

CITY OF SURREY

BY-LAW NO. 12923

A by-law to authorize the dedication
of certain lands as Park.

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WHEREAS pursuant to the provisions of Section 533 of the **Municipal Act**, Chapter 290, R.S.B.C. 1979 as amended (the "Act"), the Council of the City of Surrey may, with the assent of the electors, by by-law, dedicate for a public purpose real property owned by the City of Surrey;

AND WHEREAS it is deemed expedient to formally dedicate as park certain lands held by the City of Surrey for park purposes;

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

1. For the purpose of this By-law park means:

"Lands held by the City for the public's use and enjoyment, community uses and where the City, in its sole discretion, deems it appropriate and necessary for the management, conservation and enhancement of the native flora and fauna."

2. The following described lands, owned by the City of Surrey, are hereby dedicated as park:

Portions of District Lots 52, 231 and 491 Group 2 and Portions of Section 19 Township 1 being:

Firstly: District Lot 491 Group 2 Except Parts on Reference Plan 4308 and all those portions of District Lots 231 and 52 Group 2 and of the Fractional North East Quarter of Section 19 Township 1 shown outlined red and green on Reference Plan 4302

Secondly: Parcel "H" (Reference Plan 15120) District Lots 52, 231 and 491 Group 2 and of the Fractional North East Quarter Section 19 Township 1

Thirdly: Lot 52 District Lot 52 Group 2 and Section 19 Township 1 Plan 43115 New Westminster District

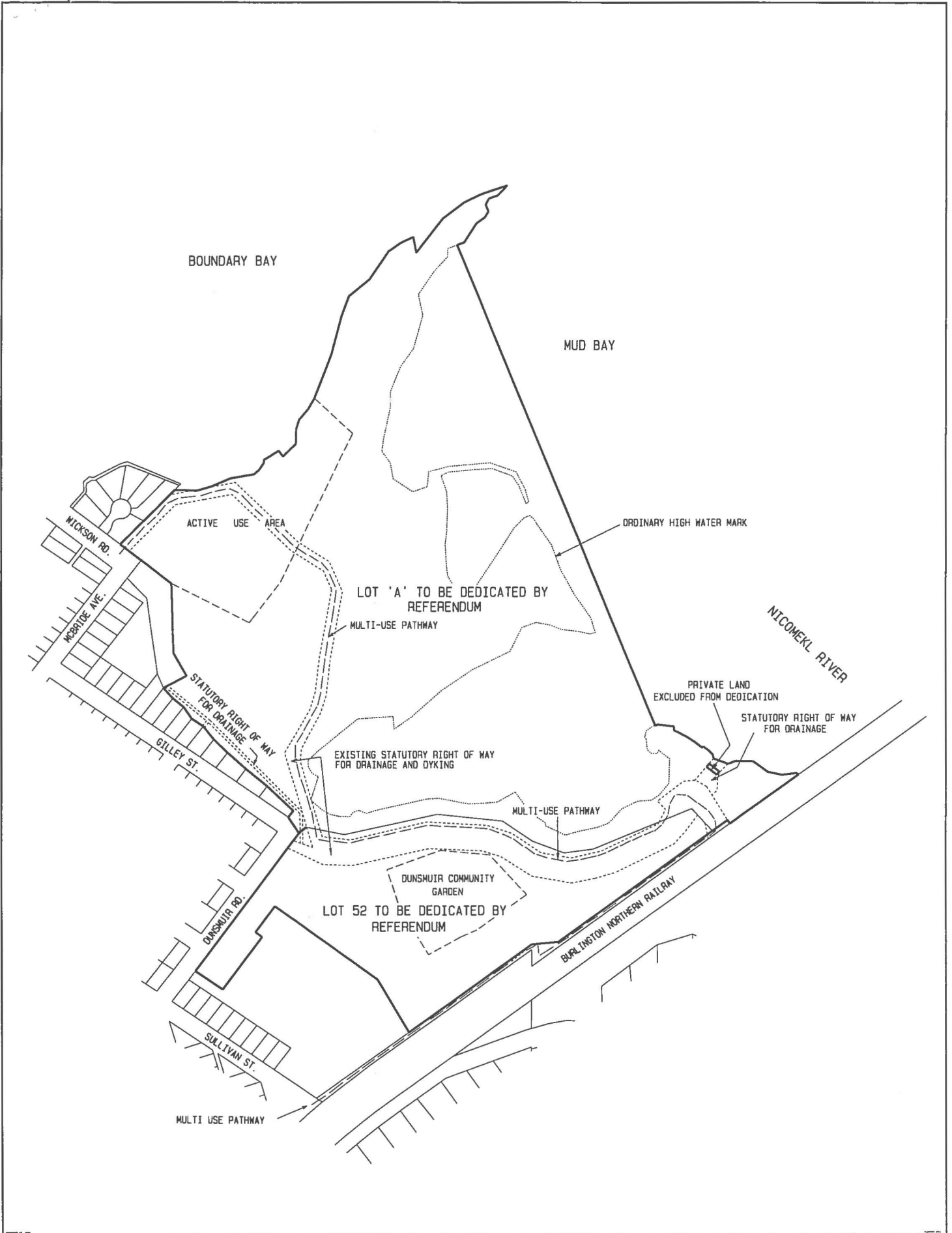
As outlined and shown as Lot "A" and Lot 52 on Schedule A to this By-law.

3. The foregoing dedication is subject to the following:
 - (a) This dedication will permit the construction of a multi-use pathway along the dyke and drainage right-of-way, forest management, the construction of walking trails, picnic areas, a public gathering area for special public events and other recreational activities, washrooms, and parking areas to accommodate those individuals using the hereinbefore described lands.
 - (b) This dedication will also permit the continued uninterrupted use of the existing active uses of the hereinbefore described lands which include the Swimming Club, Sailing Club, boat launching, parking lot and community gardens.
 - (c) This dedication will also permit additional recreational uses within the existing active recreational use area at the McBride Avenue entrance to the hereinbefore described lands.
 - (d) The City of Surrey maintains its right to enter upon and to have free and uninterrupted access to the hereinbefore described lands for the purpose of installing, repairing, clearing and maintaining any public utilities, public works, road dedications and road widenings now or hereafter installed upon any of the hereinbefore described lands.

- (e) The City of Surrey specifically maintains the right to register a right-of-way on the hereinbefore described lands to protect the existing storm sewer in the park near Gilley Street.
- (f) The City of Surrey specifically maintains the right to register a right-of-way on the hereinbefore described lands for the pump station and outlet channel at the north-east end of the Dunsmuir Farm.
4. In accordance with the requirements of the British Columbia Ministry of Environment and other applicable regulatory agencies, the City of Surrey reserves the right to enter the hereinbefore described lands to undertake the works required for maintenance of existing drainage and infiltration facilities or to enhance fishery and aquatic habitat. These works include, but are not limited to, the select removal of trees and vegetation in accordance with the City of Surrey's Tree Preservation By-law, placing of erosion protection and the planting of vegetation.
5. The Mayor and Clerk are hereby authorized and empowered to sign any documents required by and to do any acts necessary and incidental to the carrying out of this By-law.
6. This By-law may be cited as "Blackie's Spit and Dunsmuir Farm Park Dedication By-law, 1996, No. 12923."

PASSED THREE READINGS on the 23rd day of September, 1996.

SCHEDULE A



BOUNDARY BAY

MUD BAY

NICOMEKL RIVER

ACTIVE USE AREA

ORDINARY HIGH WATER MARK

LOT 'A' TO BE DEDICATED BY REFERENDUM

MULTI-USE PATHWAY

PRIVATE LAND EXCLUDED FROM DEDICATION

STATUTORY RIGHT OF WAY FOR DRAINAGE

EXISTING STATUTORY RIGHT OF WAY FOR DRAINAGE AND DYKING

MULTI-USE PATHWAY

DUNSMUIR COMMUNITY GARDEN

LOT 52 TO BE DEDICATED BY REFERENDUM

BURLINGTON NORTHERN RAILWAY

WICKSON RD.

MCBRIDE AVE.

STATUTORY RIGHT OF WAY FOR DRAINAGE

GILLEY ST.

DUNSMUIR RD.

SULLIVAN ST.

MULTI USE PATHWAY