

FAXED



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September 14, 2007

File: 01 002 27242A
Your File: 06-449/06-476-S

Al Grozell
c/o Fern Road Consulting Ltd.
Box 405
QUALICUM BEACH BC V9K 1S9

VIA FACSIMILE ONLY – 1 Page – (250) 752-9241

**RE: Proposed Road Closure thru Part of District Lot 85, Newcastle District,
Parcel 'A' (DD19772W) of Lot 14, Plan 2018 – New Island Highway Gazette**

The ministry has reviewed your request to close a portion of road right-of-way fronting your property and must advise you that we are not prepared to recommend closure. This road right-of-way may be required in the future as road alignments in this area have not been finalized.

If you have any questions, please do not hesitate to contact me at (250) 751-3263, or via e-mail at Nick.Vandermolen@gov.bc.ca.

Yours truly,

Nick Vandermolen
Deputy Approving Officer

NPV/kp/27242A

Cc: Regional District of Nanaimo – Via Fax only

Multi Communication Report

SEP-14-2007 02:26 PM FRI

Xerox WorkCentre 4118 Series

Machine ID : MOT
Serial Number : YHT734721.....
Fax Number : 2507513289

Ref. Name :
Pages : 1

1. Successful

Fax Number	Name
812507529241	SIMS ASSOCIATES
93907511	RDN PLANNING

2. Unsuccessful

Fax Number	Name
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3. Multi Communication Journal

No.	Name/Number	Start Time	Time	Mode	Page	Results
1888812507529241		09-14 02:25PM	00' 24"	ECM BC	001/001	O.K
188893907511		09-14 02:26PM	00' 14"	ECM BC	001/001	O.K

Fern Road Consulting Ltd.

File No. 06-449-S
File No. 06-476-R

2007-01-09

Ministry of Transportation
Development Services
3rd Floor - 2100 Labieux Road
Nanaimo, B.C.
V9T 6E9

Attn: Nick Vandermolen

**Re: Road Gazette 24th November, 1977 – Eastdowne & Coburn – Bowser ^B
and
Road Closure adjacent to Parcel A(DD19772W) of Lot 14, PL 2018, DL 85 ^A**

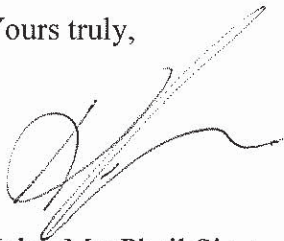
Our clients would like to close both the above road dedications.

Accordingly, we are sending:

- title searches of adjacent lots
- applications to close Road
- client's cheque for \$1,500 (additional cheque for \$1,500 will follow separately)
- composite plans
- aerial photos of each site
- letters of authorization

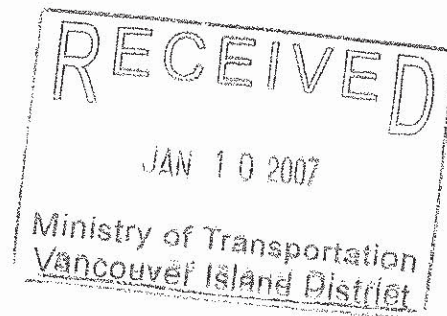
Please phone me if you need any additional information.

Yours truly,



Helen MacPhail Sims
HMS:lr

Enclosures





**APPLICATION FOR PERMISSION TO DISCONTINUE, CLOSE AND
ACQUIRE THE LAND IN A PUBLIC ROAD ALLOWANCE**

I [We], being the registered owner[s] of the property herein described, make application to discontinue, close and acquire the land in a public road allowance as follows"

Name of Public Road

Island Highway

Legal Description of Property

Parcel A (DD 19772W) of lot 14, DL 85, Newcastle
District Plan 2018, Except Part in Plan 34803

Location

Crosley Road / Island Highway / Sundry Rd. Bowser.

Current certificate of titles and a sketch of all parcels adjoining the road or that portion of the road applied to be closed are attached. Subject to the Ministry of Transportation and Highways (MoTH) declaring the land surplus to its needs, we accept and agree to the following conditions and statements:

- a) There is a minimum \$1,500 fee for the market value of the land payable as a non-refundable application fee within 30 days of receiving written notice from MoTH that the subject road is surplus to its needs and available for the purpose of consolidation with the adjoining land. This fee is payable by the Applicant[s] prior to MoTH completing an appraisal report to estimate market value of the land and negotiation to procure a purchase/sale agreement. If the referenced fee is not paid within 30 days of notice, MoTH will consider the application terminated. In the event the market value of the land exceeds \$1,500, then the application fee will be set-off against the market value of the land.
- b) Payment for the area of road to be closed is based on fair market value of the land, having regard to the contribution in value to the adjoining lands and its highest and best use.
- c) The costs of [include where closure is a s. 5 road][legal survey, Property Transfer Tax, Land Titles and documentation fees, legal and conveyancing fees], newspaper advertising fees and related expenses are payable by the Applicant[s].
- d) Utilities existing within the road must receive freely granted statutory right-of-way and all Land Title Act requirements must be met.

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Sims Assoc.

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p.3

- e) Where the road or part intended to be discontinued and closed is in actual use by a person as a highway, public notice of the minister's intention to discontinue and close the highway will be published once each week for four consecutive weeks in a newspaper published in the Province and circulated in the locality in which the highway or part of it is situated. All cost of publication will be the responsibility of the Applicant(s) and objections received must be satisfactorily resolved prior to the road being closed by formal publication of notice in the BC Gazette.

- f) The closed road area must initially be joined to and become part of the adjoining parcels.

Prior to recommending approval of the proposed road closure, an Aboriginal Site Characteristic Report and a Contamination Report may be required and the Ministry may require additional conditions to be met during the review and processing of the application. The procedure for road closure, purchase and sale is time consuming and may involve the general public, affected property owners, First Nations Indian Bands, utility companies, local government and other provincial agencies. Final approval can only be granted when the public interest in the road has been thoroughly considered.

Upon determination that the road may be closed as surplus to Ministry needs, Regional Properties will be responsible for negotiating the sale price of the land on behalf of the BC Transportation Financing Authority for consolidation with the adjoining land parcel. If the road is capable of being marketed as an independent parcel with safe and secure access, the matter will be deferred to BCTFA.

I [We] am [are] in agreement with the foregoing statements and financial obligations and I [We] agree to comply with the stated requirements and acknowledge agreement with my [our] signature[s] as follows:

Alan Dale Grozell
Name (please print)

S22

Signature

Jan 13/07
Date

S22

Mailing Address

Margaret Mary Grozell
Name (please print)

S22

Signature

Jan. 13/07
Date

S22

Mailing Address

Pages 6 through 7 redacted for the following reasons:

s. 3



Map printed on: Tue Nov 07 09:07:15 2006

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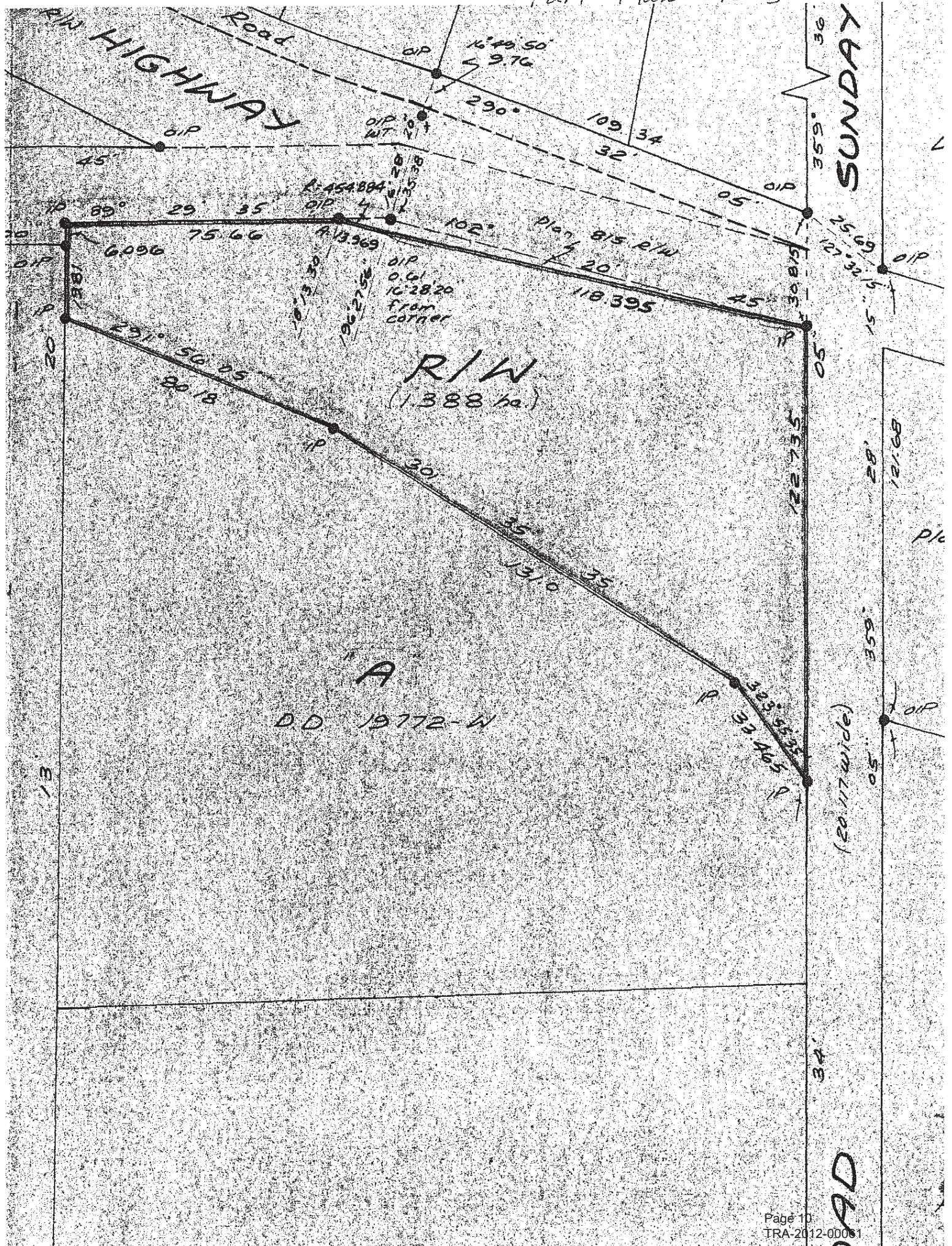
Disclaimer: The information on this map is provided for convenience only. Please contact RDN Staff for authenticated property information.

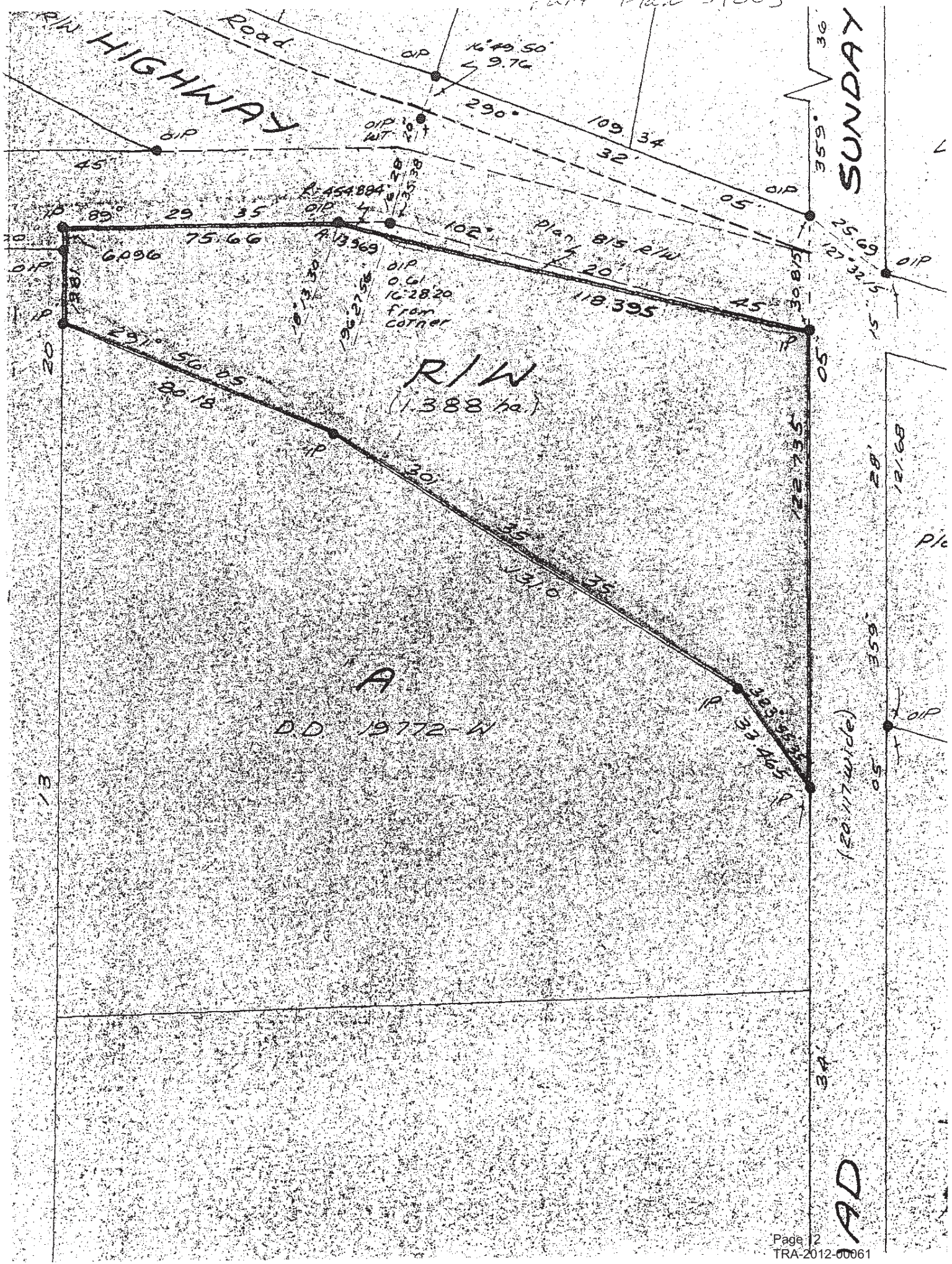
Comments: .

Regional District of Nanaimo
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s. 22





SUNDAY

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R/W
(1.388 ha.)

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D.D. 1972-W

