

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

NO. 630

Being a By-law to expropriate certain lands for the widening of Admirals Road.

WHEREAS there have been undertaken by the Corporation of the Township of Esquimalt (hereinafter referred to as "the Corporation") certain works for the improvement of the street or road known as Admirals Road;

AND WHEREAS as a part of the said works it is deemed expedient and desirable to widen the said Admirals Road and for that purpose to expropriate and take the lands hereinafter described and to enter upon and to hold the said lands as hereinafter set forth;

AND WHEREAS by sub-sections (196) and (197) of Section 58 of the "Municipal Act" being Chapter 232 of the Revised Statutes of British Columbia, 1948, and other powers and authorities thereunto enabling, the Corporation is empowered to make by-laws for expropriating lands and real property and for taking, entering upon, holding and using the same in any way necessary or convenient for corporate purposes and for expropriating any estate, right, title or interest in such lands or real property and for directing such taking or entering upon immediately after the passing of any such by-law;

AND WHEREAS in order to construct the sidewalk aforesaid and to maintain the same it is expedient to expropriate and take the lands hereinafter described and to enter upon and to hold the said lands as hereinafter set forth;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. That the following described lands and all the estate, right, title and interest therein of any and all persons whomsoever save only Her Majesty the Queen shall be and are hereby taken and expropriated unto the sole and only use of the Corporation forever, that is to say,

All that portion of Lots 159 and 173, both inclusive, Plan 2854, Esquimalt District, lying to the west of a straight line drawn parallel to and distant five (5') feet from the westerly boundary of the aforesaid Lots 159 and 173.

2. That the aforesaid portion of the said Lots 159 and 173, both inclusive, shall be used, for the widening of Admirals Road and the construction and maintenance thereon of a sidewalk and as well in any other way that may be necessary or convenient for corporate purposes;

3. It is hereby directed that the said lands shall be taken and entered upon immediately after the passing of the by-law subject to the restrictions in the above recited "Municipal Act" contained;

4. Any compensation or damages payable in respect of the expropriation hereby made and the use of the said lands hereby authorized and the taking thereof or entering thereupon hereby directed or otherwise consequent upon the passing of this by-law, shall be deemed to form and be part of the cost of the work of improvement of the said Admirals Road first above recited.

5. Any real property which may be injuriously affected by the exercise of the corporate powers hereby exercised may be entered upon for the purpose of executing and to execute any works of construction, maintenance or repairs in mitigation of injury done or apprehended or in reduction of compensation.

6. This By-law may be cited for all purposes as "Admirals Road Expropriation By-law, 1955".

PASSED by the Municipal Council on the 4th Day of April,
A. D. 1955.

RECONSIDERED, ADOPTED and FINALLY PASSED as aforesaid by the Municipal Council on the 12th day of April A. D. 1955.

"Alfred C. Wurtele"
Reeve

"J. W. Allan"
Clerk