

DISTRICT OF WEST KELOWNA
BYLAW NO. 0141

A BYLAW TO AUTHORIZE THE CLOSURE OF A PORTION OF A ROAD AND
REMOVAL OF DEDICATION AS A HIGHWAY AT SMITH CREEK ROAD

WHEREAS it is provided by Section 40 of the *Community Charter* that a Municipal Council may, by bylaw, both stop up and close to traffic a highway or any portion of it, and remove highway dedication; and

WHEREAS the following portion of highway in the District of West Kelowna and Province of British Columbia is not required by the District of West Kelowna; and

ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the District of West Kelowna and Province of British Columbia, more particularly described as that part of road dedicated by Plan 1414, Except Plan 21120, DL 804, ODYD, Adjacent to Lot 6, as shown outlined on the plan attached hereto and forming part of this bylaw; and

WHEREAS it is no longer required that the portion of road, as shown on the plan attached hereto and forming part of this bylaw, be dedicated as highway; and

WHEREAS public notice pursuant to Section 94 of the *Community Charter* has been published in a newspaper circulating in the District of West Kelowna;

THEREFORE BE IT RESOLVED that the Council of the District of West Kelowna in open meeting assembled, hereby enacts as follows:

1. This Bylaw may be cited for all purposes as "District of West Kelowna Highway Closure and Dedication Removal (portion of Smith Creek Road) Bylaw No. 0141, 2012".
2. Smith Creek Road, as that part of road dedicated by Plan 1414, Except Plan 21120, District Lot 804, Osoyoos District Yale Division, Adjacent to Lot 6, shown as Closed Road comprising of 410.3 square metres on a plan accompanying District Bylaw No. 0141, prepared by Ferguson Land Surveying & Geomatics Ltd., B.C. and Canada Land Surveyors and dated the 18th day of April, 2012, a copy of which is attached as Schedule A to "District of West Kelowna Highway Closure and Dedication Removal (portion of Smith Creek Road) Bylaw No. 0141, 2012" is hereby closed to all traffic.
3. The highway dedication of that portion of Smith Creek Road referred to in Section 2 is hereby removed.
4. The Mayor and Clerk are hereby authorized to execute all the necessary documents as may be required for the due completion of the aforesaid highway closure and dedication removal.

PASSED FIRST READING, MAY 8, 2012
PASSED SECOND READING, MAY 8, 2012
PASSED THIRD READING, MAY 8, 2012

Notice of intention to proceed with this bylaw was published on the 31st day of May, 2012 and the 7th day of June, 2012 in the Westside Weekly newspaper, circulating in the District of West Kelowna, pursuant to Section 94 of the *Community Charter*.

ADOPTED, JUNE 12, 2012

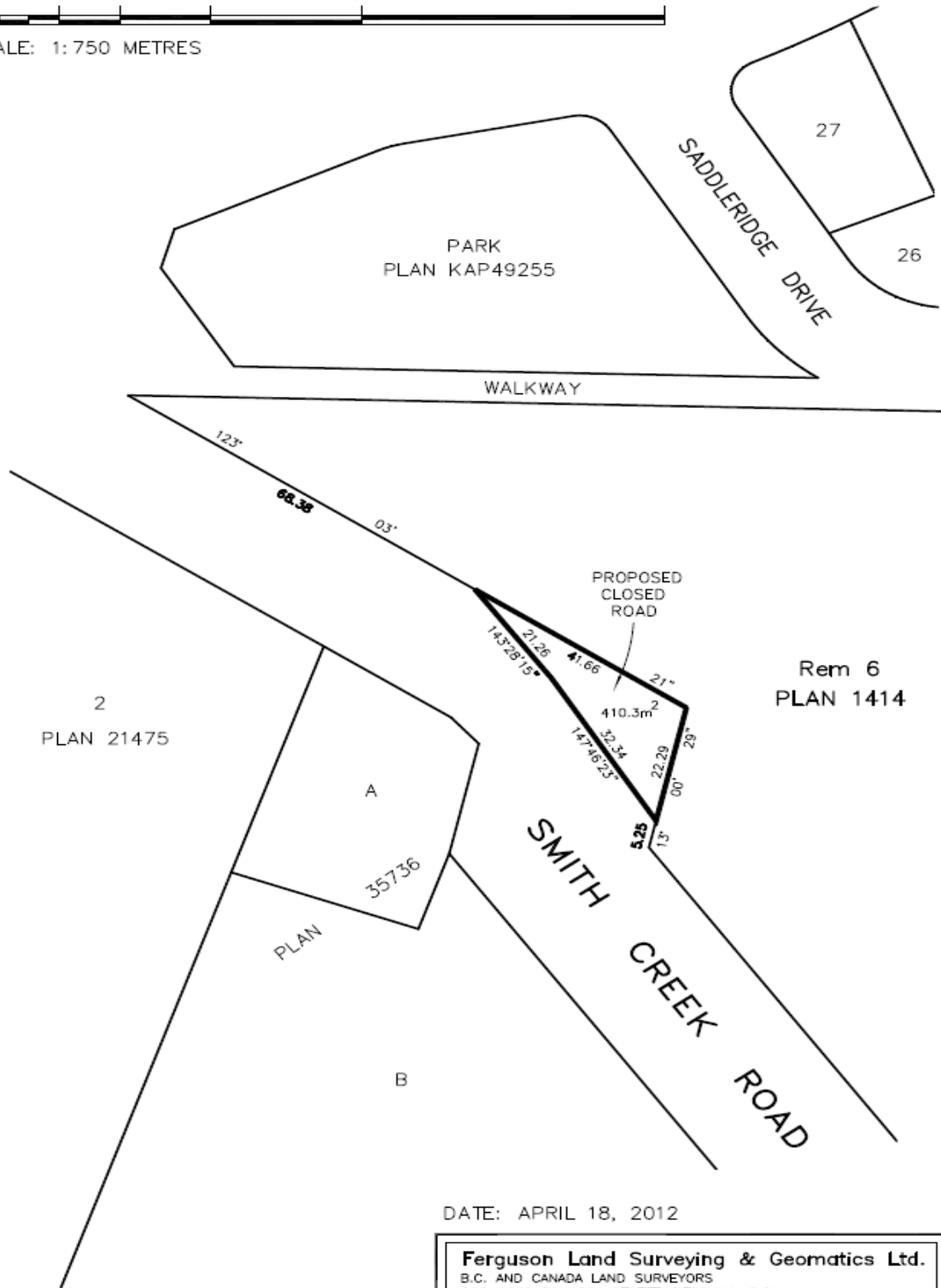
'DOUG FINDLATER'

Mayor

'TRACEY BATTEN'

City Clerk

PLAN OF PROPOSED CLOSED ROAD ADJACENT TO LOT 6 DISTRICT LOT 804 ODYD PLAN 1414 EXCEPT PLAN 21120



DATE: APRIL 18, 2012

Ferguson Land Surveying & Geomatics Ltd.
B.C. AND CANADA LAND SURVEYORS
404-1630 PANDOSY STREET, KELOWNA, B.C.
TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No 17574-ROAD-CLOSURE

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DRFTD BY: CF