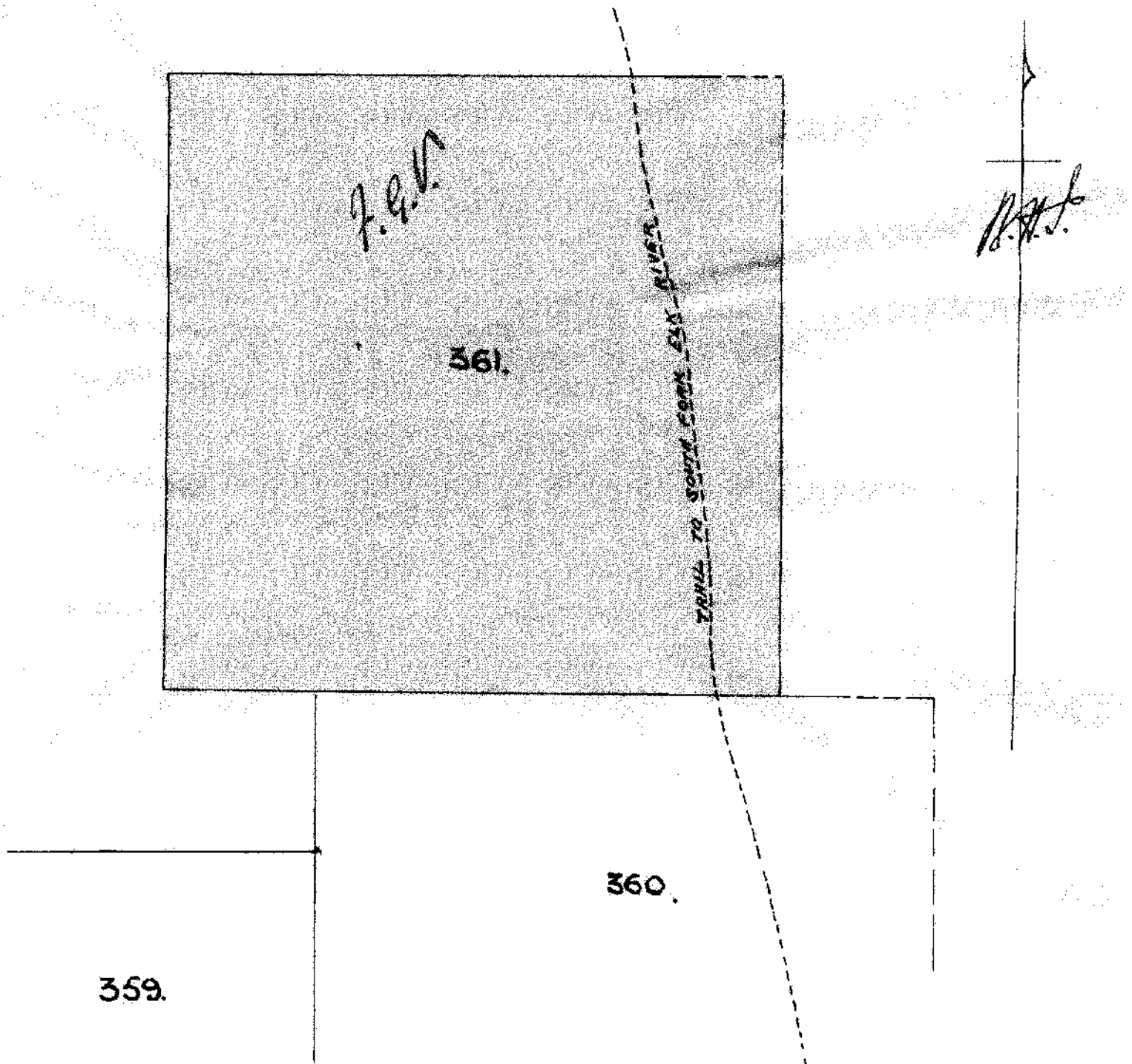


KOOTENAY DISTRICT.

COLUMBIA AND KOOTENAY RAILWAY AND NAVIGATION CO. *CG. 401*
69

Scale, Forty Chains = One Inch.



Province of
BRITISH COLUMBIA.

J. G. Vernon

Chief Commissioner of Lands and Works.

No. 401
69

Deputy Commissioner.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland,
Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, Greeting:

Know ye, that WE do by these presents, for US, Our Heirs and Successors, in consideration of the
fulfilment of the provisions of the Columbia and Kootenay Railway Subsidy Act 1894 and in pursuance
and the sum of One Dollar

to US paid, give and grant unto The Columbia and Kootenay Railway
and Navigation Company
their ^{successors} heirs and assigns, All that Parcel or Lot of Land situate in Kootenay
District, said to contain Two thousand five hundred and sixty acres,
more or less, and more particularly described on the map or plan hereunto annexed and coloured red, and numbered
Lot Three hundred and sixty one (361) Group One (1)

on the Official Plan or Survey of the said Kootenay District,
in the Province of British Columbia, to have and to hold the said Parcel or Lot of Land, and all and singular the
premises hereby granted, with their appurtenances, unto the said Columbia and Kootenay
Railway and Navigation Company
their ^{successors} heirs and assigns for ever.

PROVIDED, NEVERTHELESS, that it shall at all times be lawful for Us, Our Heirs and Successors, or
for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which
it may be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility
or convenience; so nevertheless that the land so to be resumed shall not exceed one-twentieth part of the whole of
the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may have been
erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings.

PROVIDED, also, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or
persons acting under Our or their authority, to enter into and upon any part of the said lands, and to raise and get
thereout any minerals precious or base (other than coal) which may be thereupon or thereunder situate, and to use and
enjoy any and every part of the same land, and of the easements and privileges thereto belonging, for the purpose of
such raising and getting, and every other purpose connected therewith, paying in respect of such raising, getting and
use, reasonable compensation.

PROVIDED, also, that there shall be, and there is hereby reserved to Us, Our Heirs and Successors, a royalty
of five cents upon and in respect of each and every ton of coal raised or gotten from the lands hereby granted.

PROVIDED, also, that it shall be lawful for any person duly authorized in that behalf by Us, Our Heirs and
Successors, to take and occupy such water privileges, and to have and enjoy such rights of carrying water over,
through, or under any parts of the hereditaments hereby granted, as may be reasonably required for mining or agricul-
tural purposes in the vicinity of the said hereditaments, paying therefor a reasonable compensation to the aforesaid

Columbia and Kootenay Railway and
Navigation Company ^{successors} their heirs or assigns.

PROVIDED, also, that it shall be at all times lawful for any person duly authorized in that behalf by Us,
Our Heirs and Successors, to take from or upon any part of the hereditaments hereby granted, without compensation,
any gravel, sand, stone, lime, timber, or other material which may be required in the construction, maintenance, or
repair of any roads, ferries, bridges, or other public works.

In testimony whereof, We have caused these Our Letters to be made Patent, and the
Great Seal of Our Province of British Columbia to be hereunto affixed. Witness His
Honour Edgar Brindley Lieutenant-Governor
of Our Province of British Columbia and its Dependencies, at Our Government House, in Our City
of Victoria, this thirteenth day of February in the
year of Our Lord One thousand eight hundred and ninety three, and in the
fifty sixth year of Our Reign.

By Command.

Provincial Secretary.

KOOTENAY ELECTORAL DISTRICT

Establishing Right-of-way for
Elko-Grasmere Road 6

NOTICE is given, pursuant to section 8 of the *Highway Act*, that all that part of Sublot 8 of District Lot 360, Kootenay District, Plan X40, as shown outlined in red on a plan recorded in the Provincial Department of Highways, Victoria, B.C., on File 433 (being a copy of Highway District Plan 21-63), is hereby established as public highway.

GRAHAM LEA
Minister of Highways
Department of Highways,
Parliament Buildings,
Victoria, B.C., October 2, 1975.
File 433/317821 oc2-8175

B-627

KOOTENAY ELECTORAL DISTRICT

Establishing Right-of-way for Elko-
Grasmere Road 6

NOTICE is given, pursuant to section 8 of the *Highway Act*, that all that portion of Sublot 9, District Lot 360, Plan X40, Kootenay District, as shown outlined in red on a plan recorded in the Provincial Department of Highways, Victoria, B.C., under "Road Surveys 4622" (being a copy of Highway District Plan 21-64), is hereby established as public highway.

GRAHAM LEA
Minister of Highways
Department of Highways,
Parliament Buildings,
Victoria, B.C., August 28, 1975.
File 433/316180 se4-8096

B-628

KOOTENAY ELECTORAL DISTRICT

Establishing Right-of-way for Elko-
Grasmere Road 6

NOTICE is given, pursuant to section 8 of the *Highway Act*, that all those portions of Sublots 1 and 2, District Lot 361, Plan X40, Kootenay District, as shown outlined in red on a plan recorded in the Provincial Department of Highways, Victoria, B.C., under "Road Surveys 4623" (being a copy of Highway District Plan 21-66), are hereby established as public highway.

GRAHAM LEA
Minister of Highways
Department of Highways,
Parliament Buildings,
Victoria, B.C., August 28, 1975.
File 433/316179 se4-8096

B-626

KOOTENAY ELECTORAL DISTRICT

Establishing Right-of-way for Elko-Gras-
Road 6 and Canyon Cut-off
Road 57

NOTICE is given, pursuant to Section 8 of the *Highway Act*, that all that portion of Sublot 7, District Lot 361, Plan X40, Kootenay District, as shown outlined in red on a plan recorded in the Provincial Department of Highways, Victoria, B.C., under "Road Surveys 4624" (being a copy of Highway District Plan 21-67), is hereby established as public highway.

GRAHAM LEA
Minister of Highways
Department of Highways,
Parliament Buildings,
Victoria, B.C., August 28, 1975.
File 433/316065 se4-8096

B-642

KOOTENAY ELECTORAL DISTRICT

Establishing Additional Right-of-way for
Elko-Grasmere Road 6

NOTICE is given, pursuant to section 8 of the *Highway Act*, that all those portions of Sublots 15 and 16, Plan X40, District Lot 360, Kootenay District, as shown outlined in red on a plan recorded in the Provincial Ministry of Highways and Public Works, Victoria, B.C., under "Road Surveys 5084" (being a copy of Highway District Plan 21-65), are hereby established as public highway.

ALEX. V. FRASER
Minister of Highways and
Public Works
Ministry of Highways and
Public Works,
Parliament Buildings,
Victoria, B.C., April 21, 1977.
File 433/333361 ap28-284

June 30, 2015

File: Elko-Grasmere Road

s.22

RE: 1655 Elko-Grasmere Road Accesses

Dear s.22

The Ministry of Transportation and Infrastructure Rocky Mountain District staff has reviewed the information regarding the current accesses to 1655 Elko-Grasmere Road and s.22 claim for a Transportation Act Section 42 status on the residential access.

Establishment of a Section 42 road requires a BC Supreme Court ruling. Proponents for the claim must present the case before the BC Supreme Court with the onus on the proponents to prove the road meets Section 42 requirements.

Historical documentation with regards to the construction and maintenance of Elko-Grasmere Road can be supplied by the Ministry of Transportation during legal proceedings.

In regards to s.22 southern access, there is no surveyed right of way for Elko-Grasmere Road through DL 361 Sublots 15 and 16. The fencing constructed by the adjacent property owner that restricts your access is beyond the travelled and maintained portion of Elko-Grasmere Road.

If you have any questions or would like to discuss this matter in further detail, please contact myself at 250-919-5784 or by email at Jason.Templeton@gov.bc.ca.

Sincerely,



Jason Templeton, B.A.
Area Manager, Roads
Ministry of Transportation and Infrastructure
Rocky Mountain District
Phone: 250-426-1502
Cell: 250-919-5784

cc: Leslie Elder, A/District Manager, MOTI
Gord Chudleigh, District Operations Manager, MOTI

**Ministry of
Transportation and
Infrastructure**

Rocky Mountain District

Address:
129 – 10th Avenue South
Cranbrook, BC V1C 2N1
Telephone: (250) 426-1500
Fax: (250) 426-1523

www.gov.bc.ca/tran

Road Name

ELKO-GRASMERE ROAD

Contract Area

11 EAST KOOTENAY

Route/Road No

6

Area Manager Area

B FERNIE

Electoral District

Arterial No

Sub Area

0.00%

20 KOOTENAY

0.00%

0.00%

0.00%

CLASSIFICATIONS

FUNCTION		SURFACE		OPERATION			
Organized:		A-PC	0.000	Summer		Winter	
Arterial	0.000	A-BPM	0.000	1	0.000	A	0.000
Secondary	0.000	O	0.000	2	0.000	B	0.000
Unorganized:		B	2.981	3	0.000	C	4.957
Trunk	0.000	T	0.000	4	0.000	D	5.478
Main	0.000	C	7.348	5	0.845	E	0.000
Collector	0.000	D	0.000	6	6.681	F	17.795
Minor	28.130	Total open	10.335	7	2.809		
Unconstructed:		E	2.882	8	17.795		
0.000		F	14.913				
Total open		Total unopen	17.795				
28.130		Total	28.130	Total	28.130	Total	28.130

Definitions of these classifications may be found in the Manuals of Policy and Procedures and Maintenance Management

Initial Point

: S BDY LOT5 BLK34 PLAN 1006 DL 227 KD

Terminal Point

: #61 GRASMERE - DORR ROAD

Establishment:

When 68/09/10 SEPTEMBER 1968

How SECTION 4 HWY ACT, PLANS 1006 & 6820 & 1110
DL 227 KD

Date Compiled

: 88/02/01

or Revised

: //

//

Remarks

: 1912 - CONSTRUCTED
1980 - COLDMIX 3.1 KM'S
NOT MAINT. KM10.84 - 14.59 & KM 24.57 - 28.93
RECON. KM20.77 - 25.57 (1974)
GAZETTE NOTICES P36,37,38,39 & 109

Road Name: ELKO-GRASMERE ROAD

Road No: 6

Km	Junctions and Structures	Legal Status	R/W Width	References/Landmark
0.000	GRASMERE-DORR ROAD 8F	PLAN 6820 / / DL 227 KD	20.117 M	INT MAP G3E & G6W 46649 + 0.000
3.560	ELKO/ROOSEVILLE HWY ~ 6C	SECTION 4 / /	TRAV	46659 + 0.000
5.137	RED CREEK BRIDGE 6C	GAZETTE / / PAGES 36,37,38,39 &109	20.384 -	46669 + 0.000
5.143	RED CREEK BRIDGE 6C	/ /		46679 + 0.000
7.668	CANYON CUT-OFF ROAD 6C	/ /		46689 + 0.000
12.404	END MAINTAINED ROAD - 8F	/ /		46694 + 4.736 0.000
23.757	ELKO-ROOSVILLE HWY 6D	/ /		46729 + 11.353 0.000
24.403	END MAINTAINED ROAD 8F	/ /		46733 + .686 0.000
27.285	BEGIN MAINTENANCE 5D	/ /		46735 + 2.882 0.000
28.130	CASCADE AVENUE	/ /		46739 + 845 0.000

DETAILS OF ROAD

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

Road Name Elko-Grasmere Route/Road No 5
Electoral District East Kootenay Arterial No Page
Highway District Fernie Foreman Area Jaffray

CLASSIFICATIONS

FUNCTION	SURFACE	MAINTENANCE	
Organized:	A-PC	Summer	Winter
	A-BPM	1	A
	Arterial	2	B
Secondary	B 3.10	3	C 3.10
Unorganized:	C 8.99	4	D 8.99
	D	5	E
	Trunk	Total open 12.09	F 16.04
Main	E	6	7
Collector	F 16.04	7	8
Minor	Total net 16.04	8	
Total open 12.09	Total 28.13		

Definitions of these classifications may be found in the Manuals of Policy and Procedures and Maintenance Management

Initial Point S. Bdy, Lot 5 Blk. 34 Plan 1006 D.L. 227 K.D.
Terminal Point # 61 Grasmere - Dorr Rd.

Establishment: When September 1968 & No Record

How Section 4 of the Highways Act & Plans 1006 & 6820

1110 D.L. 227 K.D.

Date Compiled Feb/83
or Revised Feb/88

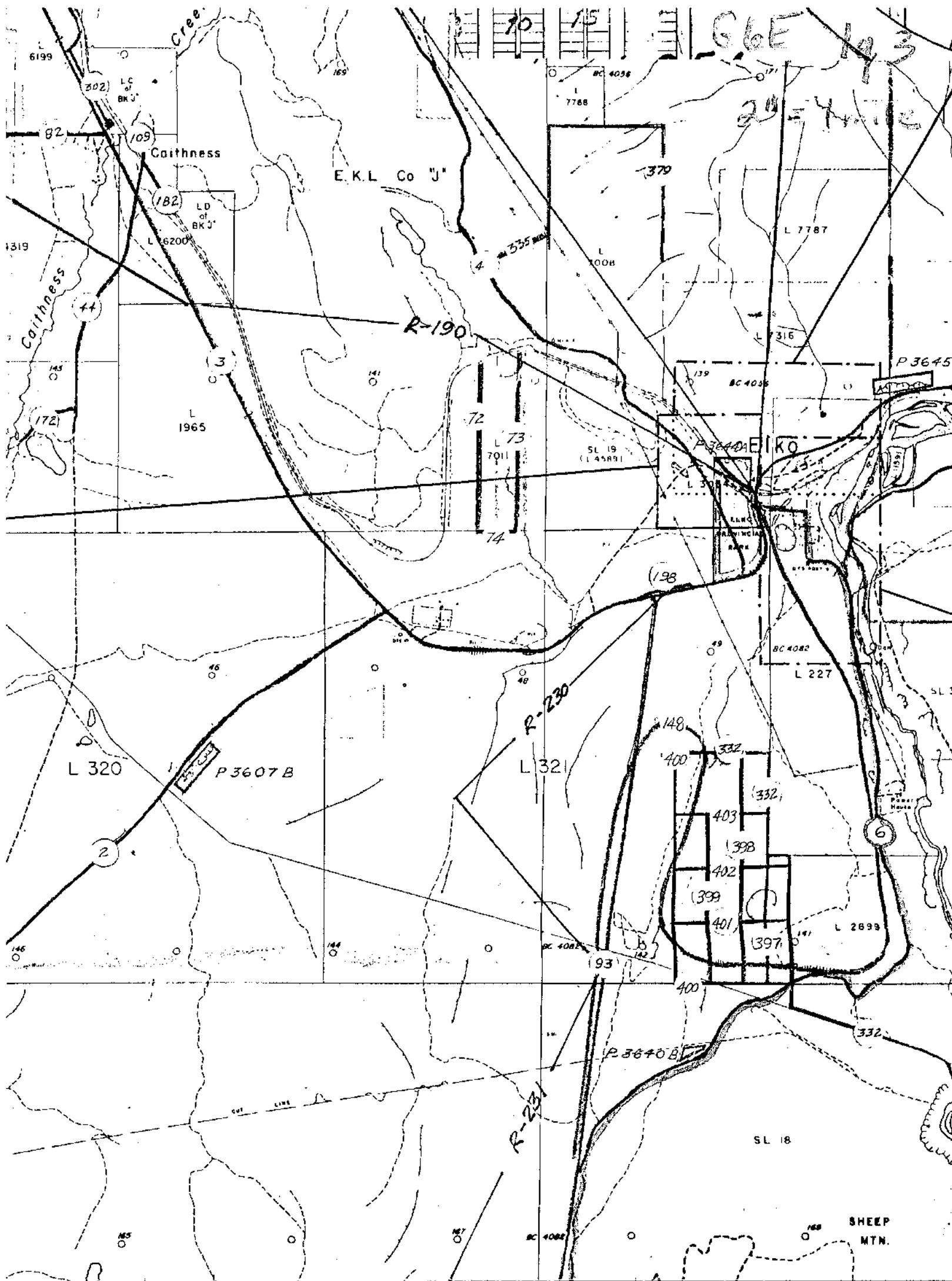
Remarks 1912- Constructed
1980- Coldmix 3.1 km's

Not Maintained Km. 1084 to 14.59 & Km. 24.57 to 28.93
Reconstructed between Km. 20.77 to 25.10 in 1974.
Gazette Notices Pages 36, 37, 38, 39 & 109

KILOMETRE LOG

Km.	Junctions and Structures	Legal Status	R/W Width	References
0.00	Cascade Ave. # 214			
3.81	A.N.C. Crossing	Legal Survey 1968	20.117	Plan 6820 D.L. 227 K.D.
5.42	Km. 3.90 # 93 Elko-Rooseville Hwy.	Section 4	Travelled Portion	Interim Map G3E & G6W
10.84	Km. 2.70 # 64 Cutts Rd.			
14.59	Old Canyon Bridge			
20.77	# 57 Canyon Cut-off Rd.	Highway Survey	20.384	Gazette Notice Pages : 36,37, 38, 39 & 109
22.98	# Q6782B Red Cr. Bridge	Section 4		
24.57	Km. 21.55 # 93 Elko-Rooseville Hwy.		24.384	
28.13	# 61 Grasmere-Dorr Rd.			





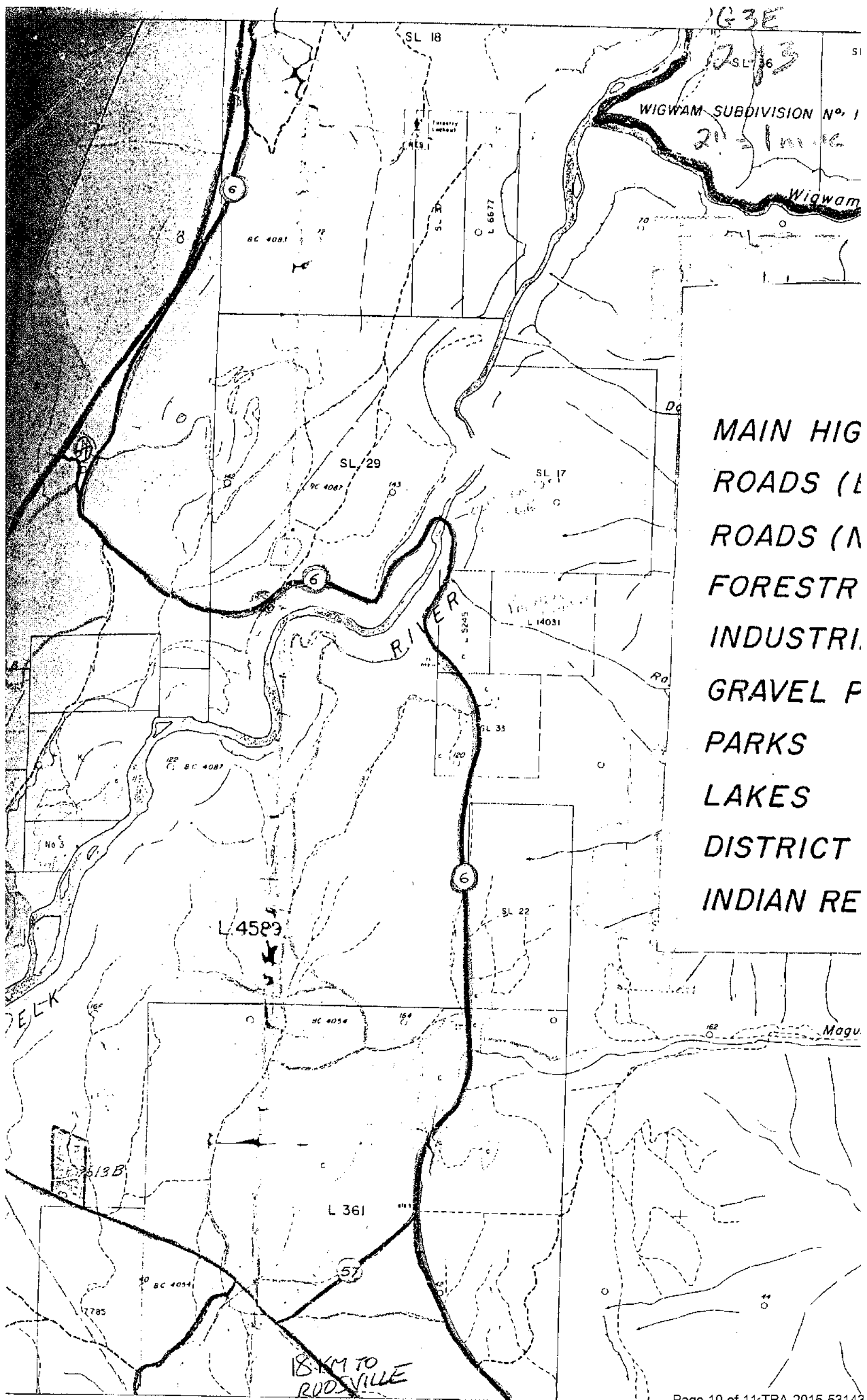
TO SOUTH SEE MAP A-82 G/3 E

AIR SURVEY DIVISION

MAP A-82G/6 E

SCALE: 2 INCHES TO 1 MILE

COMPILATION SCALE 4 INCHES TO 1 MILE



MAIN HIGH
ROADS (L
ROADS (A
FORESTR
INDUSTRI
GRAVEL P
PARKS
LAKES
DISTRICT
INDIAN RE

L 361

G35E

20/3
211 = miles

18 KM TO
ROOSEVILLE

Canyon Creek

Red

L 360

GRASMERE

VALEY

SL 44

SL 41

Flag Cr.

SL 24

Willie

Phillipps

Creek

Loon Lake

L 357

SL 40

L 489

SL 31

SL 42

L 11314

Reserve

Edwards
Lakes

R3656.3

SL 46

178

Grasmere
(Sett)

L 7012

SL 47

Scherf

#115
LEICHE RD
Gazette
DIST PLAN 21-81
421-74
10/80
Arconner

Closed by
Gazette
Aug 28/86
plan 21-103