THE CORPORATION OF THE CITY OF GRAND FORKS
21ST AND 22ND ST SUBDIVISION ROAD CLOSURE AND DISPOSITION BYLAW NO.2092
A bylaw to Close, Remove the Dedication of, and Dispose of that Portion of Road Shown as "CLOSED ROAD" on Explanatory Plan EPP122288

WHEREAS in accordance with Section 40 of the *Community Charter* and Section 120 of the *Land Title Act*, Council may, by bylaw, close all or part of a highway that is vested in the municipality to some or all types of traffic and may cancel the dedication of a highway, or a portion of it, that has been or is being closed;

AND WHEREAS Grand Forks Council deems it is in the public interest to close a portion of the laneway shown on Explanatory Plan EPP122288, remove its highway dedication, and convey the closed road in fee simple to the adjacent property owner;

NOW THEREFORE the Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS**, as follows:

Citation

1. This bylaw may be cited as the **"21st and 22nd St Subdivision Road Closure and Disposition Bylaw No.2092"**

General

2. To close the road and cancel and remove the highway dedication of that portion of road measuring 0.252 hectares, as outlined in bold and identified as "CLOSED ROAD" on Explanatory Plan EPP122288 prepared by Mark A. Cahill, BCLS, of DA Goddard Surveys and dated June 28, 2022 (the "Closed Road"), a reduced copy of which is attached as "Schedule A" to this bylaw;

3. On deposit of the road closure plan and other documentation for closure of the Closed Road in the Land Title Office, the Closed Road is closed to public traffic, ceases to be public highway, and highway dedication is cancelled and removed;

4. That indefeasible title to the above-described portion of Closed Road be vested in the name of the City of Grand Forks*;*

5. That the City of Grand Forks is authorized to dispose of and convey the Closed Road in fee simple to Champlain Holdings Inc., Inc. No. BC1095531, the registered owner of the adjacent parcels shown as Lots 18-23 and PARCEL A on Schedule A, with the Closed Road to be consolidated with those adjacent parcels (the "Consolidated Parcel"), in exchange for:

    - a sum of $3236.79;
    - registration of a 2000 square foot Statutory Right of Way and Covenant across the northern parcel line of the Consolidated Parcel for the purposes of utility access for maintenance and emergency work, as shown in pink dash on Figure 1, and a Covenant be registered on title to ensure unimpeded access to utilities;

- Registration of a Statutory Right of Way and Covenant across the Consolidated Parcel for the purposes of securing an unblocked fire lane and emergency access; and
- That the Agreement of Purchase and Sale include an option to purchase or right of first refusal to purchase back the Closed Road should Champlain Holdings Inc. not proceed with the proposed consolidation and development;

6. That the Mayor and Corporate Officer of the City of Grand Forks are authorized to execute all conveyances, deeds, plans, receipts and other documents necessary to complete this road closure and disposition;

7. That this bylaw references LANE CLOSING REPEAL BYLAW No. 936-R;

8. That this bylaw shall come into force and be binding on all persons from the date of adoption.

PUBLIC NOTICE for the disposition posted at City Hall and advertised in the Grand Forks Gazette on the 8th day of September, 2021 and the 15th day of September, 2021.

Read a **FIRST** time this __th day ____ of , 20YY.

Read a **SECOND** time this __th day ____ of , 20YY.

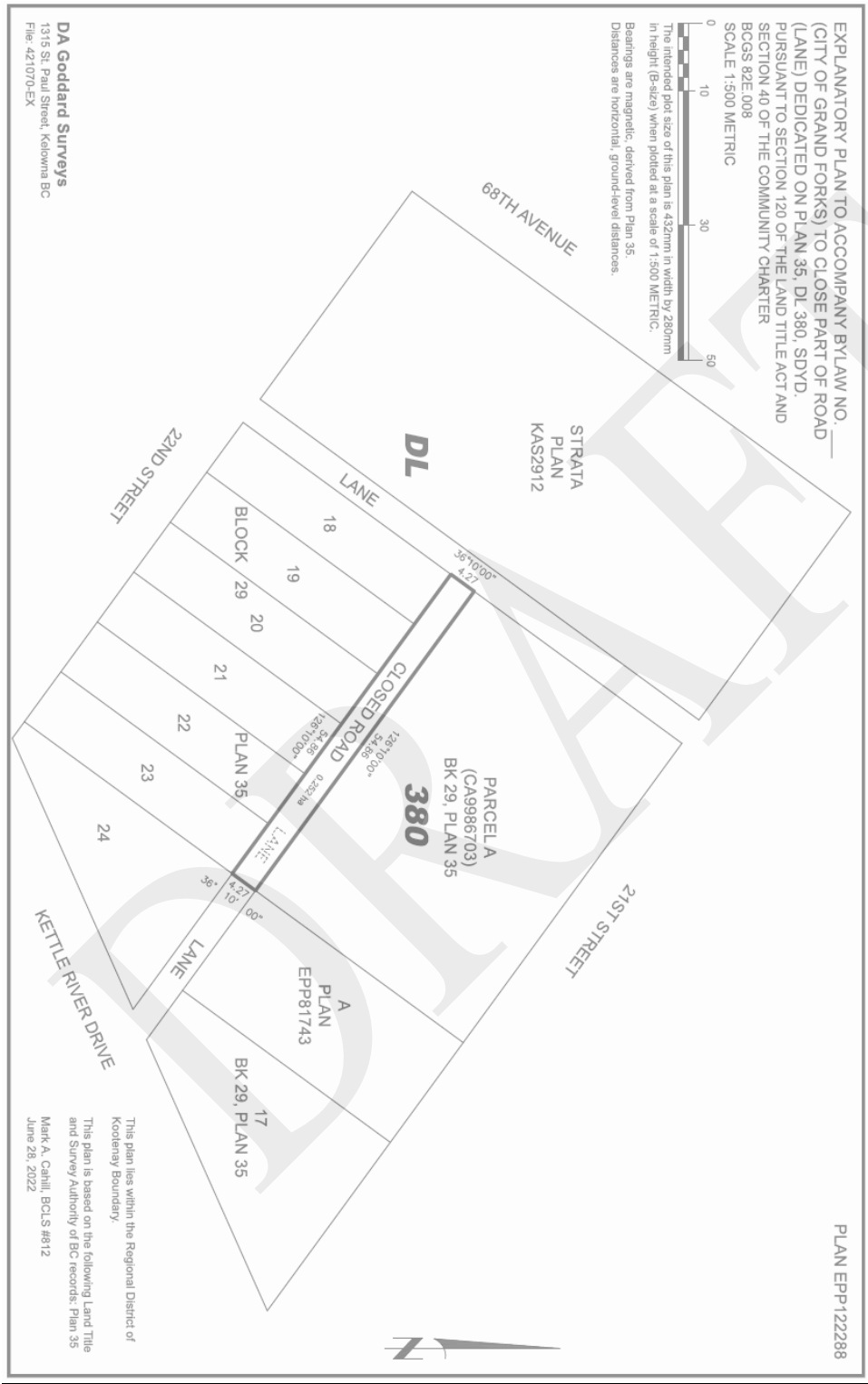Read a **THIRD** time this __th day ____ of , 20YY.

PUBLIC NOTICE for the road closure and removal of highway dedication posted at City Hall and advertised in the Grand Forks Gazette on the ____th day of _____, 2022 and the ___th day of _____, 2022.

Adopted this ____ day of _____, 2022.

_____   _____
Mayor – Brian Taylor   Corporate Officer – Daniel Drexler

SCHEDULE A

EXPLANATORY PLAN TO ACCOMPANY BYLAW NO.____
(CITY OF GRAND FORKS) TO CLOSE PART OF ROAD
(LANE) DEDICATED ON PLAN 35, DL 380, SDYD.
PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 40 OF THE COMMUNITY CHARTER

BCGS 82E.008
SCALE 1:500 METRIC

0   10   30   50

The intended plot size of this plan is 432mm in width by 280mm
in height (B-size) when plotted at a scale of 1:500 METRIC.

Bearings are magnetic, derived from Plan 35.
Distances are horizontal, ground-level distances.

PLAN EPP122288

68TH AVENUE

STRATA
PLAN
KAS2912

DL

LANE

22ND STREET

BLOCK   29

18
19
20
21
22
23
24

PLAN 35

36°10'00"
4.27

CLOSED ROAD

380

126°10'00"
54.86

126°10'00"
54.86

0.2529

LANE

PARCEL A
(CA9986703)
BK 29, PLAN 35

21ST STREET

36°10'00"
4.27

LANE

PLAN
A
EPP81743

17
BK 29, PLAN 35

KETTLE RIVER DRIVE

DA Goddard Surveys
1315 St. Paul Street, Kelowna BC
File 421070-EX

This plan lies within the Regional District of
Kootenay Boundary.

This plan is based on the following Land Title
and Survey Authority of BC records: Plan 35

Mark A. Cahill, BCLS #812
June 28, 2022

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. XXX, cited as the "21st and 22nd St Subdivision Road Closure and Disposition Bylaw No.2092 No. XXX", as passed by the Municipal Council on the ___ day of _____, 20YY.

_____
Corporate Officer of the Municipal Council of the
City of Grand Forks