STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Minute No. 340
Pursuant to The Municipal Conflict of Interest Act, Councillor Fielding advised that he would refrain from entering the discussion and voting on the matter, due to a potential perceived conflict of interest, and left the meeting.

Moved by Councillor Swandel,
Seconded by Councillor Pagtakhan,

WHEREAS:

(a) Pursuant to its By-law No. 1/2009, The City of Winnipeg authorized the expropriation of the lands described therein and made a Declaration of Expropriation dated the 28th day of January, 2009; and

(b) The Lieutenant Governor in Council has deemed it necessary or expedient in the public interest to direct the confirming authority to make its order confirming the Declaration of Expropriation without an inquiry being conducted under Schedule "A" to *The Expropriation Act;*

THEREFORE BE IT RESOLVED that the Declaration of Expropriation dated the 28th day of January, 2009, made pursuant to By-law No. 1/2009 and expropriating 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

is hereby confirmed.

The lands described above in (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.

Standing Policy Committee on Property and Development - Motions (continued):

The lands described above in (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.

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

The aforesaid lands 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 Ac*t or are not owned by the owner of the surface under *The Registry Act*; and

- 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.*

Carried

Councillor Fielding hereby returned to the Chamber.