

DISTRICT OF WEST KELOWNA

BYLAW NO. 0181

A BYLAW TO AUTHORIZE THE CLOSURE OF A PORTION OF A ROAD AND DISPOSAL OF
THAT PORTION OF NEWPORT ROAD

WHEREAS pursuant to Section 40 and 94 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council; and

WHEREAS the Council of the District of West Kelowna deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of highway comprising of approximately 566.1 m² of road area BETWEEN 1750 AND 1738 Newport Road, which is shown outlined in bold black on the preliminary reference plan EPP46896 prepared by Ferguson Land Surveying and Geomatics Ltd., B.C.L.S., a reduced copy of which is attached hereto (the "Road Closure Plan"); and

WHEREAS notices of Council's intentions to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representation to Council;

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 Road Closure and Disposition Bylaw No. 0181, 2015".
2. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the preliminary reference plan of highway closure (the "Road Closure Plan").
3. The District hereby authorizes the closure to traffic and removal of highway dedication of the 566.1 m² portion of highway, labelled "Parcel A" on the Road Closure Plan (the "Closed Road").
4. On the deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Kamloops Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
5. The Mayor and the City Clerk of the District are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.

READ A FIRST, SECOND AND THIRD TIME ON THIS 9TH DAY OF JUNE, 2015

Notice of intention to proceed with this Bylaw was duly advertised in the Westside Weekly on:
June 23rd, 2015, and on July 1st, 2015 as per *Section 94* of the *Community Charter*.

ADOPTED THIS 14 DAY OF JULY, 2015

'Doug Findlater'

Mayor

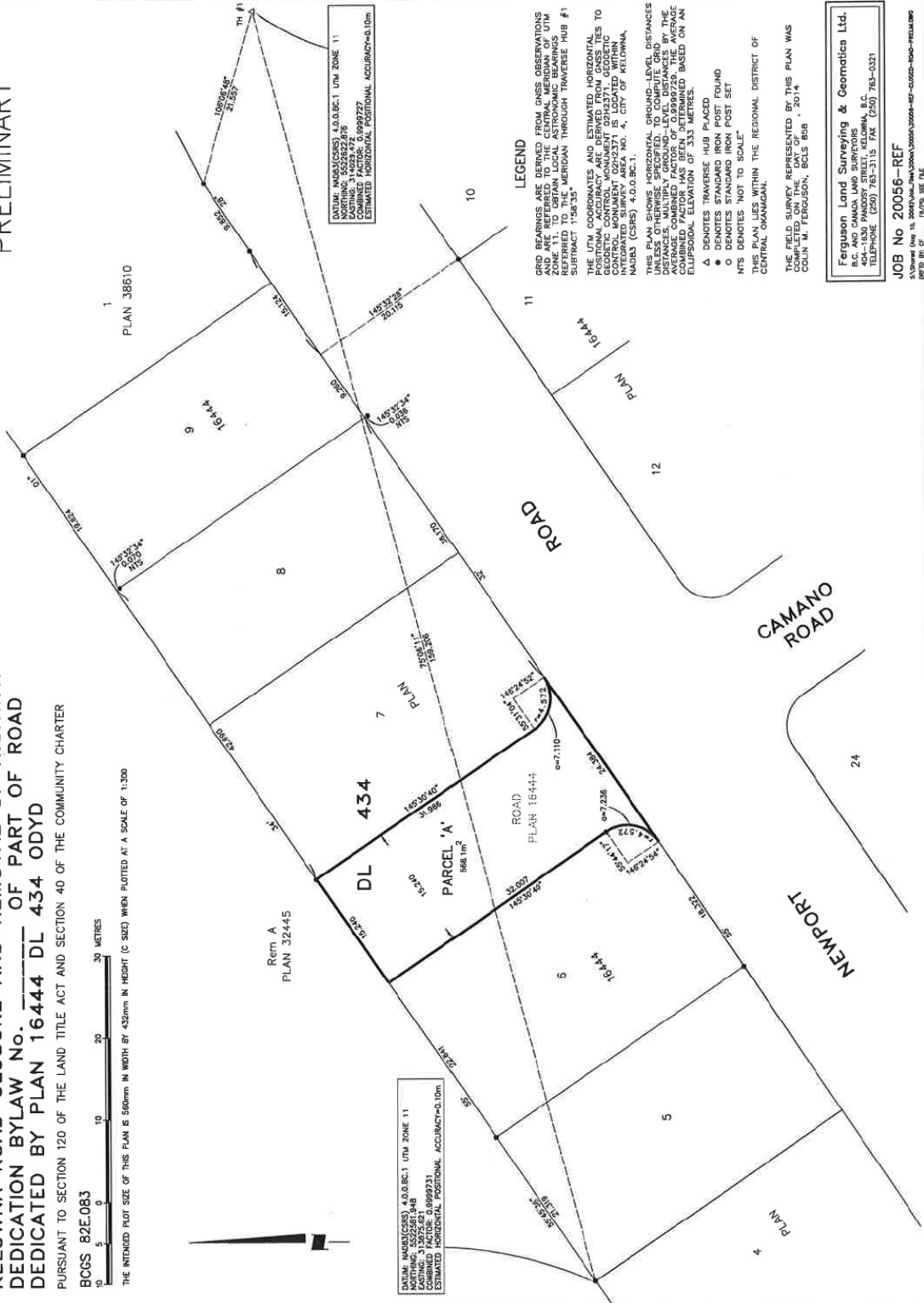
'Tracey Batten'

City Clerk

PLAN EPP46896
PRELIMINARY

REFERENCE PLAN TO ACCOMPANY DISTRICT OF WEST
KELOWNA ROAD CLOSURE AND REMOVAL OF HIGHWAY
DEDICATION BYLAW No. 16444 DL 434 ODYD
PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER
BCGS 82E.083

THE INTENDED PLOT SIZE OF THIS PLAN IS 580mm IN WIDTH (C SIZE) WHEN PLOTTED AT A SCALE OF 1:300



DATE: 14/03/2015 4.00 BC.1 UTM ZONE 11
EASTING: 312075.211
NORTHING: 54023.422
COMBINED FACTOR: 0.9999721
ESTIMATED POSITIONAL ACCURACY: 0.10m

DATE: 14/03/2015 4.00 BC.1 UTM ZONE 11
EASTING: 312075.211
NORTHING: 54023.422
COMBINED FACTOR: 0.9999721
ESTIMATED POSITIONAL ACCURACY: 0.10m

LEGEND

GRID BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS
PERFORMED IN UTM ZONE 11 TO OBTAIN LOCAL ASTROMETRIC BEARINGS UTM
REFERRED TO THE MERIDIAN THROUGH TRAVERSE HUB #1
SUBTRACT 1:58.35
DISTANCES ARE ESTIMATED HORIZONTAL
POSITIONAL ACCURACY ARE DERIVED FROM GNSS TIES TO
GEODETIC CONTROL MONUMENT 09H23711, GEODETIC
CONTROL MONUMENT 09H23712, CITY OF KELOWNA,
NAD83 (GRS) 4.00 BC.1.
THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES
MULTIPLY GROUND-LEVEL DISTANCES BY THE
AVERAGE COMBINED FACTOR OF 0.9999729, THE AVERAGE
COMBINED FACTOR OF 0.9999729 IS BASED ON AN
ELLIPSOIDAL ELEVATION OF 333 METRES.
▲ DENOTES TRAVERSE HUB PLACED
● DENOTES STANDARD IRON POST FOUND
○ DENOTES STANDARD IRON POST SET
NTS DENOTES NOT TO SCALE
THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF
CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS
COMPLETED ON THE DAY OF
COUL N. FERGUSON, BOLS 8568 . 2014

Ferguson Land Surveying & Geomatics Ltd.
B.C. AND CANADA LAND SURVEYORS
404-1836 PANDOSY STREET, KELOWNA, B.C.
TELEPHONE (250) 753-5115 FAX (250) 753-0321

JOB No. 20056-REF
S:\Shared Area 16 2005\16444\16444\2005\2005-16444-REF-2014-06-10-16444-REF.dwg
RPTD BY: CF 15/03/15 SEE FILE