

SCHOOL DISTRICT NO. 53 (Okanagan Similkameen)
Easement for Access (Tuc-el-Nuit Elementary School)
Bylaw No. 3

A bylaw to grant an easement over a portion of the Tuc-el-Nuit Elementary School site in respect of a sanitary sewerline.

PREAMBLE:

WHEREAS under the *School Act*, the Board may, by bylaw, with the approval of the Minister of Education, dispose of property owned or administered by the Board.

AND WHEREAS the Board is the owner of land with the legal description of Lot 357, DL2450S, SDYD, Plan 1861, except Plans 15073 and KAP53593 (“Lot 357”);

AND WHEREAS the Provincial Rental Housing Corporation (Inc. No. 52129) (“the Grantee”) is the owner of land adjoining Lot 357 described as Lot B shown on a subdivision plan of Lot 1, Plan KAP50436 prepared by Bradley Pendergraft, BCLS, from a survey completed on April 18, 1996 (“Lot B”);

AND WHEREAS the Grantee requires an easement over a portion of Lot 357, in favour of Lot B, for purposes of a sanitary sewerline to connect the improvements on Lot B to the adjacent sanitary sewerline of the Town of Oliver;

AND WHEREAS the Grantee has agreed to pay the Board Five Thousand (\$5,000.000) Dollars as consideration for the easement;

NOW THEREFORE the Board of School Trustees enacts as follows:

1. That an easement is granted in perpetuity to the Grantee as outlined in heavy black line on an Explanatory Plan of Easement over part of Lot 357 prepared by Bradley Pendergraft, BCLS, certified correct on September 27, 1996, for the purposes of construction and subsequent maintenance, repair, alteration, removal, or replacement of a sanitary sewerline.
2. That the Secretary Treasurer shall sign and apply the common seal of the Board to, the Indenture which forms part of the application for registration of the easement with the Land Title Office.
3. A copy of the said Indenture and the Explanatory Plan shall be attached to and form part of this bylaw.
4. This bylaw may be cited as “School District No. 53 (Okanagan Similkameen) Easement (Tuc-el-Nuit) Bylaw No. 3”.

Read a first time the 10th day of October, 2001.

Read a second time the 10th day of October, 2001.

Read a third time, passed and adopted the 10th day of October, 2001.

Chairperson of the Board

Corporate Seal)

Secretary-Treasurer