

**THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 68 (NANAIMO-LADYSMITH)
Hammond Bay Elementary School SRW, Bylaw, 2022**

WHEREAS Section 65 (5) of the *School Act* provides that a Board of Education may exercise a power with respect to the acquisition or disposal of property owned or administered by the Board only by bylaw;

AND WHEREAS:

- I. The Board of Education of School District No. 68 (Nanaimo-Ladysmith) (the “Board”) owns the Hammond Bay Elementary School site (the “Property”);
- II. The Property is facility number 106218;
- III. The address of the Property is 1025 Morningside Drive, Nanaimo, British Columbia, V9T 1N5, and the legal description of the Property is:

Parcel Identifier: 003-796-957; Lot A, District Lot 41, Wellington District, Plan 18839
- IV. BC Hydro (“BCH”), and Telus, has asked the Board to grant BCH and Telus:
 - a) A specific statutory right-of-way (“SRW”) in respect of a pole and pad mount transformer (the “Works”) located as shown on Schedule A, a copy of which is attached hereto; and
 - b) A blanket ancillary access statutory right-of-way for access to the Works (together with the Specific Right-of-Way, (the “Rights of Way”);
- V. The Board is satisfied that the Works will be benefit the Board and that the granting of the Rights-of-Way will not interfere with the Board’s use of the Property for educational purposes.

NOW THEREFORE be it resolved as a Bylaw that the Board grant the Rights-of-Way;

BE IT FURTHER resolved as a Bylaw that the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver all documents required to complete the granting of the Rights-of-way on such terms and conditions as the Secretary-Treasurer may consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw maybe cited as "School District No. 68 (Nanaimo-Ladysmith) Hammond bay Elementary School SRW Bylaw, 2022".

Read a first time this ____ day of June, 2022

Read a second time this ____ day of June, 2022

Read a third time and adopted this ____ day of June, 2022

Chair, Charlene McKay

Secretary-Treasurer, Mark Walsh

I HERE BY CERTIFY this to be a true and original School District No. 68 (Nanaimo-Ladysmith) Hammond Bay Elementary School SRW Bylaw, 2022) adopted by the Board this ____ day of June, 2022.