THE CITY OF WINNIPEG

BY-LAW NO. 70/2010

A By-law of THE CITY OF WINNIPEG to acquire land for the purpose of construction of the Disraeli Freeway Renewal 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, and C on Plan Deposit 406/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached;

Secondly: The lands taken for Works and shown as Parcel A on Plan Deposit 411/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached;

Thirdly: The lands taken for Works and shown as Parcels A, B, C, D and E on Plan Deposit 415/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached; and

Fourthly: The lands taken for Works and shown as Parcels A, B and C on Plan Deposit 430/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached,

for the purpose of construction of the Disraeli Freeway Renewal Project, in the City of Winnipeg, in Manitoba.

2 The lands described in section 1 are expropriated free of encumbrances, except for part of the lands fourthly described, being Parcel C on Plan Deposit 430/2010 WLTO which is expropriated subject to Centra Gas Manitoba Inc. Certificate of Judgment No. 3216804 WLTO, registered in the Winnipeg Land Titles Office on November 14, 2005.

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 23rd day of June, 2010.

Mayor

City Clerk

ADMINISTRATIVE APPROVALS:

Approved as to legal description:

Steven John Bossenmaier, M.L.S.
for Deepak Joshi, Director
Planning, Property and Development
Department

Approved as to details:

Brad Sacher, Director
Public Works Department

Approved as to form:

James Carter
for Leonard E. Strijack
Director of Legal Services and City Solicitor

FOR G. LAUBENSTEIN AS ACTING C.A.O.

Glen Laubenstein
Chief Administrative Officer

DECLARATION OF EXPROPRIATION

TO: The District Registrar
Winnipeg Land Titles Office

1 The City of Winnipeg hereby declares that pursuant to The City of Winnipeg Charter and in particular sections 204 and 205, By-law No. 70/2010 of The City of Winnipeg, and The Expropriation Act, it expropriates the following lands:

Firstly: The lands taken for Works and shown as Parcels A, B, and C on Plan Deposit 406/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached;

Secondly: The lands taken for Works and shown as Parcel A on Plan Deposit 411/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached;

Thirdly: The lands taken for Works and shown as Parcels A, B, C, D and E on Plan Deposit 415/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached; and

Fourthly: The lands taken for Works and shown as Parcels A, B and C on Plan Deposit 430/2010 WLTO, prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, hereto attached,

for the purpose of construction of the Disraeli Freeway Renewal Project, in the City of Winnipeg, in Manitoba.

2 The lands described in section 1 are expropriated free of encumbrances, except for part of the lands fourthly described, being said Parcel C on Plan Deposit 430/2010 WLTO which is expropriated subject to Centra Gas Manitoba Inc. Certificate of Judgment No. 3216804 WLTO, registered in the Winnipeg Land Titles Office on November 14, 2005.

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 lands described in section 1 are being acquired for the purpose of a highway at some future time, and are not presently to be opened or dedicated as a highway.

5 The office of The City of Winnipeg is at 510 Main Street, Council Building, Winnipeg, Manitoba R3B 1B9.

DATED at Winnipeg, in Manitoba, this 23rd day of June, 2010.

Approved as to legal description:

Steven John Bossenmaier, M.L.S.
for: Deepak Joshi, Director
Planning, Property and Development
Department

THE CITY OF WINNIPEG

Mayor

City Clerk