

A.1

ADMINISTRATIVE MOTION

EXPROPRIATION OF LAND

MOVED by Councillor _____

SECONDED by Councillor _____

WHEREAS:

A. The City of Vancouver requires:

Parcel Identifier: 013-635-832, Lot 4, Except: Firstly: The West 7 Feet Now Road, Secondly: Part Plan BCP9378; Block 7, District Lot 705, Plan 2571;

shown heavily outlined on the plan prepared by Fred L. Wong, B.C.L.S. on June 16, 2010, as marginally annotated LD4976, a reduced copy of which is attached as Appendix A to this Resolution (the "Site")

for the altering of a linear development, namely, the widening of Knight Street to construct a left turn bay on Knight Street at 33rd Avenue;

- B. In the exercise of its powers of acquiring real property for this purpose, the City has failed to come to an agreement with the owners of the Site;
- C. The *Vancouver Charter* provides that if, in the exercise of any of its powers of acquiring real property, the City fails to come to an agreement with its owner as to the terms of acquisition, the City may, by by-law or resolution of its Council, expropriate such real property;
- D. The *Expropriation Act*, R.S.B.C. 1996, C. 125, provides that an "expropriating authority" means a person empowered under an enactment to expropriate land;
- E. On June 22, 2010, Vancouver City Council passed a resolution authorizing the City as expropriating authority to commence expropriation proceedings under the *Expropriation Act* to acquire the Site; and
- F. Under the *Expropriation Act*, the "approving authority" for an expropriation under the *Vancouver Charter* is the Vancouver City Council, unless the Lieutenant Governor in Council has designated the Minister of Municipal Affairs as the approving authority for the purpose of expropriations under the *Vancouver Charter* or any particular expropriation under the *Vancouver Charter* which designation has not been made.

BE IT RESOLVED that the Vancouver City Council, as the approving authority under the *Expropriation Act*:

1. approve the expropriation of the Site, and
2. authorize the Director of Legal Services to execute on behalf of Vancouver City Council and deliver to the owners a Certificate of Approval of Expropriation evidencing such approval.

(Expropriation of 4824 Knight Street for the construction of left turn bays on Knight Street at 33rd Avenue)

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92767

REFERENCE PLAN OF PORTION OF LOT 4, EXCEPT:
 FIRSTLY: THE WEST 7 FEET NOW ROAD,
 SECONDLY: PART PLAN BCP9378;
 BLOCK 7, DISTRICT LOT 705, PLAN 2571,
 GROUP ONE, NEW WESTMINSTER DISTRICT,
 PURSUANT TO SECTION 6, EXPROPRIATION ACT

BCSS 926,926

10 0 10 20 30 40 50 METRES

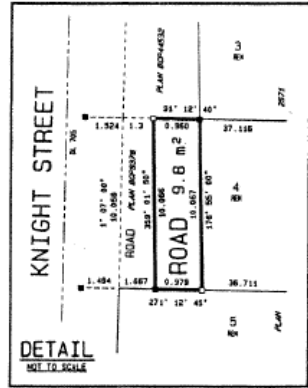
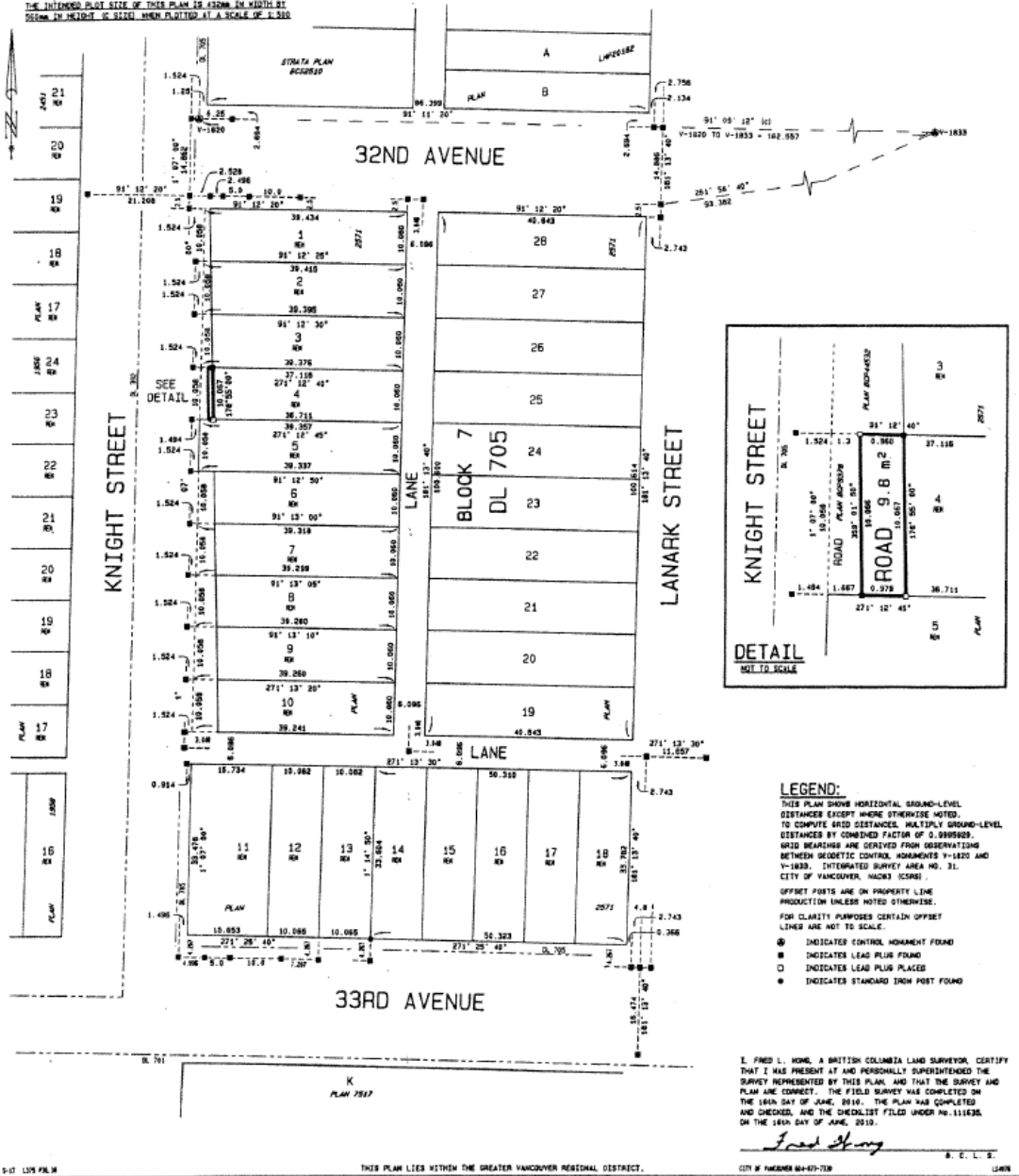
ALL DISTANCES ARE IN METERS AND DECIMALS THEREOF.
 THE INTENDED PLOT SIZE OF THIS PLAN IS 4320M IN WIDTH BY
 257M IN HEIGHT TO SIZE WHEN PLOTTED AT A SCALE OF 1:500

PLAN BCP

DEPOSITED IN THE LAND TITLE OFFICE AT
 NEW WESTMINSTER, BRITISH COLUMBIA,
 THIS _____ DAY OF _____, 2010.

REGISTRAR

REFERENCE NO.



LEGEND:

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY COMBINED FACTOR OF 0.9999989. GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS Y-1820 AND Y-1833, INTERMEDIATE SURVEY AREA NO. 31, CITY OF VANCOUVER, B.C.S.P. OFFSET POINTS ARE ON PROPERTY LINE PRODUCTION UNLESS NOTED OTHERWISE. FOR CLARITY PURPOSES CERTAIN OFFSET LINES ARE NOT TO SCALE.

- ⊙ INDICATES CONTROL MONUMENT FOUND
- ⊙ INDICATES LEAD PLUM FOUND
- ⊙ INDICATES LEAD PLUM PLACED
- ⊙ INDICATES STANDARD IRON POST FOUND

I, FRED L. HONG, A BRITISH COLUMBIA LAND SURVEYOR, CERTIFY THAT I AM PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 18th DAY OF JUNE, 2010. THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER NO. 111432, ON THE 18th DAY OF JUNE, 2010.

Fred Hong

B. C. L. S.
 L.M.S.