

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 90

A By-Law to provide for the expropriation of a certain easement 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 new sewers and installing a sewer system 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 the easement and rights in the land 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 land 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, and excavations therein, and at all times hereinafter opening, inspecting, repairing and maintaining the said sewer drain and making all necessary connections therewith in, under and upon the said land 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 Lot or parcel of land and premises in respect of which said right, privilege and easement as aforesaid is hereby expropriated is as follows:

All and singular that certain parcel or strip of land being five (5.0) feet in width being two and five-tenths (2.5) feet on each side of the centre line of the sewer as now finally located and to be constructed through and being part of Lot 7, Block 2, Esquimalt District, according to a map deposited in the Land Registry Office of the City of Victoria as No. 195. The said centre line being more particularly described as follows:

Commencing at a point on the Northerly boundary of said Lot 7, distant sixty-two and five-tenths (62.5) feet from the Northeasterly angle thereof. Thence Southerly and parallel to the Easterly boundary of said Lot 7, a distance of one hundred and seventy-four (174.0) feet more or less to a point distant two and five-tenths (2.5) feet from the Southerly boundary thereof. Thence Westerly and parallel to the Southerly boundary a distance of ninety (90.0) feet.

The said piece or parcel of land herein described containing thirteen hundred and twenty (1,320.0) square feet more or less.

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 "Expropriation By-Law No. 90.

PASSED the Municipal Council the 7th day of July, 1919.

RECONSIDERED, ADOPTED AND FINALLY PASSED the Municipal Council the 21st day of July, 1919.

"Arthur Coles"  
Reeve

"G.H. Pullen"  
Clerk