

**THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 68 (NANAIMO-LADYSMITH)
Forest Park Elementary School Waterworks Rights of Way, Bylaw, 2021**

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 Forest Park Elementary School site (the "Property");
- II. The Property is facility number 68037;
- III. The address of the Property is 2040 and 2050 Latimer Road, Nanaimo, British Columbia, V9S 2W5, and the legal description of the Property is:

Parcel Identifier: 000-255-696; Lot A, Section 17, Range 7, Mountain District, Plan 33741
Parcel Identifier: 008-882-177; Lot 5, Block 8, Section 17, Range 7, Mountain District, Plan 526
Parcel Identifier: 008-881-987; Lot 7, Block 8, Section 17, Range 7, Mountain District, Plan 526
- IV. City of Nanaimo (the "City") has asked the Board to grant the City:
 - a) A specific statutory right-of-way (the "Specific Right -of-Way") in respect of a water line (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) Forest Park Elementary School Waterworks Rights-of Way Bylaw, 2021".

Read a first time this 24th day of February, 2021

Read a second time this 24th day of February, 2021

Read a third and final time, passed and adopted this 24th day of February, 2021

Chair, Charlene McKay

Secretary-Treasurer, Mark Walsh

I HERE BY CERTIFY this to be a true and original School District No. 68 (Nanaimo-Ladysmith) Forest Park Elementary School Waterworks Rights-of-Way Bylaw, 2021) adopted by the Board this 24th day of February, 2021.