

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 865

BEING a By-Law to authorize the construction of a sanitary sewer through the westerly portion of Lot 12, in Block 7, Plan 2546, from the southerly boundary of the said Lot, to the northerly boundary of the said Lot, to serve Lots A and B in Plan 12881 and Lots 4, 5 and 6 in Block 7 Plan 2546, as a work of local improvement under the Provisions of Part XVI of the "Municipal Act".

WHEREAS H. Young and another have lodged with the Clerk a petition to the Council to construct as a work of local improvement the work hereinafter described, and the Clerk has certified that the petition is sufficient and it is deemed expedient to grant the prayer in the said petition:

AND WHEREAS no part of the said work is to be incurred at street intersections and the whole of the cost of the said work is to be assessed upon the Lots served thereby, according to the extent of their respective frontages upon the said work by an equal special rate per foot of such frontage sufficient to defray the cost:

AND WHEREAS pursuant to Section 600 of the Municipal Act the Council has procured to be made by the Municipal Engineer a report as to the various matters and things in the said section referred to, and it appears from the said report that the estimated cost of the said work is \$1,100.00 and that the estimated lifetime of the said work is not less than forty years.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT enacts as follows:

1. That there be constructed as a work of local improvement under the provisions of Part XVI of the Municipal Act a sanitary sewer from a point on the southerly boundary of Lot 12, Block 7, Plan 2546, northerly on the said Lot, to the southerly boundary of Lot B, in Plan 12881, and from a point on the easterly boundary of Lot A in Plan 12881 in an easterly direction on Lot B, Plan 12881, Lots 4 and 5 in Block 7, Plan 2546 to a point on the westerly boundary of Lot 6, in Block 7, Plan 2546.
2. That the Municipal Engineer do forthwith make such plans, profiles and specifications as may be necessary for the execution of the said work.
3. That the said work shall be carried on and executed under the Superintendence of the Municipal Engineer and according to the

plans, profiles and specifications and to the directions and orders of the said Municipal Engineer.

4. That the entire cost of the said work shall be specially assessed upon the lots served thereby according to the extent of their respective frontages thereon, by an equal special rate per foot of such frontage sufficient to defray the cost.
5. That the following reductions and addition in the special assessment which would otherwise be chargeable on the following described lots shall be made by deducting from the total frontage of the said lots liable to the special assessment so much thereof as is sufficient to adjust the assessment on a fair and equitable basis, that is to say:

As to Lot B, of Plan 12881, a reduction of .26 feet
As to Lot 4, in Block 7, Plan 2546 a
reduction of .20 feet
As to Lot 5, in Block 7, Plan 2546 a
reduction of .20 feet
As to Lot 6, in Block 7, Plan 2546 a
reduction of .20 feet

and by making the following addition, that is to say:

As to Lot A, in Plan 12881, an addition of 5.88 feet.

6. The special assessment for the cost of the said work shall be paid in fifteen annual instalments.
7. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the cost of construction assessed upon such lot without interest within thirty days after the special assessment roll has been certified by the Clerk.
8. The debentures to be issued and sold to meet the cost of the said work when completed shall bear interest at the rate of not more than seven percent per annum, and shall be fifteen year serial debentures, the interest on which is to be paid semi-annually, and the principal on which is to be met by the payment of such specific sum in each year during the currency of the said debentures as may be determined by the By-Law providing for the borrowing of the said monies required to pay for the construction of the said work, and the specific interest rate to be payable on such debentures shall be determined by a resolution of the Council prior to the preparation of the special assessment roll.

9. This By-Law may be cited as the "Kindersley Road Sewer Local Improvement By-Law 1959"

PASSED by the Municipal Council on the **APR 1 1959**

RECONSIDERED, PASSED AND FINALLY ADOPTED by the Municipal Council on **APR 13 1959**

Alfred C. Wurtele
REEVE

J.W. Allan
CLERK