

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 53

A BY-LAW

For the purchase of easements required for  
sewer purposes.

WHEREAS By-Law No. 22 passed by the Municipal Council of the Corporation of the Township of Esquimalt entitled "Sewer By-Law, 1913" which recieved the assent of the Electors of the said Municipality on the 25th day of June A. D., 1913, authority was given to borrow the sum of Four hundred thousand dollats (\$400,000.00) for the purpose of constructing and extending the sewer system and constructing new sewers and surface drains within the Municipal territorial limits of the Township of Esquimalt.

AND WHEREAS the said Municipality has adopted a separate system of sewerage:

AND WHEREAS the Corporation is desirous of constructing a sewer drain under the lands and premises hereinafter described and for such purpose is desirous of purchasing or acquiring an easement under or across the said lands:

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

1. The said Corporation shall and it is hereby authorized to construct a sewer through, under and across the strip of land hereinafter described.
2. The Corporation shall, and it is hereby authorized to purchase or acquire from Russell Stephenson, Leonard Daneham Cunliffe and Robert Molesworth Kindersley, Trustees of the Puget Sound Agricultural Company, an easement through and under the following described lands for the purpose of constructing the said sewer, namely:

ALL AND SINGULAR those certain pieces or parcels of land situate in the District of Esquimalt, Province of British Columbia, and being a portion of Lots numbered Four (4), Five (5) and Six (6) in Block "D", District of Esquimalt, Province of British Columbia, according to map or plan deposited in the Land Registry Office at the City of Victoria, British Columbia and there numbered One hundred and ninety-five (195) and being more particularly described as follows:

A strip of land Ten (10.0) feet in width being Five (5.0) feet on either side of the sewer as now finally located and constructed across Lots 4, 5 and 6, Block "D", Land Registry Office Map 195, said centre line being more particularly described as follows: Commencing at a point on the southerly limit of Lot 6 distance one hundred and twenty-two feet westerly from the southeasterly angle thereof. Thence North Sixty-two

degrees three minutes West (N 62-03 W) Magnetic a distance of Four Hundred and eight-four and three tenths (494.3) feet to a point on the westerly limit of Lot 4 Distance One (1.0) foot southerly from the northwesterly angle thereof, containing Forty-eight hundred and forty-three square feet more or less and as shown colored red on the plan attached to the Conveyance of Easement.

AND ALSO ALL AND SINGULAR those pieces or parcels of land and premises situate in the District of Esquimalt, Province of British Columbia, and being a portion of Lots six (6) and Seven (7) in Block "E", District of Esquimalt, Province of British Columbia, according to map or plan deposited in the Land Registry Office at Victoria, British Columbia and there numbered One hundred and ninety-five C (195C) and which is more particularly described as follows:

A strip of land Ten (10.0) feet in width being Five (5.0) feet on each side of the centre line of the sewer now finally located and constructed along the line between said Lots 6 and 7, also a strip of land Ten (10.0) feet in width being Five (5.0) feet on each side of the centre line of the sewer now finally located and constructed across said Lot 7, on a line Two hundred and fifty-four feet (254.0) northerly from and parallel with the southerly limit of said Lot 7 from the easterly limit thereof to an intersection with the westerly limit of said lot. The last two described strips containing Eighty-two hundred and thirty square feet (8230) more or less and as shown colored red on the plan attached to the Conveyance of Easement.

3. That the Corporation shall pay to the said Trustees of the Puget Sound Agricultural Company as consideration for the purchase of the said easement the sum of \$2,000.00 in cash and as a further consideration shall enter into a covenant with them that it will construct the said sewer along the hereinbefore described strip of land only, and erect upon the said strip of land necessary manholes at points to be agreed on between the Trustees of the Puget Sound Agricultural Company and the Corporation and that it will cover and keep from view said manholes in a good and workman-like manner and such a way as not to be unsightly and that it will fill in with clay or soil and grade the whole of said Lots 4, 5 and 6, Block "D" to a uniform level of twelve inches above the top of the sewer pipe to be laid in such sewer drain:

4. The Corporation shall execute such covenants and documents in order to carry the said purpose into effect, as may be reasonably required:

5. This By-Law may be cited as the "Sewer By-Law, No. 1, 1916".

PASSED the Municipal Council the fourteenth day of February, 1916.

RECONSIDERED, ADOPTED AND FINALLY PASSED the Municipal Council the twenty-first day of February, 1916.

"Arthur Coles"  
Reeve

"G. H. Pullen"  
Clerk