



3652

APPROVED AND ORDERED 16 DEC 1976

W. J. Dewar

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA 16 DEC 1976

Pursuant to the Highway Act, Section 11 (2) (a) ~~and~~, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that

WHEREAS by Notice dated August 19th., 1976 and published in the British Columbia Gazette of September 16th., 1976, the Minister of Highways and Public Works discontinued and closed all that part of closed lane located south of Lots A, B, C, D, and E, Plan 1250, and north of Lot 17, Block 2, Plan 740, both of District Lot 267, Kootenay District, as shown outlined in green on a plan of survey prepared by R. Robert Lemaster and sworn to by him on May 4th., 1976, and recorded in the Provincial Department of Highways and Public Works, Victoria, British Columbia, under Road Surveys 4858.

AND WHEREAS GEORGE ELLIS DALKE, businessman, General Delivery, Athalmer, British Columbia, the registered owner of Lots A, B, C, D, and E, District Lot 267, Kootenay District, Plan 1250, has paid consideration in the amount of Nine Hundred and Fifty (950.00) Dollars to the Crown for the purchase of the land which comprised this road closure.

AND WHEREAS the Minister of Highways and Public Works agrees that \$950.00 is fair and adequate consideration for this purchase.

THE LAND COMPRISED in the portion of road allowance hereinbefore mentioned be transferred to GEORGE ELLIS DALKE, without further or formal instrument of transfer, but upon compliance with the provisions of the "Land Registry Act" and the possible requirement that a subdivision plan be provided, subject to the conditions of the "Highway Act" and all other powers thereunto enabling, subject to the reservations, limitations, provisos, and conditions expressed in the original grant thereof from the Crown, and to the registered charges, if any, to which the said adjoining lands are subject, with the intent that the land hereby transferred be added to and form part of the said adjoining land, and that the Minister of Highways and Public Works be authorized to execute and deliver such further assurances of the above described lands as may in the premises be required.

APPROVED
DEPARTMENTAL SOLICITOR

Oct 12/76 RRP

G. V. Jones
MINISTER OF HIGHWAYS AND PUBLIC WORKS

W. R. Bennett
PRESIDING MEMBER OF THE EXECUTIVE COUNCIL