

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BY-LAW NO. 229

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Being a by-law to establish a specified area within Electoral Area 'G' of the Regional District of Central Okanagan for the purpose of improving a domestic water system in the Killiney Beach Community

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WHEREAS the Regional Board of the Regional District of Central Okanagan has been requested to establish a specified area for the purpose of improving a domestic water system in the Killiney Beach Community;

AND WHEREAS the Regional Board is empowered with respect to that part of the Regional District not within a City, District, Town or Village, to undertake any work or service under the provisions of Part 16 of the "Municipal Act";

AND WHEREAS to provide the said improvements, it is necessary to install certain works, the estimated cost of which including expenses incidental thereto is the sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00), which is the amount of debt intended to be created by this by-law;

AND WHEREAS the amount of authorized debenture debt of the Regional District incurred pursuant to Section 797 of the Municipal Act is \$4,495,195.00 of which \$3,563,753.00 is existing outstanding debenture debt, and \$931,441.00 is authorized and unissued debenture debt, and none of the principal or interest of the debenture debt of the Regional District is in arrears;

AND WHEREAS the amount of the authorized debenture debt of the Regional District incurred pursuant to Section 798 of the Municipal Act is \$28,535,094.00, of which \$28,535,094.00 is existing outstanding debenture debt, and NIL is authorized and unissued debenture debt, and none of the principal or interest of the debenture debt of the Regional District is in arrears;

AND WHEREAS the maximum term for which debentures may be issued to secure the debt created by this by-law is 20 years;

NOW THEREFORE, THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. The Regional Board is hereby empowered and authorized
  - (i) to establish in Electoral Area 'G' a specified area to be known as the "Killiney Beach Water System Specified Area, such area shall be comprised of that tract of land set out in Appendix 'A', attached to and forming part of this by-law.
  - (ii) to undertake improve, upgrade, service, operate and maintain a domestic water system in and for the said specified area and to do all things necessary in connection therewith.
    - (a) to borrow upon the credit of the Regional District a sum not exceeding \$350,000.00;
    - (b) to assume all assets of the existing water utility
2. The Regional District of Central Okanagan shall be adopting a by-law to establish a per parcel tax and a user rate to recover the cost of operating, maintaining and debt charges incurred for the said domestic water system.
 

If the amount recovered by the user rate and/or per parcel tax is insufficient to cover the cost of operating and maintaining the system, there shall be levied over and above all other rates, on land and improvements an amount sufficient to meet such costs, on the basis of assessment as fixed for taxation for school purposes, excluding property that is taxable for school purposes only by special act, within the said specified area.
3. The specified area established by this by-law may be merged with any other specified area or areas for the same purpose, whether contiguous or not, in the manner provided in Section 677(3) of the "Municipal Act".
4. This by-law may be cited as the "Killiney Beach Water System Specified Area Establishment and Loan Authorization By-law No. 229 , 1982"

READ A FIRST TIME THIS 1st DAY OF February, 1982.

READ A SECOND TIME THIS 1st DAY OF February, 1982.

READ A THIRD TIME THIS 1st DAY OF February, 1982.

Assented to by the electors within the Area 'G' Specified Area this 27th day of March, 1982.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 5th

DAY OF April, 1982.

James H. Stewart  
Chairman

[Signature]  
Secretary  
Approved pursuant to the provisions of sections 330 & 714(7) of the "Municipal Act" this 1st day of March 19 82.  
[Signature]  
Inspector of Municipalities

BY-LAW NO.

REGIONAL DISTRICT OF CENTRAL OKANAGAN

APPENDIX 'A'

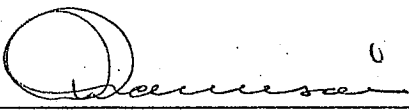
Commencing at the northeast corner of Lot 2197, Osoyoos Division of Yale District, being a point on the highwater mark of Okanagan Lake in the westerly shore thereof; thence in a general southerly direction along said highwater mark to the point of intersection with the easterly prolongation of the southerly boundary of Lot 25 of Lot 2197, Registered Plan 11592 on file in the Land Registry Office, Kamloops; thence westerly along said prolongation and continuing westerly along the southerly boundaries of Lots 25 and 26 of Lot 2197, Plan 11592 to the southwest corner of said Lot 26, Plan 11592; thence westerly in a straight line to the southeast corner of Lot 77 of Lot 2197, Plan 11592; thence westerly along the southerly boundaries of Lots 77 and 78 of Lot 2197, Plan 11592 to the southwest corner of said Lot 78, Plan 11592; thence westerly in a straight line to the southeast corner of Lot 158 of Lot 2197, Plan 11592; thence westerly along the southerly boundaries of said Lot 158 and Lots 12 and 13, of Lot 2197, Registered Plan 19550 to the southwest corner of said Lot 13, Plan 19550; thence southerly along the easterly boundaries of Lots 26 to 35, inclusive, of Lot 3910, Plan 19550 to the southeast corner of said Lot 35, Plan 19550; thence westerly along the southerly boundaries of Lots 35, 36 and 37 of Lot 3910, Plan 19550 to the southwest corner of said Lot 37, Plan 19550; thence westerly in a straight line to the southeast corner of Lot 38 of Lot 3910, Plan 19550; thence westerly along the southerly boundaries of Lots 38 to 41, inclusive, of Lot 3910, Plan 19550 to the most westerly corner of said Lot 41; thence northerly along the westerly boundaries of Lots 42 and 43 of Lot 3910, Plan 19550 to the most westerly corner of said Lot 43, Plan 19550; thence northerly in a straight line to the most southerly corner of Lot 57 of Lot 3910, Registered Plan 21925; thence northerly along the westerly boundaries of Lots 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31 and 30 of Lot 3910, Plan 21925 to the northwest corner of said Lot 30, Plan 21925; thence easterly along the northerly boundary of said Lot 30, Plan 21925 to the northeast corner thereof; thence easterly in a straight line to the most westerly northwest corner of Lot 59 of Lot 3910, Plan 21925; thence northeasterly along the northwesterly boundaries of Lots 59 to 72, inclusive, of Lot 3910, Plan 21925 to northwest corner of said Lot 72, Plan 21925; thence easterly along the northerly boundary of Lot 72 of Lot 3910, Plan 21925 to the northeast corner thereof; thence easterly in a straight line to the northwest corner of Lot 73 of Lot 3910, Plan 21925; thence easterly along the northerly boundaries of Lots 73 and 110 of Lot 3910, Plan 21925 to the northeast corner thereof; thence southerly and/

and easterly along the westerly and southerly boundaries of Lot 3330 to the aforesaid northeast corner of Lot 2197 being the point of commencement.

CERTIFICATE

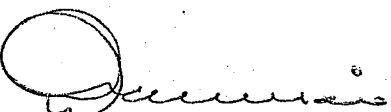
I hereby certify the foregoing to be a true and correct copy of By-law No. 229, which was given three readings by the Regional Board of the Regional District of Central Okanagan on the 1st day of February, 1982.

Dated at Kelowna, B.C.  
this 8th day of  
February, 1982.

  
Secretary

I hereby certify the foregoing to be a true and correct copy of By-law No. 229, which was reconsidered and adopted by the Regional Board of the Regional District of Central Okanagan on the 5th day of April, 1982.

Dated at Kelowna, B.C.  
this 16th day of  
April, 1982.

  
Secretary