

CITY OF SURREY

BY-LAW NO. 16038

An Expropriation by-law for the purpose of acquiring a
temporary Statutory Right-of-Way

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WHEREAS the Council of the City of Surrey has found it necessary to acquire the within described property for the purpose of temporary Statutory Right-of-Way;

AND WHEREAS pursuant to Section 8(1) of the *Community Charter*, S.B.C. 2003, c. 26, as amended, the City Council has the capacity, rights, powers and privileges of a natural person of full capacity and may acquire, hold, manage and dispose of land, improvements, personal property or other property, and any interest or right in or with respect to that property;

AND WHEREAS pursuant to Sections 31 & 32 of the *Community Charter*, S.B.C. 2003, c.26, as amended, the City Council may, for the purpose of exercising or performing its powers, duties and functions, expropriate real property or works, or an interest in them, in accordance with the *Expropriation Act*, R.S.B.C. 1996, c. 125, as amended;

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Pursuant to Sections 31 & 32 of the *Community Charter*, S.B.C. 2003, c.26, as amended, and for the construction, extension, alteration, replacement, repair, upgrading, installation, protection, clearing, maintenance, operation, carrying out, use and servicing of highway works including a retaining wall and related appurtenances and improvements, the Council of the City of Surrey hereby authorizes the expropriation of a temporary Statutory Right-of-Way, in the form of Schedule "A" attached, in, over and upon ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Surrey in the Province of British Columbia and more particularly described as:

That portion of Lot 18, Section 23, Township 1, New Westminster District Plan 36924 (Parcel Identifier: 007-445-504) shown as Statutory Right-of-Way outlined on Statutory Right-of-Way Plan BCP24414 containing 116.8 square meters.

(Portion of 2846 Helc Place, Surrey, B.C.)

2. The Mayor and Clerk are hereby authorized to sign and seal all documents necessary and incidental to effect such expropriation.
3. This By-law may be cited for all purposes as "Portion of 2846 Helc Place, Surrey, B. C. Expropriation By-law, 2006, No. 16038".
4. This By-law comes in to full force and effect on the date of final adoption.

PASSED THREE READINGS on the 26th day of June, 2006.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 10th day of July, 2006.

_____ MAYOR

_____ CLERK

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SCHEDULE "A" ON FILE WITH CITY CLERK