

DISTRICT OF SECHELT

LEWARNE ROAD – ROAD CLOSURE AND DISPOSITION BYLAW NO. 509, 2012

A bylaw to remove dedication and dispose of portions of highway on Lewarne Road in exchange for land on Lot A, Block 8, DL 2406, Group 1, NWM Plan 21778 necessary for relocating portions of a highway.

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**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 2,720 square metres in total, known as Lewarne Road dedicated as highway by Plans 3995 and 4082, which are shown outlined in bold black and labeled “Closed Road” on the reference plan, prepared by John Theed, B.C.L.S. on the 12th day of January, 2012, a reduced copy of which is attached hereto (the “Road Closure Plan”);

**AND WHEREAS** the disposition of those portions of highway will be to Joseph and Sally Walker for the purpose of consolidation with the adjacent property owned by them legally described as PID 011-281-669 Lot A, Block 8, DL 2406, Group 1, NWM Plan 21778 (the “Adjacent Parcel”) in exchange for the dedication of those portions of highway shown outlined in bold black and labeled ‘New Road “A” ROW’ on the reference plan, prepared by John Theed, B.C.L.S. on the 12th day of January, 2012, 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 2,720 square metre portion of highway, (which was dedicated as highway at the Vancouver Land Title Office by Plans 3995 and 4082) outlined in bold black and labeled “Closed Road” 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 Joseph and Sally Walker, the registered owners of the Adjacent Parcel, in exchange for Joseph and Sally Walker dedicating as highway those areas shown outlined in bold black and marked ‘New Road “A” ROW’ on Schedule “B”, in exchange for \$5.00, on condition that the Closed Road is consolidated with the Adjacent Parcel 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. This Bylaw may be cited as “District of Sechelt Lewarne Road – Road Closure and Disposition Bylaw No. 509, 2012”.

READ A FIRST TIME THIS	18 <sup>th</sup>	DAY OF	January, 2012
READ A SECOND TIME THIS	18 <sup>th</sup>	DAY OF	January, 2012
READ A THIRD TIME THIS	18 <sup>th</sup>	DAY OF	January, 2012
PUBLIC NOTICES PUBLISHED ON THE	27 <sup>th</sup>	DAY OF	January, 2012
AND ON THE	3 <sup>rd</sup>	DAY OF	February, 2012
ADOPTED THIS	15 <sup>th</sup>	DAY OF	February, 2012

\_\_\_\_\_  
Mayor

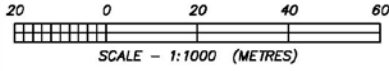
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Corporate Officer

I hereby certify this to be a true and accurate copy of the “District of Sechelt Lewarne Road - Road Closure and Disposition Bylaw No. 509, 2012”.

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Corporate Officer

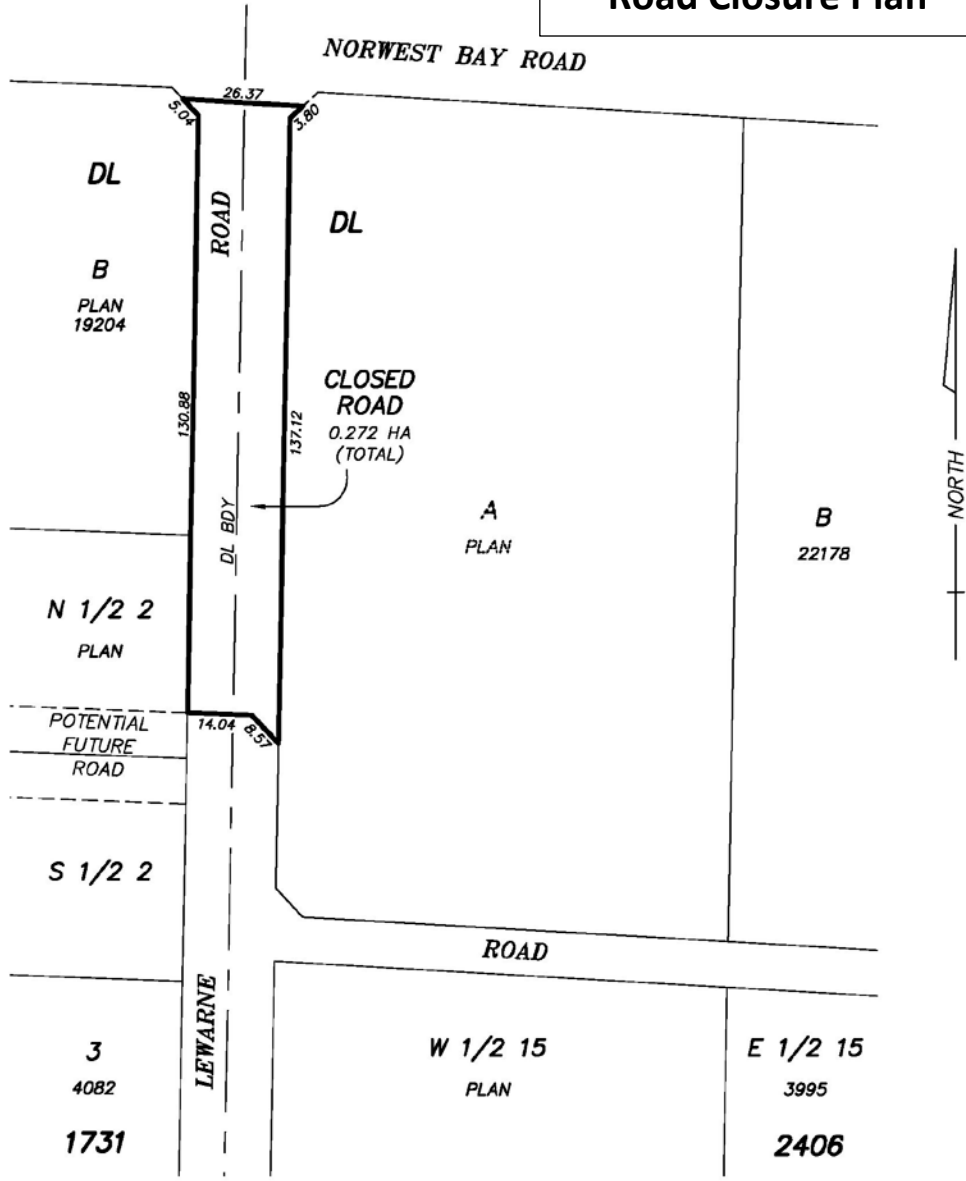
REFERENCE PLAN TO ACCOMPANY DISTRICT OF SECHELT  
ROAD CLOSURE BYLAW NUMBER 509, 2012 DISPOSING  
OF PART OF LEWARNE ROAD DEDICATED IN DL'S 1731 AND  
2406, GP 1, NWD, BY THE DEPOSIT OF PLANS 3995 AND 4082.

OPTION 1-D



PURSUANT TO SECTION 120 OF THE LAND TITLE ACT  
PURSUANT TO SECTION 40 OF THE COMMUNITY CHARTER  
BCGS MAP SHEET 92G .042

**SCHEDULE "A" –  
Road Closure Plan**



**NOTE:**

LOT DIMENSIONS ARE IN METRES AND  
ARE FROM FIELD MEASUREMENTS AND  
FROM REGISTERED LTO PLANS.

DATE: JANUARY 12, 2012

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