THE CITY OF WINNIPEG

BY-LAW NO. 35/2018

A By-law of THE CITY OF WINNIPEG to acquire land for the purpose of Expropriation of Lands and Opening of Public Right-of-Way – Pembina Highway – Grant Avenue to Osborne Street – Major Rehabilitation and Buffered Bike Lanes 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 Pembina Highway and Osborne Street to be Opened as the same are shown bordered on Plan Deposit 1784/2017 WLTO, prepared by Jeffrey Adam Smith of the City of Winnipeg, Manitoba Land Surveyor, in part RL 34 Parish of St Boniface hereto attached;

Secondly: The lands taken for Works and shown as Parcel A on Plan Deposit 1784/2017 WLTO, prepared by Jeffrey Adam Smith of the City of Winnipeg, Manitoba Land Surveyor, in RL 34 Parish of St Boniface hereto attached;

for the purpose of Expropriation of Lands and Opening of Public Right-of-Way – Pembina Highway – Grant Avenue to Osborne Street – Major Rehabilitation and Buffered Bike Lanes 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:

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 26th day of April, 2018.

Mayor

City Clerk

ADMINISTRATIVE APPROVALS:

Approved as to legal description: **Approved as to details:**

Jeffrey Adam Smith, M.L.S.
for John Kiernan, Director
Planning, Property and Development
Department

James Berezowsky, Acting Director
Public Works Department

Approved as to form:

Stephanie Chan
for Krista Boryskavich,
Director of Legal Services and City Solicitor

Approved:

Douglas McNeil,
Chief Administrative Officer