BY-LAW NO. 18/2016

A By-law of THE CITY OF WINNIPEG to amend By-law No. 33/2015

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;

AND WHEREAS on March 25, 2015 Council passed By-Law No.33/2015 to acquire land for the purpose of construction of the Southwest Rapid Transit Bus Corridor including widening Markham Road, Southpark Drive, Seel Avenue, Chancellor Drive and Pembina Highway, in the City of Winnipeg, in Manitoba;

AND WHEREAS The City of Winnipeg has purchased all the lands contained within Certificate of Title numbers 1260308/1, 1407684/1 and 1862651/1 thereby making them not required for the expropriation and said lands have been removed from Plan Deposit 2137/2014;

AND WHEREAS instruments Numbers 1579777/1 and 1579780/1 are registered against Certificate of Title numbers 1260308/1, 1407684/1 and 1862651/1 and are no longer appurtenant to the expropriation;

AND WHEREAS instrument 4539390/1 has been registered against Certificate of Title number 1606395/1 and said instrument is now part of the encumbrances against the expropriated lands;

AND WHEREAS The City of Winnipeg requires part only of the lands contained within Certificate of Title number 1517845/1 and said land is contained within the lands taken for Works and shown as Parcel A on Plan Deposit 0002/2015 WLTO prepared by Donald Neil Bourgeois of the City of Winnipeg, Manitoba Land Surveyor;

AND WHEREAS The City of Winnipeg desires that the lands taken for Pembina Highway as show on Plan Deposit 0001/2015 WLTO prepared by Donald Neil Bourgeois of the City of Winnipeg, Manitoba Land Surveyor be amended to lands taken for Works.

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

By-Law 33/2015 is amended by:

1 Deleting parcel B from the lands described in Section 1, Thirdly;
2 Deleting instruments 1579777/1 and 1579780/1 from the encumbrances listed in section 2;
3 Adding instrument 4539390/1 to the encumbrances listed in section 2;
4 Deleting Section 1, Fifthly; and renumbering the balance of the section accordingly;
5 Amending Section 1, (the Original) Thirteenthly to replace “Pembina Highway” with “Works”.

DONE AND PASSED IN COUNCIL this 27th day of January, 2016.

Mayor

City Clerk

ADMINISTRATIVE APPROVALS:

Approved as to legal description:

Donald Neil Bourgeois, M.L.S.
For John Kiernan, Director
Planning, Property and Development
Department

Approved as to details:

Dave Wardrop, Director of Transit

Legally reviewed and certified as to form:

Angela Czarnecki, Solicitor
for Krista Boryskavich,
Director of Legal Services and City Solicitor

Douglas McNeil,
Chief Administrative Officer