THE CITY OF WINNIPEG

BY-LAW NO. 180/2008

A By-law of THE CITY OF WINNIPEG to acquire land for the purpose of construction of Stage 1 of the Southwest Rapid Transit Corridor Project, in the City of Winnipeg, in Manitoba.

WHEREAS pursuant to *The City of Winnipeg Charter* and in particular sections 204 and 205, the City may expropriate land and improvements considered necessary for its purposes;

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1 The City hereby expropriates the following lands:

Firstly: The lands taken for Works and shown as Parcels A, B, C, D, E, F, G, H, J, K, L and M on Plan Deposit 1448/2008 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached, and

Secondly: A right-of-way for all purposes as appurtenant to firstly: Lot 2 and Lots 27 to 36, Block 13, Plan 208 WLTO (W Div) exc out of said Lots 2, 35 and 36 all those portions taken for Pembina Highway in RL 31 to 35 Parish of St Boniface and secondly: all that portion of RL 32 of the Parish of St Boniface lying between the Eastern limit of said Lot 2 and the Western limit of said Lot 36 and bounded on the South by the straight production Ely of the southern limit of said Lot 2 and on the Northwest by the Southeastern limit of Pembina Highway, over and upon all those portions of Lots 25 and 26, in said Block 13, bounded as follows: on the Southeast by the Northwestern limit of the land taken for Railway Right-of-Way Plan 357 WLTO on the West by the Western limit of said Lot 26 on the South by a straight line drawn from the Southwest angle of said Lot 26 to a point in the said Northwestern limit distant Northerly thereon 21 feet from the Southern limit of said Lot 26 on the North by a straight line drawn from a point in the Western limit of said Lot 26 distant Northerly thereon 40 feet from the Southwest corner of said Lot 26 to the intersection of the Eastern limit of said Lot 25 with the said Northwestern limit.

for the purpose of construction of Stage 1 of the Southwest Rapid Transit Corridor Project, in the City of Winnipeg, in Manitoba.

2 The lands described in section 1 are expropriated free of encumbrances.

3 The lands described in section 1 except mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under *The Real Property Act* or are not owned by the owner of the surface under *The Registry Act,* and except reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of *The Real Property Act.*

4 The proper officers of the City are hereby authorized, instructed and empowered to do all things necessary to complete the expropriation of all lands referred to in this By-law in accordance with the provisions of *The City of Winnipeg Charter* and *The Expropriation Act.*

DONE AND PASSED this day of December, 2008.

_____
Mayor

_____
City Clerk

APPROVALS:

Approved as to legal description:

_____
Richard Wayne Sherby M.L.S.
for Director, Planning, Property and Development Department

Approved as to details:

_____
Dave Wardrop, Director
Transit Department

Approved as to form:

_____
James Carter
for Leonard E. Strijack
Acting City Solicitor/Manager of Legal Services

_____
Glen Laubenstein
Chief Administrative Officer