

# THE CORPORATION OF THE VILLAGE OF MONTROSE

## BYLAW #573

### A BYLAW TO EXCHANGE A SECTION OF 11<sup>TH</sup> AVENUE FOR AN ADDITION TO 6<sup>TH</sup> STREET

WHEREAS section 527 of the *Local Government Act* authorizes Council to close a highway, and

WHEREAS section 303 of the *Local Government Act* authorizes Council to dedicate a highway, and

WHEREAS Council deems it in the best interest of the community to close a section of 11<sup>th</sup> Avenue in exchange for an addition to 6<sup>th</sup> Street,

BE IT THEREFORE RESOLVED that the Council of the Village of Montrose in open meeting assembled, enact as follows:

#### SHORT TITLE

1. (1) This Bylaw may be cited as the "11<sup>th</sup> Avenue & 6<sup>th</sup> Street Exchange Bylaw."

#### HIGHWAY EXCHANGE

2. (1) That part of Eleventh Avenue outlined in red ink and identified as "area to be closed 980 m<sup>2</sup>" on the survey plan by M. Hinterberger, B.C.L.S., C.L.S. dated April 18<sup>th</sup>, 2001, and identified as "Reference Plan to accompany Bylaw #573, to close a portion of road within Township 7A, Kootenay District, in exchange for a part of amended Block 4, Section 32, Township 7A, Kootenay District, Plan 2352" is hereby closed to traffic.

1. That part of amended Block 4, Section 32, Township 7A, Kootenay District, Plan 2352, outlined in green ink and identified as "area to be dedicated 253 m<sup>2</sup>" on the survey plan by M. Hinterberger, B.C.L.S., C.L.S. dated April 18<sup>th</sup>, 2001, and identified "Reference Plan to accompany Bylaw #573, to close a portion of road within Township 7A, Kootenay District, in exchange for a part of amended Block 4, Section 32, Township 7A, Kootenay District, Plan 2352" is hereby dedicated to road purposes.
2. The reference plan referred to in this section shall be further identified as "Bylaw #573 – Schedule 'A'" and shall be attached to and form part of this Bylaw.

#### ENACTMENT

3. (1) If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

(2) This Bylaw shall come into full force and effect on the adoption thereof.

READ A FIRST TIME this 15<sup>th</sup> day of May, 2001

PUBLISHED IN THE TRAIL DAILY TIMES this 11<sup>th</sup> day of October , 2001

READ A SECOND TIME this 6<sup>th</sup> day of November, 2001

PUBLIC HEARING HELD this 20<sup>th</sup> day of November, 2001

READ A THIRD TIME this 20<sup>th</sup> day of November, 2001

RECONSIDERED AND FINALLY ADOPTED this 3<sup>rd</sup> day of December, 2001

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Certified a true copy of Bylaw #573, as adopted

\_\_\_\_\_  
Clerk

# THE CORPORATION OF THE VILLAGE OF MONTROSE

## BYLAW #573

Schedule 'A'

Close Bylaw