOSED. SOME POSTS AND LINES HAVE BEEN DIMENSIONED FOR CLARITY.

THIS PLAN LIES WITHIN THE JURISDICTION OF THE PROVINCIAL APPOINTMENT OFFICER

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 19th DAY OF JANUARY, 2015.
1031 G. SMYTH, 603.5 989



PLAN EPP48626