

THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 68 (NANAIMO-LADYSMITH)

CHASE RIVER ELEMENTARY SCHOOL WATERWORKS RIGHT-OF-WAY AND COVENANT BYLAW, 2023

WHEREAS Section 65(5) of the *School Act*, R.S.B.C. 1996, c. 412, 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 of education only by bylaw;

AND WHEREAS:

- (a) The Board of Education of School District No. 68 (Nanaimo-Ladysmith) (the “**Board**”) owns the Chase River Elementary School site (the “**Property**”);
- (b) the Property is facility number 6868022;
- (c) the address of the Property is 1503 Cranberry Avenue, Nanaimo, British Columbia V9R 6R7, and the legal description of the Property is:

Parcel Identifier: 002-972-379
Lot 1, Sections 18 and 19, Cranberry District, Plan 24118 Except
that Part in Plan VIP77486;
- (d) the City of Nanaimo (the “**City**”) has asked the Board to grant the City:
 - (i) a blanket statutory right of way over the Property (the “**Right-of-Way**”) pursuant to Section 218 of the *Land Title Act*, R.S.B.C. 1996, c. 250, in respect of water meters, meter reading devices, electrical connections and other works (the “**Works**”) for measuring the volume of water supplied to the building on the Property, including the initial Works shown on the plan attached hereto as Schedule A; and
 - (ii) a covenant (the “**Covenant**”) pursuant to Section 219 of the *Land Title Act*, R.S.B.C. 1996, c. 250, with respect to the use of the Property and the building thereon; and
- (e) the Board is satisfied that the Works will benefit the Board and that the granting of the Right-of-Way and Covenant 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 Right-of-Way and Covenant; and

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 Right-of-Way and the Covenant on such terms and conditions as the Secretary-Treasurer may consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as “School District No. 68 (Nanaimo-Ladysmith) Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023”.

Read a first time this 26th day of April, 2023

Read a second time this 26th day of April, 2023

Read a third and final time, passed and adopted this 26th day of April, 2023.

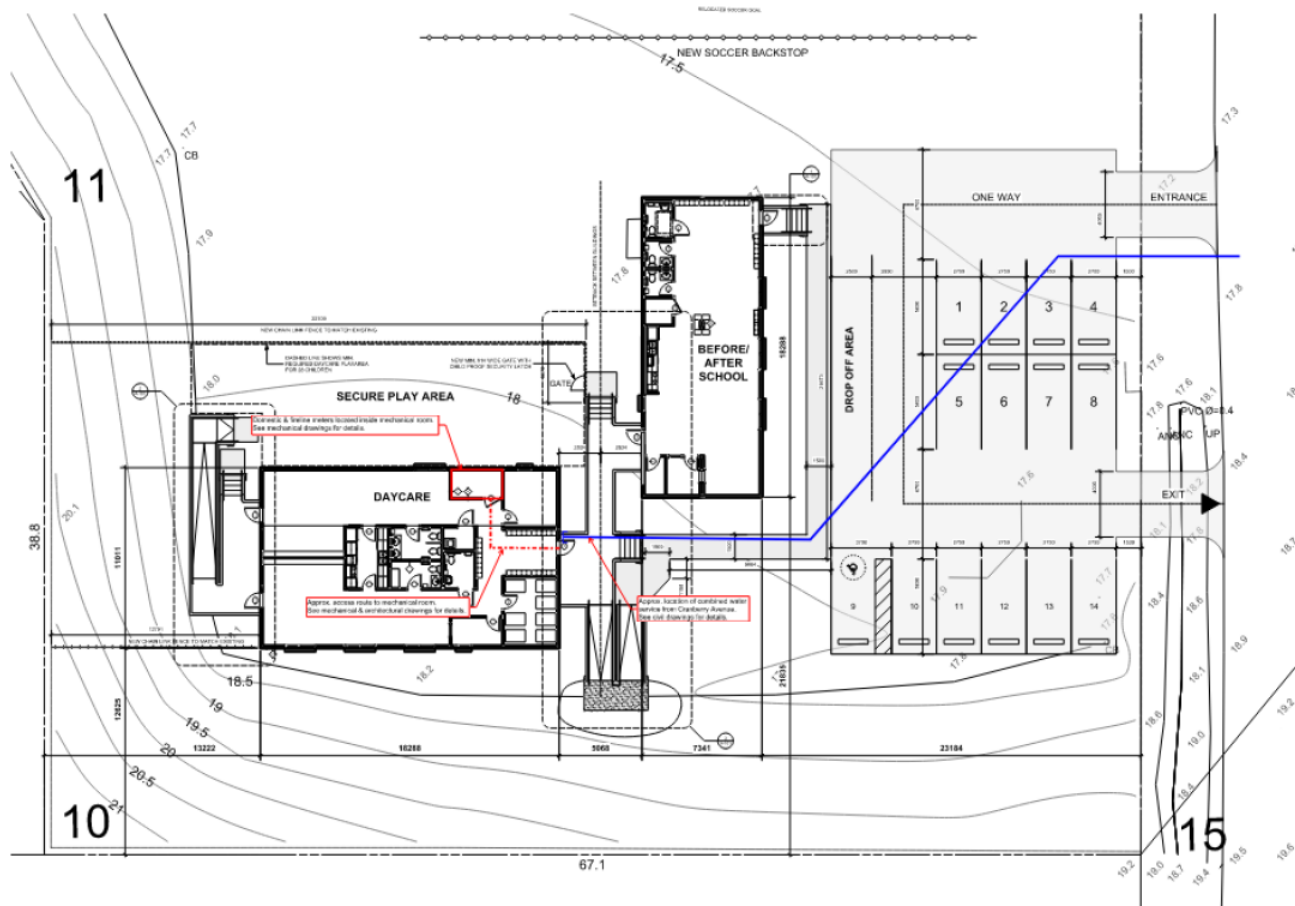
Chair

Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original “School District No. 68 (Nanaimo-Ladysmith) Chase River Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023” adopted by the Board this 26th day of April, 2023.

Secretary-Treasurer

SCHEDULE A



1 Daycare & 1 Before/After School
Scale: 1/8" = 1'-0"

NO. 100	DATE: 07/23/2014
NO. 101	DATE: 07/23/2014
NO. 102	DATE: 07/23/2014

IREDALE ARCHITECTURE
 2017 One Academy Street
 Birmingham, AL 35203
 Phone: 205-988-8800
 Fax: 205-988-8801
 www.iredale.com

1000 South Square
 Birmingham, AL 35203
 Phone: 205-988-8800
 Fax: 205-988-8801
 www.iredale.com

HEROLD ENGINEERING
 1000 South Square
 Birmingham, AL 35203
 Phone: 205-988-8800
 Fax: 205-988-8801
 www.herold.com

PROJECT-TITLE
 CHASE RIVER ELEMENTARY SCHOOL DAYCARE
 LOCATION: 1503 CRANBERRY AVENUE
 CLIENT: SCHOOL DISTRICT #68 (NANNANO-LACY/SMITH)

TITLE
 Site Plan

DATE: 07/23/2014
 DRAWN BY: J. SMITH
 CHECKED BY: J. SMITH
 SCALE: A-100
 SHEET NO.: 100