

A.2

RESOLUTION

MOVED BY Councillor _____

SECONDED BY Councillor _____

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. Portions of the building constructed on Lot B of Lot 12 Block 76 District Lot 541 Plan 6488 encroach onto the easterly side of Homer Street southerly of Davie Street;
3. The portion of Homer Street encroached upon, abutting said Lot B, was dedicated by the deposit of Plan 210;
4. To provide for the registration of an easement to contain the said encroachments onto Homer Street, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portion of Homer Street that is encroached upon;
5. Portions of the building constructed on said Lot B encroach onto the westerly side of Hamilton Street southerly of Davie Street;
6. A title already exists for the portion of Hamilton Street upon which the building encroaches;
7. As required by Section 244 of the Strata Property Act it is necessary to register an easement to contain the said encroachments onto Hamilton Street on the title to that portion of Hamilton Street encroached upon, more particularly described as Lot K, Except: (A) Part in Plan 4544, (B) Portions Coloured Yellow on Plan 4959, (C) Part in Explanatory Plan 17265, Block 76 District Lot 541 Plan 3469, established as road by document filed BJ374292 in 1995;
8. To enable Council to grant the required easements to contain the said encroachments it is necessary for Council to close and stop-up the volumetric portions of Homer Street and Hamilton Street that are encroached upon;

THEREFORE BE IT RESOLVED THAT the Director of Legal Services be authorized to make application on behalf of the City of Vancouver to raise title in the name of the City of Vancouver to that portion of road dedicated by the deposit of Plan 210 and included within the heavy bold outline on a Reference Plan attested to by J. Neil Bennett, B.C.L.S. completed on the 22nd day of May, 2007, marginally numbered DRAWING FILE: R12927.DWG (SL), a reduced copy of which is attached hereto as Appendix "A"; and

BE IT FURTHER RESOLVED THAT all that volumetric portion of Homer Street included within heavy bold outline and illustrated isometrically on a plan of survey certified correct by J. Neil Bennett, B.C.L.S. completed on the 22nd day of May, 2007, marginally numbered DRAWING FILE: Ex12827.dwg (SL), a reduced copy of which is attached hereto as Appendix "B", be closed, stopped-up and that an easement be granted to the owner of abutting Lot B of Lot 12 Block 76 District Lot 541 Plan 6488 to contain the portions of the existing building which encroach onto Homer Street; and,

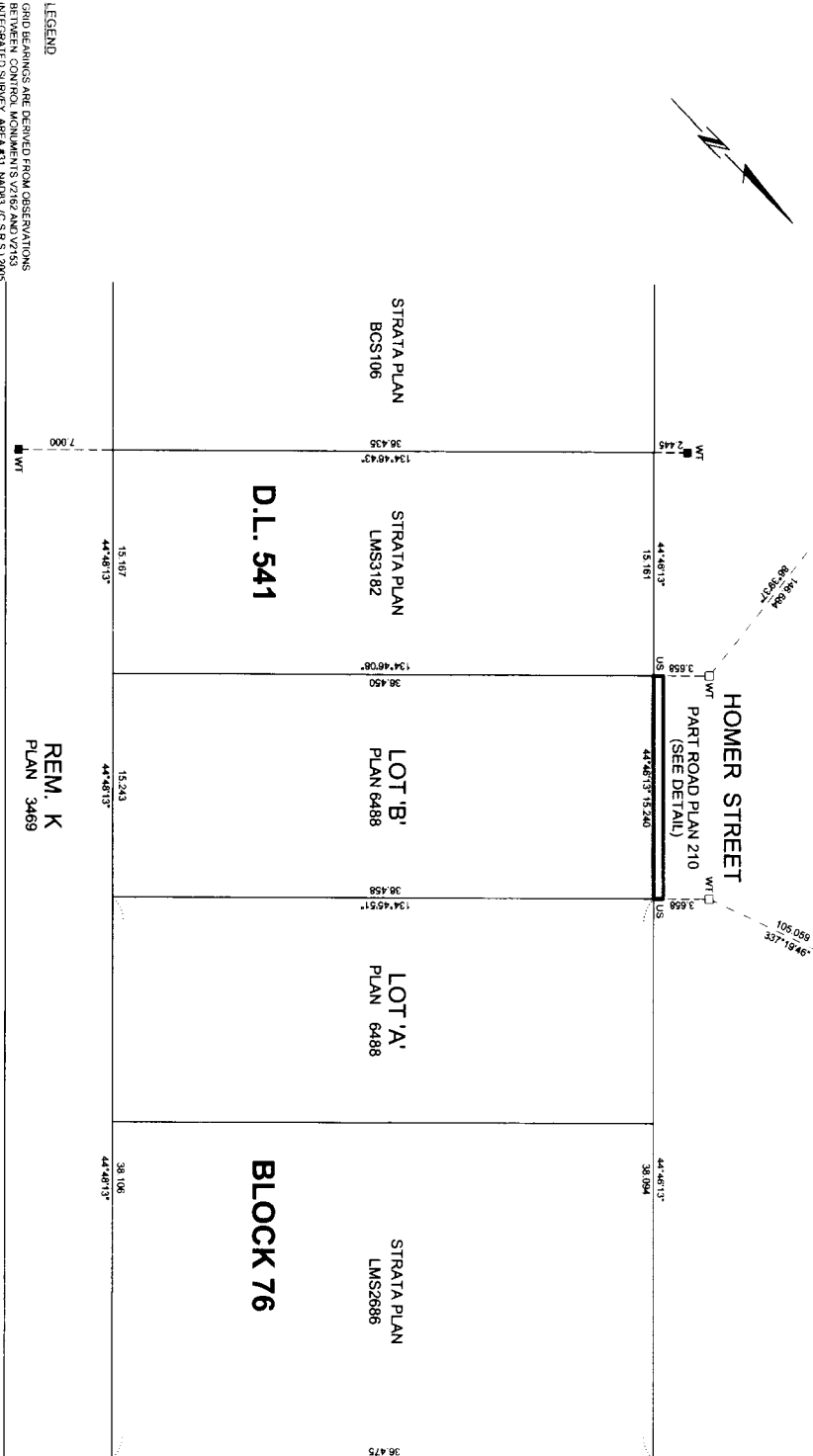
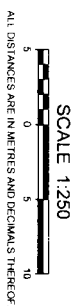
BE IT FURTHER RESOLVED THAT all that volumetric portion of Hamilton Street included within heavy bold outline and illustrated isometrically on a plan of survey certified correct by J. Neil Bennett, B.C.L.S. completed on the 22nd day of May, 2007, marginally numbered DRAWING FILE: EX12927-3-F.dwg (DWS), a reduced copy of which is attached hereto as Appendix "C", be closed, stopped-up and that an easement be granted to the owner of said abutting Lot B to contain the portions of the existing building which encroach onto Hamilton Street; the said easements to be to the satisfaction of the Director of Legal Services.

(Closing portions of Homer Street and Hamilton Street adjacent to 1228 Homer Street as per Council authority June 12, 2007)

* * * * *

REFERENCE PLAN TO ACCOMPANY AN APPLICATION FOR THE REGISTRATION OF TITLE IN THE NAME OF THE CITY OF VANCOUVER TO THAT PORTION OF ROAD DEDICATED BY THE DEPOSIT OF PLAN 210 ADJACENT TO PART OF LOT B OF LOT 12, BLOCK 76, DISTRICT LOT 541, NEW WESTMINSTER DISTRICT, PLAN 6488.

INTEGRATED SURVEY AREA No. 31, NAD 83 (C.S.R.S.) 2005
 CITY OF VANCOUVER
 B.C.G.S. 92G-025



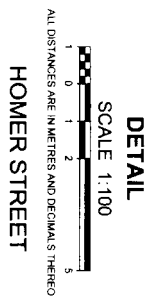
HAMILTON STREET

DAVIE STREET

- LEGEND**
- - DENOTES LEAD-PLUG FOUND
 - - DENOTES LEAD-PLUG PLACED
 - - DENOTES CONTROL MONUMENT
 - WT - DENOTES WITNESS
 - US - DENOTES UNSUITABLE TO POST
 - m² - DENOTES SQUARE METRES
- THIS PLAN SHOWS HORIZONTAL GROUND LEVEL MEASUREMENTS TAKEN ON THE DATE OF SURVEY. VERTICAL MEASUREMENTS ARE COORDINATES, MULTIPLIED BY A COMBINED SCALE FACTOR OF 0.9996078

BENNETT LAND SURVEYING LTD.
 601-229 FELL AVENUE
 NORTH VANCOUVER, B.C.
 V7P 3R5
 PH: 604-980-4898
 FX: 604-980-0538
 www.bennettlandsurvey.com

JULIA DIRECT COPY: W2200712927 - 1226 Laurel (Elsau)
 PROJECT: 12927 - Legal Purposes
 DRAWING FILE: R12927 DWG (S1)



STRATA PLAN LMS3182

LOT 'B'
 PLAN 6488

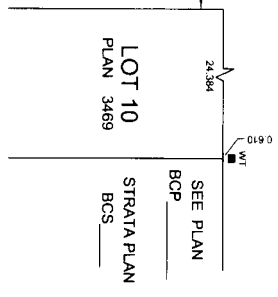
LOT 'A'
 PLAN 6488

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

PLAN BCP _____

DEPOSITED AT THE LAND TITLE OFFICE AT NEW WESTMINSTER, B.C.

THIS _____ DAY OF _____ 2007
 REGISTERAR



OWNER
 CITY OF VANCOUVER

AUTHORIZED SIGNATORY
 (PRINT AND SIGN NAME)

AUTHORIZED SIGNATORY
 (PRINT AND SIGN NAME)

WITNESSES TO BOTH SIGNATURES
 (PRINT AND SIGN NAME)

OCCUPATION OF WITNESS

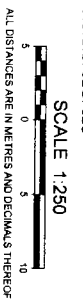
ADDRESS OF WITNESS

I, NEL BENNETT, A BRITISH COLUMBIA LAND SURVEYOR OF NORTH VANCOUVER, IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY SHOWN ON THIS PLAN AND THAT THE SURVEY IS CORRECT AND COMPLETE.

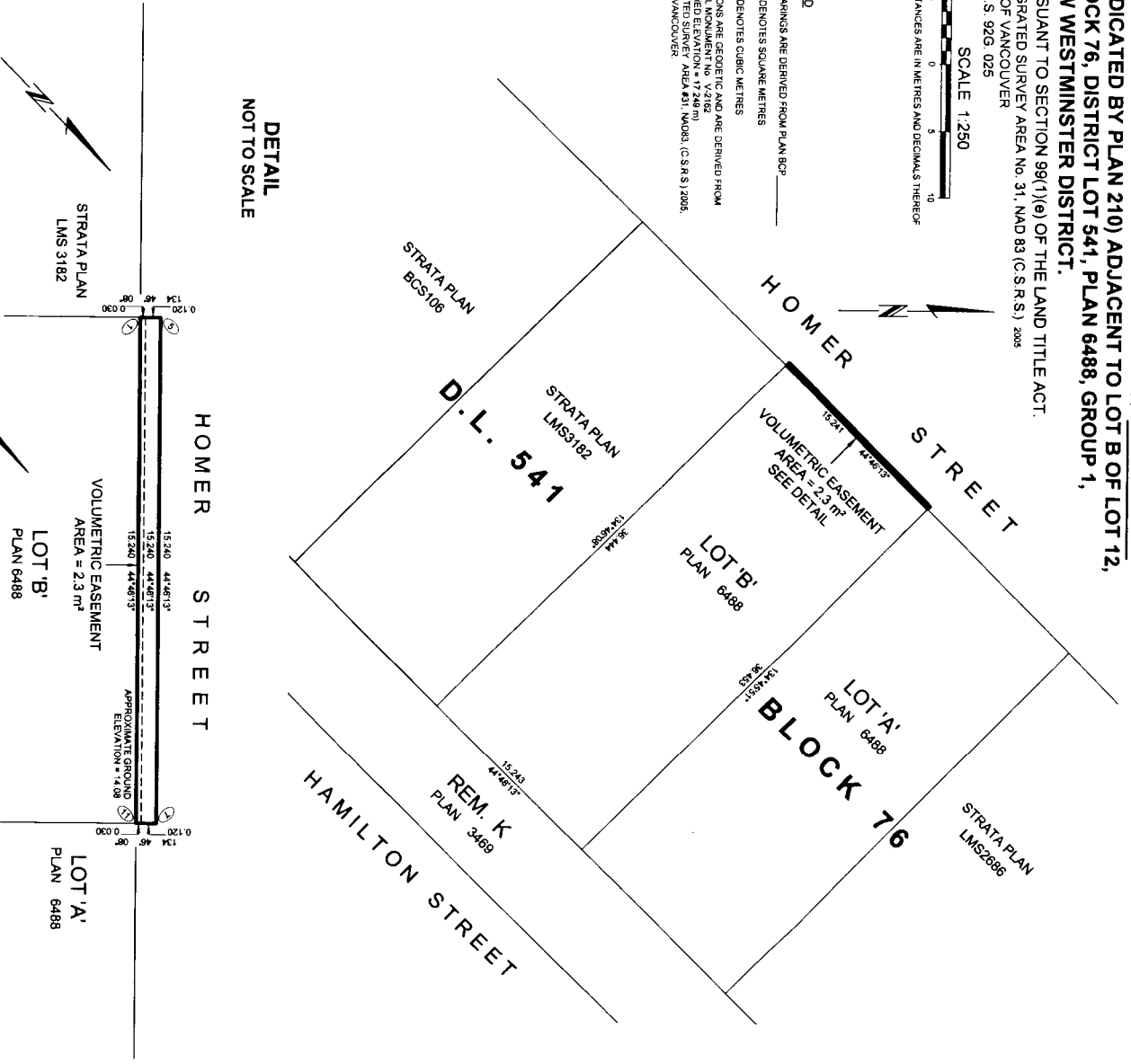
ON THE 30th DAY OF MARCH 2007
 THE PLAN WAS COMPLETED AND CHECKED AND THE CHECKLIST FILED UNDER # ECP- 64882
 ON THE 27th DAY OF MAY 2007
 B.C.L.S.

EXPLANATORY PLAN OF VOLUMETRIC EASEMENT OVER THAT PORTION OF ROAD INCLUDED IN PLAN BCP (DEDICATED BY PLAN 210) ADJACENT TO LOT B OF LOT 12, BLOCK 76, DISTRICT LOT 541, PLAN 6488, GROUP 1, NEW WESTMINSTER DISTRICT.

PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT, INTEGRATED SURVEY AREA No. 31, NAD 83 (C.S.R.S.) 2005 B.C.G.S. 92G.025

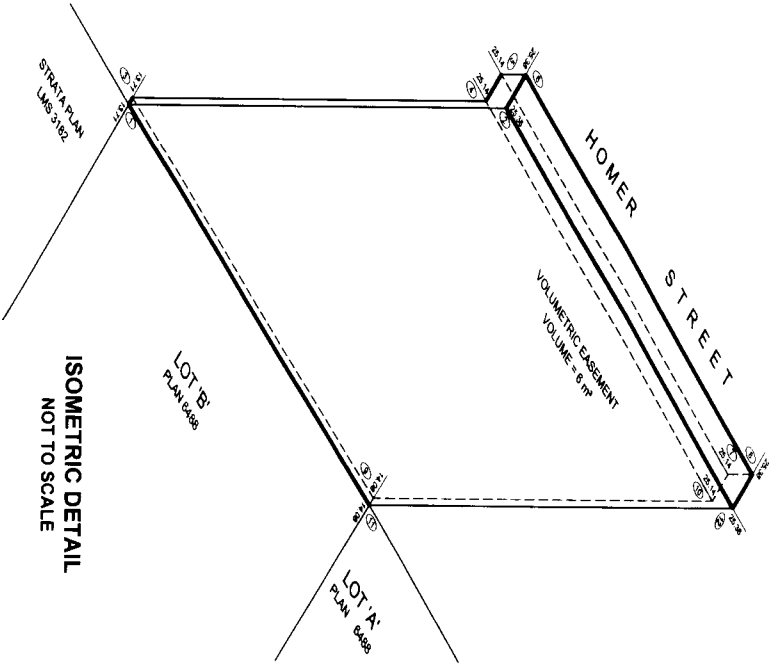


LEGEND
GRID BEARINGS ARE DERIVED FROM PLAN BCP
m² - DENOTES SQUARE METRES
- DENOTES CURB METRES
ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM THE INTEGRATED SURVEY AREA NO. 31, NAD 83 (C.S.R.S.) 2005, PUBLISHED ELEVATION = 17.246
INTEGRATED SURVEY AREA 491, NAD83 (C.S.R.S.) 2005, CITY OF VANCOUVER



DETAIL NOT TO SCALE

ISOMETRIC VIEW



| VOLUMETRIC EASEMENT COORDINATES | | | |
|---------------------------------|----------|----------|-----------|
| POINT # | NORTHING | EASTING | ELEVATION |
| 1 | 4889.453 | 1082.889 | 13.71 |
| 2 | 4889.453 | 1082.889 | 25.38 |
| 3 | 4889.453 | 1082.889 | 13.71 |
| 4 | 4889.453 | 1082.889 | 25.38 |
| 5 | 4889.453 | 1082.889 | 25.38 |
| 6 | 4889.453 | 1082.889 | 25.38 |
| 7 | 4889.453 | 1082.889 | 25.38 |
| 8 | 4889.453 | 1082.889 | 25.38 |
| 9 | 4889.453 | 1082.889 | 25.38 |
| 10 | 4889.453 | 1082.889 | 25.38 |
| 11 | 4889.453 | 1082.889 | 25.38 |
| 12 | 4889.453 | 1082.889 | 25.38 |

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PH: 604-980-4888
F: 604-980-4888
www.bennettland.com

ACB DIRECTOR - (N2207)12927 - 1226 - Homer (Elkton)
PROJECT - 12927 - Legal Planning
DRAWING FILE - E412827.dwg (SL)

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

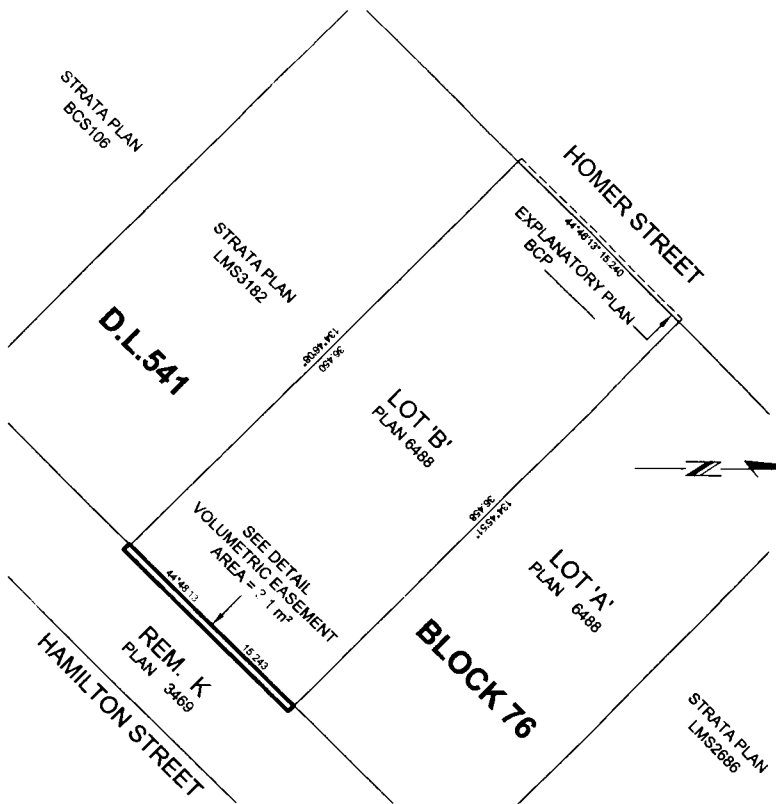
PLAN BCP
DEPOSITED IN THE LAND TITLE OFFICE AT
NEW WESTMINSTER, B.C.
THIS DAY OF _____ 2007
REGISTRAR

THIS PLAN WAS COMPLETED AND CHECKED AND
THE CHECKLIST FILED UNDER # ECP 54826
ON THE 22nd DAY OF MAY 2007
AND IS CERTIFIED CORRECT IN ACCORDANCE WITH
LAND TITLE OFFICE RECORDS
J. Neil Bennett
J NEIL BENNETT B.C.L.S.

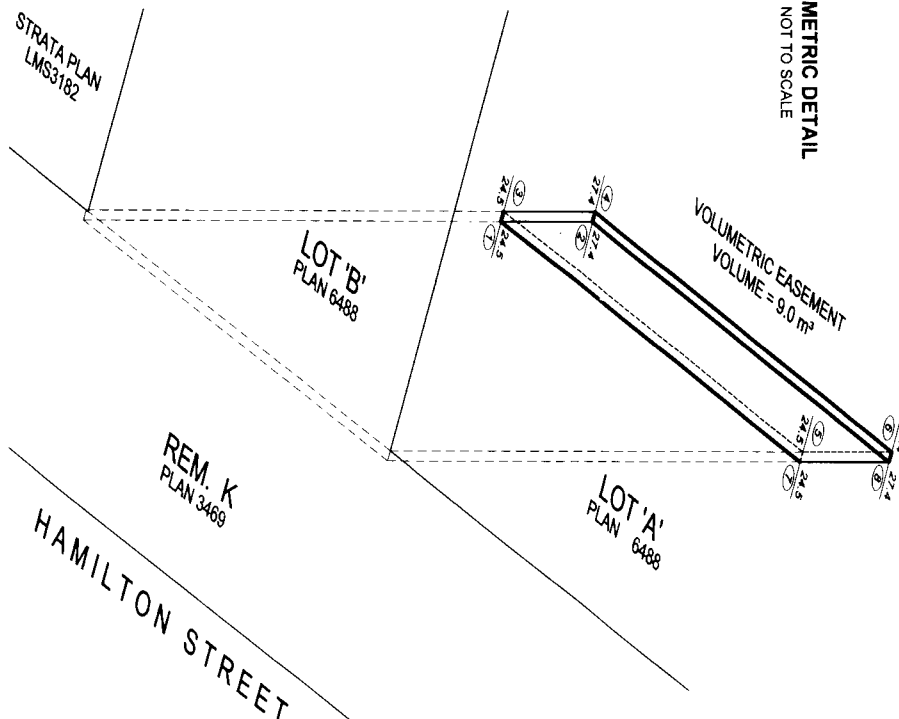
EXPLANATORY PLAN OF VOLUMETRIC EASEMENT OVER A PORTION OF LOT K, EXCEPT (A) PART IN PLAN 4544 (B) PORTIONS COLOURED YELLOW ON PLAN 4959 (C) PART IN EXPLANATORY PLAN 17265, BLOCK 76, DISTRICT LOT 541, PLAN 3469

INTEGRATED SURVEY AREA No. 31, NAD 83 (C.S.R.S.)
CITY OF VANCOUVER
B.C.G.S. 923-025

SCALE 1:250



ISOMETRIC DETAIL
NOT TO SCALE



VOLUMETRIC EASEMENT COORDINATES

| POINT # | NORTHING | EASTING | ELEVATION |
|---------|----------|----------|-----------|
| 1 | 4883.576 | 1084.514 | 27.40 |
| 2 | 4883.576 | 1084.514 | 27.40 |
| 3 | 4883.717 | 1084.372 | 24.50 |
| 4 | 4883.717 | 1084.372 | 27.40 |
| 5 | 4874.603 | 1089.184 | 24.50 |
| 6 | 4874.603 | 1089.184 | 27.40 |
| 7 | 4874.462 | 1089.325 | 24.50 |
| 8 | 4874.462 | 1089.325 | 27.40 |

LOT 'B'
PLAN 6488

LOT 'A'
PLAN 6488

VOLUMETRIC EASEMENT
AREA = 3.1 m²

APPROXIMATE GROUND
ELEVATION = 10.9 m

STRATA PLAN
LMS3182

REM. K
PLAN 3469

THIS PLAN WAS COMPLETED AND CHECKED AND
IS CERTIFIED CORRECT IN ACCORDANCE WITH
THE OREGON LAND TITLING ACT, 1992.

ON THE _____ DAY OF _____ 2007

AND IS CERTIFIED CORRECT IN ACCORDANCE WITH
LAND TITLE OFFICE RECORDS

J. NEIL BENNETT, B.C.L.S.

DETAIL
SCALE 1:100



STRATA PLAN
LMS3182

REM. K
PLAN 3469

THIS PLAN WAS COMPLETED AND CHECKED AND
IS CERTIFIED CORRECT IN ACCORDANCE WITH
THE OREGON LAND TITLING ACT, 1992.

ON THE _____ DAY OF _____ 2007

AND IS CERTIFIED CORRECT IN ACCORDANCE WITH
LAND TITLE OFFICE RECORDS

J. NEIL BENNETT, B.C.L.S.

LEGEND
GRID BEARINGS ARE DERIVED FROM PLAN BCP _____
m² - DENOTES SQUARE METRES
m³ - DENOTES CUBIC METRES
ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM
CONTROL MONUMENT No. V2182
(PUBLISHED ELEVATION = 17248 m)
MAGNETIC NORTH = 7° 15' 10" W OF TRUE NORTH
CITY OF VANCOUVER
BENNETT LAND SURVEYING LTD.
8011-295 BELL AVENUE
NORTH VANCOUVER, B.C.
V7P 3R4
PH: 604-980-4888
FX: 604-980-3886
www.bennettlandsurvey.com

ISOMETRIC VIEW

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

PLAN BCP _____
DEPOSITED IN THE LAND TITLE OFFICE AT
NEW WESTMINSTER, B.C.
THIS _____ DAY OF _____ 2007
REGISTRAR