

RESOLVED by the Town Council of the Town of Digby that the following by-law be enacted and that the Clerk forward three copies of it, duly certified and sealed, to the Minister of Municipal Affairs with a request for his approval thereof.

By-law # 40

Renumbered # 1979-03

A BY-LAW TO CLOSE A PORTION OF WATER STREET

- I. THAT the Council do close to public use a portion of a street known as Water Street.
2. THAT the portion of the said Street hereby closed to public use pursuant to Section 1 of this By-Law is as follows:

ALL that certain piece parcel or tract of land situate, lying and being in the Town of Digby in the County of Digby and Province of Nova Scotia and being a portion of Water Street lying between Birch Street and Queen Street extension in the said Town of Digby which may be more particularly bounded and described as follows:

BEGINNING at a large rock at the Intersection of the East side line of Queen Street Extension with the North side line of Water Street, said rock marking the Northwest corner of the herein described lands;

THENCE in an Easterly direction along the curved boundary of the North side line of Water Street being the South boundary of present lands of National Sea Products Limited Three Hundred Forty-seven decimal eight (347.8') feet more or less to a survey marker set on the North side line of Water Street with the Northerly prolongation of the West side line of lands now or formerly of Victor Halliday, said survey marker being the Northeast corner of the herein described lands;

THENCE South Eleven degrees Three minutes Thirty seconds West (S 11- 03' 30" W) crossing the above mentioned Water Street on the exact Northerly prolongation of the West side line of lands now or formerly of Victor Halliday Thirty-three decimal Twenty-eight (33.28') feet to a survey marker at the Northwest corner of lands of Victor Halliday located on the South side line of Water Street said survey marker being the Southeast corner of the herein described lands;

**A BY-LAW TO CLOSE A PORTION OF WATER STREET # 1979-03**

THENCE in a Westerly direction along the curved boundary of the South side line of Water Street being the Northerly side line of other lands presently owned by National Sea Products Limited Three Hundred Forty-five decimal Five (345.5') feet more or less to a survey marker set at the intersection of the South side line of Queen Street Extension said survey marker being the Southwest corner of the herein described lands;

THENCE North Eight degrees Sixteen minutes Fifteen seconds East (N 08° 16' 15" E) along the East side line of Queen Street Extension Thirty-four decimal Twenty-six (34.26') feet to a large rock at the Intersection of the East side line of Queen Street Extension with the North side line of Water Street said large rock being the POINT OF BEGINNING.

BEING AND INTENDED TO BE the shaded portion of Water Street lying between Birch Street and Queen Street extension as shown on a Plan of Survey entitled "Plan showing lands of National Sea Products Limited and portion of Water Street to be conveyed to National Sea Products Limited at Digby, Digby County, Nova Scotia," said Plan prepared by Everett B. Hall, Nova Scotia Land Surveyor, said Plan dated February 15, 1979 and being a tract of land containing Eleven Thousand Seven Hundred Seventy-five (11,775) square feet more or less.

ALSO ALL that certain piece, parcel or tract of land situate, lying and being in the Town of Digby in the County of Digby and Province of Nova Scotia and being a portion of Water Street lying between Birch Street and Queen Street Extension in the said Town of Digby which may be more particularly bounded and described as follows:

BEGINNING at a survey marker set in the ground on the South limit of Water Street aforesaid at the Northwest corner bound of lands of Victor Halliday;

THENCE in an Easterly direction along the curved boundary of the South side line of Water Street being the Northerly line of lands of Victor Halliday and Audrey Frankland to the West side line of Birch Street;

THENCE North Eight Degrees Twenty-four minutes Twenty-five Seconds West (N 08° 24' 25" W) to the North limit of Water Street or the Easterly extension thereof;

THENCE in a Westerly direction along the curved boundary of the North limit of Water Street to a survey market set in the ground a distance of Thirty-three decimal Twenty-eight (33.28') feet on a bearing North Eleven degrees Three minutes Thirty seconds East (N 11° 03' 30" E) from the Northwest corner of lands of Victor Halliday;

**A BY-LAW TO CLOSE A PORTION OF WATER STREET # 1979-03**

THENCE South Eleven Degrees Three Minutes Thirty seconds West (S 11° 03' 30" W) a distance of Thirty-three decimal Twenty-eight feet (33.28') to a survey marker set in the ground at the Northwest corner of lands of Victor Halliday and the POINT OF BEGINNING.

BEING AND INTENDED TO BE the unshaded portion of Water Street lying between Birch Street and Queen Street extension as shown on a Plan of Survey entitled "Plan showing lands National Sea Products Limited and portion of Water Street to be conveyed to National Sea Products Limited at Digby, Digby County, Nova Scotia, and said plan prepared Everett B. Hall, Nova Scotia Land Surveyor, said plan dated February 15th 1979.

- 3. THAT the portion of Water Street as described in Section 2 of this By-law be closed and that all rights of public user heretofore as a street in the lands hereinbefore more particularly described are forever extinguished and the Town may sell and convey the portion so closed.

I, James Wheelhouse, Clerk of the Town of Digby, do hereby certify that the foregoing by-law is a true copy of the by-law passed by the Council of the Town of Digby at a meeting duly held and convened on the 22nd day of February, 1979.

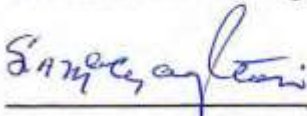
GIVEN under the hand of the Town Clerk and under the corporate seal of the said Town this 2nd day of March 1979.

  
TOWN CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
	Departmental Collector
APPROVED this 23 <sup>rd</sup> day of April 1979	
 Minister of Municipal Affairs	

APPROVED

Certified True Copy:



S. A. MacNaughton, Mayor

  
MINISTER OF HIGHWAYS