THE CITY OF WINNIPEG

BY-LAW NO. 1/2009

A By-law of The City of Winnipeg to acquire land for the purpose of the McGillivray Boulevard Street Widening and Rehabilitation 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:

(a) Parcel A,

(b) Parcel B, and

(c) The lands taken for McGillivray Boulevard,

as the same are shown bordered on Plan Deposit 1588/2008 WLTO, prepared by Leslie Neil McLaughlin of the City of Winnipeg, Manitoba Land Surveyor, hereto attached,

for the purpose of the McGillivray Boulevard Street Widening and Rehabilitation Project, in the City of Winnipeg, in Manitoba.

2 (a) The lands described in clause 1(a) are expropriated subject only to the following existing interest:

Lease Caveat (Instrument No. 2929254) registered by The Liquor Control Commission on December 9, 2003.

(b) The lands described in clause 1(b) are expropriated subject only to the following existing interest:

Federal Court Certificate of Judgment (Instrument No. 3267744) registered by the Minister of National Revenue on March 24, 2006.

(c) The lands described in clause 1(c) are expropriated free of encumbrances.

3 The lands described in section 1 except:

(a) 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

(b) 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 January, 2009.

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Mayor

_____
City Clerk

APPROVALS:

Approved as to legal description:

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John Charles Hamilton, M.L.S.
for Deepak Joshi, Director
Planning, Property & Development Department

Approved as to details:

_____
Bill Larkin, Director
Public Works Department

Approved as to form:

_____
James Carter
for Acting City Solicitor/Manager of Legal Services

_____
Glen Laubenstein
Chief Administrative Officer