

CHAPTER 103

An Act to Ratify an Agreement
Bearing Date the 16th Day of November, 1964,
between the City of Prince Rupert,
Canadian National Railway Company, and
Her Majesty the Queen in Her Right
of Her Province of British Columbia
Amendment Act, 1974

[Assented to 20th June, 1974.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Re-enacts
title and
repeals
s. 1.

1. *An Act to Ratify an Agreement Bearing Date the 16th Day of November, 1964, between the City of Prince Rupert, Canadian National Railway Company, and Her Majesty the Queen in Her Right of Her Province of British Columbia, being chapter 59 of the Statutes of British Columbia, 1965, is amended by repealing section 1 and the title and substituting the following as the title:*

"City of Prince Rupert and
Canadian National Railway Company
Agreement Ratification Act"

Enacts
s. 2A.

2. The Act is further amended by adding after section 2, the following as section 2A:

Ratification
of Agreement.

2A. An Agreement dated March 13, 1974, a copy of which forms a second schedule to this Act, is hereby ratified and confirmed and declared to be legally binding according to the tenor and effect thereof upon City of Prince Rupert, Canadian National Railway Company, and Her Majesty the Queen in Her Right of Her Province of British Columbia, and the parties to the said Agreement so far as the Legislature of the Province of British Columbia has power to enact, are hereby authorized and empowered to do all such acts as may be necessary in order to give full effect to the said Agreement, and the provisions thereof are to be taken as if they had been expressly enacted hereby and formed an integral part of this Act.

Amends
s. 3.

3. Section 3 is amended by inserting after the word Schedule in the second line the words " , except parcels number 5 to 10, 15, 17, 21, 37, 39, and 42 to 53."

Enacts
second
schedule.

4. The Act is further amended by adding after the Schedule, the following as the second schedule:

CITY OF PRINCE RUPERT AND CANADIAN 22-23 ELIZ 2
NATIONAL RAILWAY COMPANY AGREEMENT
RATIFICATION (AMENDMENT)

SECOND SCHEDULE

MEMORANDUM OF AGREEMENT made in triplicate this 13th day of March, in the year of our Lord one thousand nine hundred and seventy-four

BETWEEN.

CITY OF PRINCE RUPERT (hereinafter called the "City"), OF THE FIRST PART,

AND:

CANADIAN NATIONAL RAILWAY COMPANY (successor by amalgamation to The Grand Trunk Pacific Railway Company and The Grand Trunk Pacific Development Company Limited) (hereinafter called the "Railway Company"), OF THE SECOND PART,

AND

HER MAJESTY THE QUEEN IN HER RIGHT OF HER PROVINCE OF BRITISH COLUMBIA (hereinafter referred to as the "Province"), OF THE THIRD PART.

WHEREAS by an Agreement dated the 16th day of November, 1964, the parties hereto agreed to the conveyance of the parcels therein recited to the City of Prince Rupert on certain terms and conditions, which Agreement was ratified by the Legislature of the Province of British Columbia

AND WHEREAS the parties hereto have found that the restrictions were impractical that were imposed on certain parcels and hindered the orderly development of the City

AND WHEREAS the parties have agreed to release some of the parcels of the restrictions contained in the said Agreement

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants and agreements on the part of the several parties herein contained the parties hereto agree each with the other as follows

1. The Railway Company agrees, with the concurrence of the Province, as testified by the Province joining in this Agreement, to the removal of the restriction contained in paragraph 1 of the Agreement dated the 16th day of November, 1964 from the parcels referred to as 5 to 10, 15, 17, 21, 37, 39, 42 to 53.

2. It is understood and agreed by and between the parties hereto that this Agreement shall not become operative or binding unless and until the same is ratified by the Legislature of the Province of British Columbia, the parties hereto severally agreeing to co-operate in taking all steps and doing all things necessary to obtain such ratification, provided that any and all expense involved in such ratification will be borne wholly by the City.

3. This Agreement shall extend to and be binding upon the successors and assigns of the parties hereto respectively.

IN WITNESS WHEREOF this Agreement has been duly executed by the parties hereto

THE CORPORATE SEAL OF CITY
OF PRINCE RUPERT WAS HERETO
AFFIXED IN THE PRESENCE OF

"R. Bruce Bennett"

Mayor

"J. C. Ewart"

City Clerk.

[SEAL]

CITY OF PRINCE RUPERT AND CANADIAN
NATIONAL RAILWAY COMPANY AGREEMENT
RATIFICATION (AMENDMENT)

THE CORPORATE SEAL OF CANADIAN
NATIONAL RAILWAY COMPANY WAS
HERETO AFFIXED IN THE PRESENCE
OF:

"D. Whittaker"

Development Officer Real Estate.

"L. A. Fuller"

Asst. Secretary.

[SEAL]

THE GREAT SEAL OF THE PROVINCE
OF BRITISH COLUMBIA WAS HERETO
AFFIXED IN THE PRESENCE OF:

"E. Hall"

Provincial Secretary.

"Lorne Nicolson"

Minister of Housing.

[SEAL]