

CITY OF SURREY

BY-LAW NO. 13640

A By-law to authorize the Discharge  
of Land Use Contract Number 339.

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WHEREAS on the 9th day of November, 1977, this City entered into a Land Use Contract with LARK ENTERPRISES LTD. and ACTION EQUIPMENT RENTALS LTD. and POMCO CONSTRUCTION LTD. for the use and development of the lands therein described;

Parcel Identifier: 003-597-598, Lot 122, Section 20, Township 2, New Westminster District, Plan 53986

(13581 - 77 Avenue)

AND WHEREAS the said Land Use Contract No. 339 has been amended as registered in the Land Title Office in the City of New Westminster, on the 17th day of October, 1979, under Filing Number R103963 and on the 21st day of January, 1980 under Filing Number S4834

AND WHEREAS SHELMAR CREDIT ACCEPTANCE LTD. (INCORPORATION NO. 59275) has applied for discharge of Land Use Contract No. 339 registered against the title under N117654;

AND WHEREAS SHELMAR CREDIT ACCEPTANCE LTD. (INCORPORATION NO. 59275), the present owner of said lands, desires to develop the same otherwise than in accordance with said Land Use Contract;

AND WHEREAS the Council deems it expedient that the rights and obligations created and to be performed under the said Land Use Contract should terminate and be no longer of force or effect;

AND WHEREAS Section 930 of the *Municipal Act*, R.S.B.C., 1996, c.323, as amended provides that a Land Use Contract may only be discharged by by-law and only after a Public Hearing.

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, enacts as follows:

1. THAT the Land Use Contract entered into the 9th day of November, 1977, between the City of Surrey and Lark Enterprises Ltd. and Action Equipment Rentals Ltd. and Pomco Construction Ltd, respecting the use and development of lands known as:

Parcel Identifier: 003-597-598, Lot 122, Section 20, Township 2, New Westminster District, Plan 53986

(13581 - 77 Avenue)

registered in the New Westminster Land Title Office on the 10th day of November, 1997, under N117654, and amendments registered in the Land Title Office in the City of New Westminster, on the 17th day of October, 1979,

under Filing Number R103963 and on the 21st day of January, 1980 under Filing Number S4834 are terminated.

2. THAT the Mayor and City Clerk are hereby authorized to sign and affix the seal of the City to such instrument as will effectually extinguish all rights and obligations created by the Land Use Contract and will release and discharge the Land Use Contract from the records of title to aforesaid lands in the New Westminster Land Titles Office.

3. This By-law may be cited for all purposes as "Surrey Land Use Contract No. 339, Authorization By-law, 1977, No. 5237, Discharge By-law, 1999, No. 13640."

PASSED FIRST AND SECOND READING on the 18th day of January, 1999.

PUBLIC HEARING HELD thereon on the 15th day of February, 1999.

PASSED THIRD READING on the 15th day of February, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 22nd day of February, 1999 .

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK