

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 41

To provide for the expropriation of certain easements required for surface drain and sewer purposes.

WHEREAS by By-law No. 22 entitled "Sewer Loan By-law, 1913" which received the assent of the electors on the 25th day of June, A. D. 1913, authority was given to borrow the sum of Four Hundred Thousand Dollars (\$400,000.00) for the purpose of constructing and extending a sewer system and constructing new sewers and surface drains within the Municipal Limits of the Township of Esquimalt.

AND WHEREAS it is necessary that the Municipal Corporation of the Township of Esquimalt should acquire easements and rights in the lands hereinafter described, in addition to easements already acquired, or hereafter to be acquired.

THEREFORE the Municipal Council of the Corporation of the Township of Esquimalt enacts as follows:

1. The right, privilege and easement of entering upon the lands and premises hereinafter described and constructing and installing a sewer drain and connections in, through and upon the same and using same for sewer purposes and for the purpose aforesaid of digging up the soil thereof, laying all necessary pipes and refilling any excavations therein, and at all times hereinafter of opening, inspecting, repairing and maintaining the said sewer drain and making all necessary connections therewith in, under and upon the said lands and premises, is hereby expropriated, and such right, privilege and easement, shall immediately after the passing of this By-law be taken and entered upon and used by the said Municipal Corporation, the said lots of land and premises in respect of which said rights, privilege and easement as aforesaid hereby expropriated being described as follows:

1. All that certain parcel or strip of land lying southerly of a line which is ten (10.0) feet northerly from and parallel with the southerly limit of Lot 10, Block "E", Map 195C, Esquimalt District, containing sixteen hundred and fifty (1650.0) square feet more or less and as shown colored red on the plan attached hereto.

2. All that certain parcel or strip of land lying southerly of a line which is ten (10.0) feet northerly from and parallel with the southerly limit of Lot 9, Block "E", Map 195C, Esquimalt District, containing sixteen hundred and fifty (1650.0) square feet more or less and as shown colored red on the plan attached hereto.

3. All that certain parcel or strip of land lying southerly of a line which is ten (10.0) feet northerly from and parallel with the southerly limit of Lot 8, Block "E", Map 195C, Esquimalt District, containing sixteen hundred and fifty (1650.0) square feet more or less and as shown colored red on the plan attached hereto.

4. All that certain parcel or strip of land lying southerly of a line which is ten (10.0) feet northerly from and parallel with the southerly limit of Lot 11, Block "E", Map 195C, Esquimalt District, containing sixteen hundred and fifty (1650.0) square feet more or less and as shown colored red on the plan attached hereto.

2. Any compensation and damage payable in respect of the expropriation hereby made, or otherwise, consequent upon the passing of this By-law shall be chargeable to and payable out of the funds created under the said By-law No. 22.

3. This By-law may for all purposes be cited as the "Anderson Avenue Sewer Expropriation By-law, 1915".

Passed the Municipal Council the 5th day of July 1915.

Reconsidered, adopted and finally passed the Municipal Council this 19th day of July 1915.

"A. R. Wolfenden"  
Acting Reeve

"G. H. Pullen"  
C.M.C.