

EXPROPRIATION OF LAND
RESOLUTION OF THE CITY COUNCIL

A.1

MOVER: Councillor _____

SECONDER: Councillor _____

WHEREAS:

A. The City of Vancouver requires a portion of:

Parcel Identifier: 002-457-083
Lot 3, Except part included in Plan 14071
Block M
District Lot 182
Plan 13917

shown heavily outlined on plan of survey completed May 22, 2013, attested to by Fred L. Wong, B.C.L.S. and marginally numbered LD5386, a reduced print of which is attached as a Schedule to this resolution (the "Lands")

for the altering of a linear development, namely, the Powell Street Grade Separation Project;

- B. 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;
- C. 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;
- D. On May 28, 2013, Vancouver City Council passed a resolution authorizing the City as expropriating authority to commence expropriation proceedings under the *Expropriation Act* to acquire the Lands;
- E. Pursuant to Section 3(1) of the *Expropriation Act*, the City has entered into an agreement (the "Agreement") with the owner of the Lands in which the City agreed to forbear proceeding with the expropriation of the Lands and the owner agreed to transfer the Lands to the City on the terms of the Agreement;
- F. Pursuant to the Agreement, the owner of the Lands will execute a Form A Freehold Transfer conveying title to the Lands to the City; and

G. It is deemed expedient and in the public interest to accept and allocate the Lands for road purposes.

BE IT RESOLVED that the Lands are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

* * * * *

(Establishing Road between Franklin Street and Powell Street, adjacent to 1201 Franklin Street, for the Powell Street Grade Separation Project, as per May 28, 2013 Council authority)

**REFERENCE PLAN OF A PORTION OF LOT 3,
EXCEPT PART INCLUDED IN PLAN 14071,
BLOCK M, DISTRICT LOT 182, PLAN 13917,
GROUP ONE, NEW WESTMINSTER DISTRICT.**

PLAN BCP

DEPOSITED IN THE LAND TITLE OFFICE AT
NEW WESTMINSTER, BRITISH COLUMBIA.
THIS _____ DAY OF _____, 2013.

REGISTRAR.

PURSUANT TO SECTION 3, EXPROPRIATION ACT.

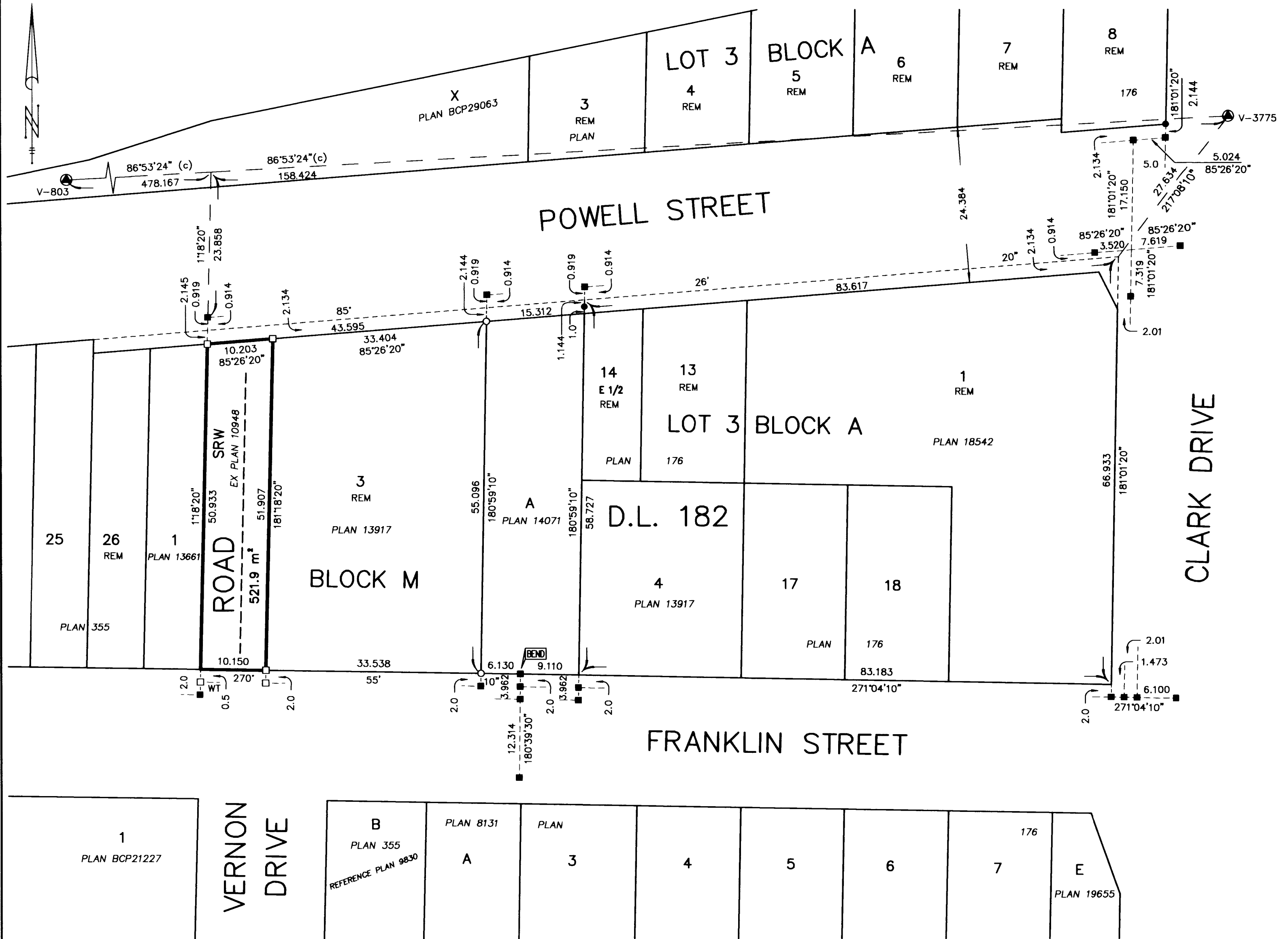
BCGS 92G.025

10 0 10 20 30 40 50 METRES

ALL DISTANCES ARE IN METERS AND DECIMALS THEREOF.

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY
560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:500.

REFERENCE NO.



INTEGRATED SURVEY AREA NO. 31, CITY OF VANCOUVER, NAD83 (CSRS).

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
GEODETTIC CONTROL MONUMENTS V-803 AND V-3775.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE
SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES
BY THE AVERAGE COMBINED FACTOR OF 0.9996023 WHICH HAS BEEN DERIVED
FROM GEODETTIC CONTROL MONUMENTS V-803 AND V-3775.

LEGEND

- INDICATES CONTROL MONUMENT FOUND
- INDICATES LEAD PLUG FOUND
- INDICATES STANDARD IRON POST FOUND
- INDICATES LEAD PLUG PLACED
- INDICATES STANDARD IRON POST PLACED

NOTE:
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS
WHICH ARE NOT SET ON THE TRUE CORNER(S).

OFFSET POSTS AND WITNESS POSTS ARE ON PROPERTY LINE
OR PROPERTY LINE PRODUCTION UNLESS OTHERWISE NOTED.

FOR CLARITY PURPOSES CERTAIN OFFSET LINES ARE NOT TO SCALE.

I, FRED L. WONG, A BRITISH COLUMBIA LAND SURVEYOR, CERTIFY
THAT I WAS 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 7TH DAY OF MARCH, 2013. THE PLAN WAS COMPLETED
AND CHECKED, AND THE CHECKLIST FILED UNDER #149086,
ON THE 22TH DAY OF MAY, 2013.

Fred Wong

B. C. L. S.