

HWYS INFORMATION, & RECORDS SERVICES TRAN:EX

From: Thomas, Emily TRAN:EX
Sent: Monday, April 11, 2016 4:42 PM
To: HWYS INFORMATION, & RECORDS SERVICES TRAN:EX
Subject: FW: Peter's IR Section 35
Attachments: CLSR5254.pdf; CLSR70337.pdf; CLSR70337_annotated.pdf; PCO1960-1589_3209-84.pdf; PCO1986-2667_109627R.PDF; PCO1989-636_203048.pdf

From: Thomas, Emily TRAN:EX
Sent: Wednesday, February 25, 2015 11:48 AM
To: Woollacott, Greg C TRAN:EX
Cc: Stewart, Garth TRAN:EX
Subject: RE: Peter's IR Section 35

Hi Greg,

Further to our conversation, attached are the plans and Privy Council OICs for Peters Indian Reserve 1, as well as an annotated version of CLSR 70337 to accompany the following summary compiled by one of our researchers.

The Trans-Canada Highway was transferred to the Province by two PCOs;

PCO 1960-1589 dated November 25, 1960 transferred the administration and control of 16.8 acres from Peters IR 1 to the Province as shown on CLSR 5254 for road purposes (orange on annotated CLSR 70377).

PCO 1986-2677 dated November 27, 1986 transferred the administration and control of 5.985 hectares from Peters IR 1 to the Province as shown on CLSR 70377 (red on annotated CLSR 70377) for highway purposes and other works of public utility including; footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity, lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission of cablevision, lines of fibre optics, and pipelines for transmission of district steam.

PCO 1989-636 dated April 13, 1989 accepted administration and control of 902.4 square meters of land from the Province and set apart the lands for the use and benefit of the Peters Band as an addition to Peters IR 1 (brown on annotated CLSR 70377).

Hope this helps.

Emily

From: Woollacott, Greg C TRAN:EX
Sent: Wednesday, February 25, 2015 10:41 AM
To: Thomas, Emily TRAN:EX
Subject: FW: Peter's IR Section 35

Emily,

Could you please call me on this matter. It's urgent. Thanks.

- Greg

Greg C. Woollacott, B.S.F., M.Sc.(Planning), R.P.F.
Regional Manager, Planning & Partnerships

Ministry of Transportation & Infrastructure
Northern Region
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Prince George, BC
V2L 3H9

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From: Johnson, Kristen TRAN:EX
Sent: Wednesday, February 11, 2015 3:03 PM
To: Woollacott, Greg C TRAN:EX
Cc: Neill, Mike D TRAN:EX
Subject: Peter's IR Section 35

Hi Greg,

I'm hoping you might be able to help or steer us in the right direction on a Section 35 issue.

The Ministry's routing review group for Kinder Morgan's project has s.13 . As Section 35 agreements vary on clauses that allow for permitting of third party utilities within the MOTI right of way we require the Peter's IR agreement to verify if the approving responsibility would fall to the Ministry or the Peter's Nation. The Section 35 document has been requested from Garth Stewart, but we have not received a response.

Are you able to assist us in finding the Section 35 agreement for this reserve or provide us with a name of someone who can help?

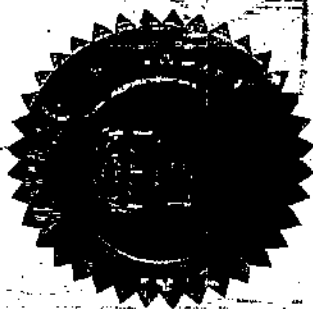
Sincerely,

Kristen Johnson

Senior District Development Technician
Ministry of Transportation & Infrastructure

Prince George
Office: (250) 565-6388
Fax: (250) 565-6820

153/31-4-30-1A

Sale No. 2
Peters I.R.#1

Dept. of Citizenship & Immigration
OTTAWA
NOV 28 1960



Dept. of Citizenship & Immigration
OTTAWA
NOV 28 1960
MINISTER'S OFFICE

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 25th day of NOVEMBER, 1960

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Minister of Highways, Province of British Columbia, has applied for the lands herein-after described, being a portion of Peters Indian Reserve number one in the said Province, for road purposes;

AND WHEREAS the Council of the Peters Band of Indians, for whose use and benefit the said Reserve has been set apart, have by resolutions dated the 10th day of May, 1956, and the 2nd day of April, 1957, approved the application in consideration of the sum of Four Hundred and Eighty-nine Dollars (\$479) which has been paid by the Province.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Citizenship and Immigration, pursuant to section 35 of the Indian Act, is pleased hereby to consent to the taking of the said lands by the Province of British Columbia and to transfer the administration and control thereof to Her Majesty in right of the Province of British Columbia:

Description

In the province of British Columbia, in the 11th Division of the Yale District, in Peters Indian Reserve number one, the whole of a right-of-way according to plan number fifty-two hundred and fifty-four in the Canada Lands Surveys records at Ottawa, a copy of which has been deposited at the Land Registry Office for the New Westminster Land Registration District at New Westminster under number twenty-one thousand two hundred and ninety; said right-of-way containing by measurement sixteen acres and eighteen hundredths of an

...2

acre, more or less, subject however to a grant of easement to British Columbia Electric Company Limited dated July 2, 1953, for a power line right-of-way as shown on Plan M3643, Canada Lands Surveys Records, and further subject to a grant of easement to Trans Mountain Oil Pipeline Company dated December 10, 1958, for an oil pipeline right-of-way as shown on Plan 4591, Canada Lands Surveys Records.

Reserving all mines and minerals whether solid, liquid or gaseous which may be found to exist within, upon or under such lands, together with full power to work the same and for this purpose to enter upon, use and occupy the said lands or so much thereof and to such extent as may be necessary for the effectual working and extracting of the said minerals.

Certified to be a true copy.

R. B. Boyce

Clerk of the Privy Council.

CANADA

The Council of the.....PETERS.....Band of Indians,
(Name of Band)
in the.....NEW WESTMINSTER.....Indian Agency,
(Name of Agency)
in the Province of BRITISH COLUMBIA.....at a meeting, held at LAIDLAW, B. C.....
(Name of Province in full) (Name of Place)
this.....Second.....day of April.....A.D. 19 57.....
(In Full) (Month)

BE IT HEREBY RESOLVED THAT we grant the sale and transfer of this additional area to the Province of British Columbia at the same rate of One Hundred Dollars (\$100.00) per acre, subject to being provided with the necessary legal survey.

FOR HEADQUARTERS USE ONLY					
1. TRUST ACCT	2. CURRENT BALANCES		3. Expenditure \$	4. Authority Indian Act Sec.	5. Source of Funds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital \$	B. Revenue \$			
6. Recommended			7. Approved		
Date _____ Superintendent, Reserves and Trusts			Date _____ Director, Indian Affairs		

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH
BAND COUNCIL RESOLUTION

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.

The Council of the.....PETERS.....Band of Indians,
(Name of Band)
in the.....NEW WESTMINSTER.....Indian Agency,
(Name of Agency)
in the Province of.....BRITISH COLUMBIA.....at a meeting, held at.....PETERS INDIAN RESERVE.....
(Name of Province in full) (Name of Place)
this.....TENTH.....day of.....MAY.....A.D. 1956.....
(In Full) (Month)

Do HEREBY RESOLVE:

THAT WHEREAS by a letter dated April 19, 1956 the Provincial Department of Highways has applied to purchase a portion of Peters Indian Reserve No. 1 for the purpose of widening the Trans Canada Highway, and have offered an amount of \$50.00 per Ac. for a 4.47 acre portion, yet to be surveyed,

AND WHEREAS in the same letter the Province has agreed to purchase some 6.9 acres of additional lands situate on Peters I.R. No. 1, lying between the Trans Canada Highway and the Canadian National Railways, for which they have offered the sum of \$25.00 per acre,

BE IT HEREBY RESOLVED that we grant consent to the sale of the required 4.47 acre portion on Peters Indian Reserve No. 1 to the Province for Highway purposes at a rate of compensation based on \$100.00 per acre, the said acreage to be determined by legal survey.

BE IT FURTHER RESOLVED that inasmuch as the land required is Band owned, the said compensation is to be deposited in our Band Funds.

BE IT FURTHER RESOLVED that we do not accept the offer of the Province to purchase the 6.9 acres situate between the Highway and the Canadian National Railways.

BE IT FURTHER RESOLVED that permission is hereby granted to the Province to commence building operations at their pleasure, it being understood that should the road building program encroach on the property of Robert Peters, he will be entitled to compensation for damages.

.....	(Chief)
.....	<i>H. J. Peters</i> (Councillor)
.....	<i>R. J. Peters</i> (Councillor)
.....	<i>W. J. Peters</i> (Councillor)
.....	<i>F. J. Peters</i> (Councillor)

FOR HEADQUARTERS USE ONLY						
1. TRUST	2. CURRENT BALANCES		3. Expenditure	4. Authority	5. Source of Funds	
ACCT	A. Capital	B. Revenue		Indian Act Sec.	<input type="checkbox"/> Capital	<input type="checkbox"/> Revenue
	\$	\$	\$			
6. Recommended			7. Approved			
Date			Date			
Superintendent, Reserves and Trusts			Director, Indian Affairs			

DEPARTMENT OF INDIAN AFFAIRS & NORTHERN DEVELOPMENT

REGISTRATION NO. 3209-84

O.C.P.C. 1960-1589

MEMORANDA AND ENDORSEMENTS

I certify that the within instrument is duly entered and registered in the Indian Land Registry, Department of Indian Affairs and Northern Development at Ottawa:

AT 8:55 O'CLOCK P.M. OF THE
..... 24 DAY OF Recorded
A.D. 19 70 NUMBER .. 3209-84
FOR Peter I.R. NO. 1
IN THE PROVINCE OF B.C.

Belle Davis
REGISTRAR

LAND REGISTRY



P.C. 1986-2667
27 November, 1986

PRIVY COUNCIL • CONSEIL PRIVÉ

WHEREAS Peters Indian Reserve No. 1 in the Province of British Columbia was set apart as such for the use and benefit of the Peters Band of Indians, and is a reserve within the meaning of the Indian Act;

WHEREAS the Ministry of Transport and Highways of the Province of British Columbia has applied to take the land described in Schedule "A" hereto, the said land being a portion of Peters Indian Reserve No. 1 in the said province, for highway and public utility purposes, in consideration of the following compensation:

- (i) cash in the amount of \$110,000.00, payable by the Government of the Province of British Columbia in the manner described in Schedule "C" hereto;
- (ii) the transfer of the administration and control of the lands described in Schedule "B" hereto to Her Majesty in right of Canada, to be set aside as a reserve for the use and benefit of the Peters Band of Indians;

AND WHEREAS the application has been approved by band council resolutions dated February 1, 1985, and October 1, 1986, copies of which are attached hereto as Schedules "D" and "E".

THEREFORE, HER EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Indian Affairs and Northern Development, is pleased hereby:

- (a) pursuant to subsection 35(1) of the Indian Act, to consent to the exercise by Her Majesty in right of the Province of British Columbia of the power of taking without the consent of the owner for highway purposes and other works of public utility, the land described in Schedule "A" hereto; and
- (b) pursuant to subsection 35(3) of the Indian Act, to authorize, in lieu of such taking without consent of the owner and subject to the payment by Her Majesty in right of the Province of British Columbia of compensation in accordance with Schedule "C" hereto

...../2

and on condition that the Province of British Columbia shall transfer the administration and control of the land described in Schedule "B" hereto to Her Majesty in right of Canada, the transfer of the administration and control of the land described in Schedule "A" hereto for highway purposes and other works of public utility, including: footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity, lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission for cablevision, lines of fibre optics, and pipelines for transmission of district steam, to Her Majesty in right of the Province of British Columbia for so long as the said land is being used for highway purposes and other works of public utility, provided that the administration and control of the said land shall revert to Her Majesty in right of Canada immediately upon the said land ceasing to be used for those said purposes.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ



CANADA

PRIVY COUNCIL • CONSEIL PRIVÉ

C.P. 1986-2667
27 novembre 1986

Attendu que la réserve indienne Peters (n°1), située dans la province de la Colombie-Britannique, est une réserve au sens de la Loi sur les Indiens et qu'elle a été mise de côté à l'usage et au profit de la bande indienne Peters;

Attendu que le ministère des Transports et de la Voirie de la province de la Colombie-Britannique a demandé que lui soient transférés les terres décrites à l'Annexe "A" ci-jointe, ces terres faisant partie de la réserve indienne Peters (n°1) située dans ladite province, à des fins de voie publique et d'autres éléments d'utilité publique, en considération de la compensation suivante:

- (i) moyennant le versement par le gouvernement de la province de la Colombie-Britannique de la somme de 110 000 \$ de la façon prévue à l'Annexe "C" ci-jointe;
- (ii) à condition que les terres décrites à l'Annexe "B" ci-jointe soient annexées de nouveau à la réserve.

Et attendu que le conseil de la bande indienne Peters a approuvé cette demande en vertu des résolutions en date du 1^{er} février 1985 et 1^{er} octobre 1986, qui constituent les Annexes "D" et "E" ci-jointes.

En conséquence, sur avis conforme du ministre des Affaires indiennes et du Nord canadien, il plaît à Son Excellence le Gouverneur général en conseil:

- a) en vertu du paragraphe 35(1) de la Loi sur les Indiens, de consentir à l'exercice par Sa Majesté du chef de la province de la Colombie-Britannique du pouvoir d'assumer, sans le consentement du propriétaire, à des fins de voie publique et d'autres éléments d'utilité publique, les terres décrites à l'Annexe "A" ci-jointe; et
- b) en vertu du paragraphe 35(3) de la Loi sur les Indiens, d'autoriser, au lieu de la prise de ces terres sans le consentement du propriétaire et pourvu que Sa Majesté du chef de la province de la

...../2

Colombie-Britannique verse une indemnité conformément à l'Annexe "C" ci-jointe et que la province de la Colombie-Britannique transfère à Sa Majesté du chef du Canada l'administration et le contrôle des terres décrites à l'Annexe "B" ci-jointe, le transfert de l'administration et du contrôle des terres décrites à l'Annexe "A" ci-jointe à des fins de voie publique et d'autres éléments d'utilité publique, dont des sentiers, des trottoirs, des pistes cyclables, des conduits de distribution d'eau, des tuyaux d'égout, des égouts pluviaux, des boîtes à lettres, des allées, des panneaux de signalisation, des lignes de distribution d'énergie, des lignes de transport d'énergie, des lignes téléphoniques, des lignes de câblo-distribution, des lignes de transmission par fibres optiques ainsi que des conduits d'acheminement de la vapeur utilisée dans le district, à Sa Majesté du chef de la province de la Colombie-Britannique, tant et aussi longtemps que lesdites terres seront utilisées à des fins de voie publique et d'autres éléments d'utilité publique, pourvu que l'administration et le contrôle desdites terres soient rendues à Sa Majesté du chef du Canada dès que ces terres ne seront plus utilisées auxdites fins.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ

This is Schedule A to Order in Council P.C. 1986 -

All those portions of Peters Indian Reserve No. 1, Yale Division of Yale District, in the Province of British Columbia which said portions are shown as Statutory Right-of-Way for Highway on plan 71749 deposited in the Land Titles Office at New Westminster. A copy of the said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said portions contain by admeasurement 5.985 hectares, more or less.

Subject to the following interest:

An easement to Trans Mountain Oil Pipeline Co. dated December 10, 1958 and recorded in the Indian Land Registry under registration number 3212-84 for an oil pipeline right-of-way as shown on CLSR Plan 4591.

This is Schedule B to Order in Council P.C. 1986 -

All that part of Highway Right-of-Way within Peters Indian Reserve No. 1, Yale Division of Yale District, in the Province of British Columbia as shown on plan 21290 deposited in the Land Titles Office at New Westminster and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 5254; which said part is shown cross-hatched on plan 71749 deposited in the said Land Titles Office and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said cross-hatched part contains by admeasurement 902 square metres more or less.

This is Schedule C to Order in Council P.C. 1986 -

Compensation to be paid to the following:

1. Robert Wilmer Peters No. [REDACTED] - Lot 12, Plan 154 R.S.B.C., 0.1498 hectares of land - \$ 2,753.72.
2. Peters Indian Band - Remainder of land as shown on C.L.S.R. Plan 70337, 5.8349 hectares of land - \$ 107,246.28.

La présente constitue l'annexe A du décret du Conseil C.P. 1986 -

Toutes les parcelles de terres de la réserve indienne Peters (n° 1) située dans la division de Yale du district de Yale, dans la province de la Colombie-Britannique, ces parcelles constituant l'emprise réglementaire d'une autoroute indiquée au plan n° 71749 déposé au bureau cadastral à New Westminster. Une copie dudit plan est versée aux Archives d'arpentage des terres du Canada sous le n° 70337.

Lesdites parcelles ont une superficie d'environ 5,985 hectares.

Sous réserve de l'intérêt suivant:

Une emprise à la Trans Mountain Oil Pipeline Co., datée du 10 décembre 1958 et inscrite au Registre des terres indiennes sous le no 3212-84, pour un oléoduc tel qu'indiqué sur le plan n° 4591 déposé aux AATC.

La présente constitue l'annexe B du décret de Conseil C.P. 1986 -

Toute la partie de l'emprise d'une autoroute située dans la réserve indienne Peters (n° 1), dans la division de Yale du district de Yale, dans la province de la Colombie-Britannique, figurant au plan n° 21290 déposé au bureau cadastral à New Westminster, dont une copie a été versée aux Archives d'arpentage des terres du Canada sous le n° 5254; laquelle partie figure en hachuré sur le plan n° 71749 déposé audit bureau cadastral, dont une copie a été versée aux Archives d'arpentage des terres du Canada sous le n° 70337.

La partie figurant en hachuré a une superficie d'environ 902 mètres carrés.

La présente constitue l'annexe C du décret du Conseil C.P. 1986 -

Des compensations seront versées:

1. à Robert Wilmer Peters, n° de bande [REDACTED] pour le lot 12, plan 154 R.S.B.C., 0,1498 ha - 2 753,72 \$.
2. à la bande indienne Peters, pour le reste de la parcelle de terre indiquée sur le plan n° 70337 versé aux AATC, 5,8349 ha - 107 246,28 \$.

Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord Canada

and Inuit Affairs

Affaires indiennes et inuit

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro consécutif

84-85/586-20

File Reference - N° de réf. du dossier

E5670-08084

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	VANCOUVER DISTRICT	Committed - Engagé	\$ _____
PROVINCE	BRITISH COLUMBIA	Current Revenue balance Solde de revenu	\$ _____
PLACE NOM DE L'ENDROIT	HOPE	Committed - Engagé	\$ _____
DATE <u>1</u> <u>Feb</u> AD 19 <u>85</u>	DAY - JOUR MONTH - MOIS YEAR - ANNEE		

85 FEB 8 P1:46

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring 5.9817 hectares as shown in red on the Province's drawing No. RL-174-04, RL-174-05 and RL-174-06 for road purposes and other works of public utility and convenience.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status, at no cost.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00, unless otherwise directed.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. RL-174-04.
4. The Province will construct an access road including installation of a cattle guard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattle guard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any destructive excavation in areas of archaeological value. The Peters Band will examine the areas of proposed minor excavation in the deceleration/acceleration lanes in order to determine what artifacts may exist, if any.
8. The Province will cold-deck all merchantable timber from the right-of-way area for the Band in the area crosshatched on the attached drawing.

A quorum for this Bande
Pour cette bande le quorum estconsists of
fixé à

2

Council Members
Membres du Conseil

9. The Province will allow the Band to have the excess rock and topsoil, such rock and topsoil to be placed as per agreement between excavation contractor and the Band.
10. The Highways Department or contractors acting on their behalf are hereby granted immediate access to the Reserve for purposes of survey and construction.

(Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital \$ _____ B. Revenue - Revenu \$ _____	3. Expenditure Dépenses \$ _____	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
6. Recommended - Recommandable Feb 26/85 Date		Approved - Approuvable Date Approving Officer - Approuvé par		

86-87/586-04

E5670-08084&08085

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS	Current Capital Balance Solde de capital	\$ _____
AGENCY		Committed - Engagé	\$ _____
DISTRICT	VANCOUVER	Current Revenue balance Solde de revenu	\$ _____
PROVINCE	BRITISH COLUMBIA	Committed - Engagé	\$ _____
PLACE NOM DE L'ENDROIT	HOPE		
DATE	1 DAY - JOUR		
	Oct MONTH - MOIS		
	AD 19 86 YEAR - ANNÉE		

DO HEREBY RESOLVE:

DÉCIDE, PAR LES PRÉSENTES:

86 OCT 2 A 8:14

AGREE TO THE draft submission attached as Schedule A, to the Privy Council for the transfer of 5.985 hectares of Peters I.R. #1 as shown on Plan C.L.S.R. 70337 to the Province of B.C. for highway and public utility purposes.

The Band agrees to the above in consideration of the following compensation:

- 1) Cash in the amount of \$110,000.00
- 2) The transfer of the administration and control of 902 squares as shown on Plan C.L.S.R. 70337 from the Province to Her Majesty the Queen in right of Canada to be set aside as reserve for the use and benefit of the Peters Band.

Further it is acknowledged and agreed that Robert Wilmer Peters, locatee of Lot 12, will be compensated from the \$110,000.00 in the amount of \$2,753.72 for the use of 0.1498 hectares of Lot 12.

The above was passed at an open Band Council Meeting as of the above date and place.

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à Two
Council Members
Membres du Conseil

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

[Signature]
(Chief - Chef)

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR	3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital \$			
	B. Revenue - Revenu \$			
6. Recommended - Recommandable		Approved - Approuvable		
<i>[Signature]</i> Date		<i>[Signature]</i> Date		
Recommending Officer - Recommandé par		Approving Officer - Approuvé par		

109627





Dec 1 10 23 AM '96

EXAMINED

ACCEPTED

INSPECTED

ABSTRACT ENTRIES CONFIRMED



CANADA

PRIVY COUNCIL • CONSEIL PRIVÉ

P.C. 1989-636
13 April, 1989

HER EXCELLENCY THE GOVERNOR GENERAL
IN COUNCIL, on the recommendation of the
Minister of Indian Affairs and Northern
Development, is pleased hereby to accept the
administration and control of the lands
described in the schedule hereto and to set
apart those lands for the use and benefit of
the Peters Band of Indians as an addition to
the Peters Indian Reserve No. 1, in the
Province of British Columbia.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME

ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ

SCHEDULE

All that part of the Trans Canada Highway through the Peters Indian Reserve No. 1, Y.D.Y.D., containing 902.4 square metres, more or less, as shown outlined in cross-hatching on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9708" (being a copy of plan deposited in the New Westminster Land Title Office as Plan 71749) and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 70337.



C.P. 1989-636 .
13 avril 1989 .

PRIVY COUNCIL • CONSEIL PRIVÉ

Sur avis conforme du ministre des
Affaires indiennes et du Nord canadien, il
plaît à Son Excellence le Gouverneur général en
conseil d'accepter l'administration et le
contrôle des terres décrites à l'annexe
ci-jointe et de les mettre de côté à l'usage et
au profit de la bande indienne Peters, à titre
d'ajout à la réserve indienne Peters n^o 1, dans
la province de la Colombie-Britannique.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME

ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ


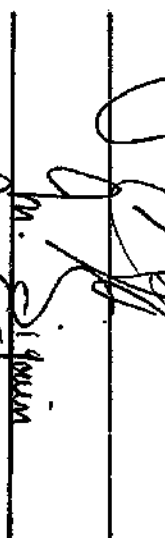
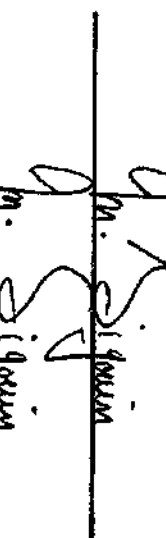

ANNEXE

Toute la partie de l'autoroute transcanadienne passant à travers la réserve indienne Peters n° 1, YDYP, renfermant environ 902,4 mètres carrés, telle qu'elle est indiquée au moyen de hachures en croisillons sur un plan d'arpentage enregistré au ministère provincial des Transports et des Routes, à Victoria (Colombie-Britannique), sous l'identification "Levés d'arpentage de route n° 9708" (qui est une copie du plan déposé au bureau cadastral de New Westminster à titre de plan n° 71749) et dont une copie est enregistrée dans le Registre d'arpentage des terres du Canada à titre de plan n° 70337.

Registration No. 203048

Date 31 May 1989

Time 14:30 pm

Examined	
Accepted	
Inspected	
Abstract Entries Confirmed	

Page 030 to/à Page 033

Withheld pursuant to/removed as

s.14;s.16;s.13

HWYS INFORMATION, & RECORDS SERVICES TRAN:EX

From: Thomas, Emily TRAN:EX
Sent: Monday, April 11, 2016 4:43 PM
To: HWYS INFORMATION, & RECORDS SERVICES TRAN:EX
Subject: FW: s.13,s.16

From: Neill, Mike D TRAN:EX
Sent: Wednesday, January 21, 2015 2:18 PM
To: Stewart, Garth TRAN:EX
Cc: Thomas, Emily TRAN:EX
Subject: s.13,s.16

s.13,s.16

Mike Neill

From: Stewart, Garth TRAN:EX
Sent: Wednesday, January 21, 2015 1:07 PM
To: Neill, Mike D TRAN:EX
Cc: Thomas, Emily TRAN:EX
Subject: RE: s.13,s.16

s.13,s.16

Garth

From: Neill, Mike D TRAN:EX
Sent: Wednesday, January 21, 2015 11:53 AM
To: Stewart, Garth TRAN:EX
Subject: RE: s.13,s.16

From: Stewart, Garth TRAN:EX
Sent: Thursday, December 4, 2014 12:29 PM
To: Neill, Mike D TRAN:EX
Subject: RE: s.13,s.16

Not yet.

From: Neill, Mike D TRAN:EX
Sent: Thursday, December 4, 2014 12:26 PM
To: Stewart, Garth TRAN:EX
Subject: RE: s.13,s.16

Hi Garth, have you had chance to look at the federal transfer documents for the TCH through Peters IR ?

Mike

From: Stewart, Garth TRAN:EX
Sent: November-21-14 2:08 PM
To: Neill, Mike D TRAN:EX
Cc: Nyland, Dirk TRAN:EX; Thomas, Emily TRAN:EX
Subject: s.13,s.16

s.13,s.16

Please note that the federal transfer is for "section 16 purposes and for no other purpose." Section 16 refers to section 16 of the *Ministry of Transportation and Highways Act*, before the *Transportation Act* was enacted in 2004. Section 16 read as follows.

Ministry of Transportation and Highways Act, RSBC 1996, c. 311, s. 16

Power to expropriate land

16 (1) The minister may acquire or expropriate any land, stream, water, watercourse, fence or wall, the appropriation of which the minister believes necessary for one or more of the following:

- (a) use, construction or maintenance of a government building, highway or public work;
- (b) use, construction or maintenance of hydraulic privileges made or created by, from or at a government building, highway or public work;
- (c) enlargement or improvement of or obtaining better access to a government building, highway or public work;
- (d) establishment of a reserve for protecting animals, birds or fishes;

(e) protection and control of the use of land adjacent to the right of way of a proposed, new or relocated highway, at places and for a depth at right angles to the highway, and for a distance along the highway, the minister considers necessary.

(2) The minister may for the purposes of this section contract with all persons, guardians or trustees, not only for themselves, their personal representatives and assigns, but also for and on behalf of those they represent, whether infants, absentees, mentally disordered or other persons otherwise incapable of contracting, who own or have an interest in the land, stream, water or watercourse.

(3) A contract, conveyance or other instrument made under subsection (2) is valid for all purposes.

s.13,s.14,s.16

If you have any questions, or would like to discuss, please feel free to call.

Garth

From: Neill, Mike D TRAN:EX
Sent: Friday, November 21, 2014 8:12 AM
To: Stewart, Garth TRAN:EX
Subject s.13,s.16

s.13,s.16

M.D. (MIKE) NEILL | SENIOR DEVELOPMENT TECHNICIAN
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
CHILLIWACK AREA OFFICE | 45890 VICTORIA AVE CHILLIWACK, BC V2P 2T4
T: 604-795-8206 | **C:** 604-793-8118 | **F:** 604-795-8214 |

Page 037 to/à Page 042

Withheld pursuant to/removed as

s.14;s.16;s.13

Pilkington, Kim TRAN:EX

From: Sanderson, Lynn TRAN:EX
Sent: Friday, December 5, 2014 2:46 PM
To: Stewart, Garth TRAN:EX
Cc: Thomas, Emily TRAN:EX
Subject: RE: Peters IR
Attachments: CLSR5254.pdf; CLSR70337.pdf; CLSR70337_annotated.pdf; PCO1960-1589_3209-84.pdf; PCO1986-2667_109627R.PDF; PCO1989-636_203048.pdf

Hi Garth,

The Trans-Canada Highway was transferred to the Province by two PCOs;

PCO 1960-1589 dated November 25, 1960 transferred the administration and control of 16.8 acres from Peters IR 1 to the Province as shown on CLSR 5254 for road purposes (orange on annotated CLSR 70377).

PCO 1986-2677 dated November 27, 1986 transferred the administration and control of 5.985 hectares from Peters IR 1 to the Province as shown on CLSR 70377 (red on annotated CLSR 70377) for highway purposes and other works of public utility including; footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity, lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission of cablevision, lines of fibre optics, and pipelines for transmission of district steam.

PCO 1989-636 dated April 13, 1989 accepted administration and control of 902.4 square meters of land from the Province and set apart the lands for the use and benefit of the Peters Band as an addition to Peters IR 1 (brown on annotated CLSR 70377).

I hope this is the information you require,

Lynn.

From: Stewart, Garth TRAN:EX
Sent: Thursday, December 4, 2014 3:57 PM
To: Sanderson, Lynn TRAN:EX
Cc: Thomas, Emily TRAN:EX
Subject: Peters IR

Hi Lynn – please see email string below. I've highlighted in yellow below the question that Mike Neil asked about the Peters Indian Reserve, and you can see my response to Mike, s.13,s.16
s.13 Please call if you have any questions. Garth

From: Neill, Mike D TRAN:EX
Sent: Thursday, December 4, 2014 12:26 PM
To: Stewart, Garth TRAN:EX
Subject: RE: s.13,s.16

Hi Garth, have you had chance to look at the federal transfer documents for the TCH through Peters IR ?

Mike

From: Stewart, Garth TRAN:EX
Sent: November-21-14 2:08 PM
To: Neill, Mike D TRAN:EX
Cc: Nyland, Dirk TRAN:EX; Thomas, Emily TRAN:EX
Subject: s.13,s.16

s.13,s.16

Please note that the federal transfer is for “section 16 purposes and for no other purpose.” Section 16 refers to section 16 of the *Ministry of Transportation and Highways Act*, before the *Transportation Act* was enacted in 2004. Section 16 read as follows.

Ministry of Transportation and Highways Act, RSBC 1996, c. 311, s. 16

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- (b) use, construction or maintenance of hydraulic privileges made or created by, from or at a government building, highway or public work;
- (c) enlargement or improvement of or obtaining better access to a government building, highway or public work;
- (d) establishment of a reserve for protecting animals, birds or fishes;
- (e) protection and control of the use of land adjacent to the right of way of a proposed, new or relocated highway, at places and for a depth at right angles to the highway, and for a distance along the highway, the minister considers necessary.

(2) The minister may for the purposes of this section contract with all persons, guardians or trustees, not only for themselves, their personal representatives and assigns, but also for and on behalf of those they represent, whether infants, absentees, mentally disordered or other persons otherwise incapable of contracting, who own or have an interest in the land, stream, water or watercourse.

(3) A contract, conveyance or other instrument made under subsection (2) is valid for all purposes.

s.13,s.14,s.16

Garth

Page 045

Withheld pursuant to/removed as

s.16;s.13



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

MINUTES OF DECISION

Instrument Date: 1879/06/13

Term:

Registration Number: 7470-244

Effective Date:

Registration Date: 1971/07/16 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose:

Land Affected: LEFT BANK OF FRASER RIVER ABOUT 13 MILES BELOW HOPE

Grantor(s): COMMISSIONER SPROAT

Grantee(s): 586 Peters

Remarks: ALLOTS RESERVE

OCPC

Instrument Date: 1911/08/12

Term:

Registration Number: 117003

Effective Date:

Registration Date: 1988/05/09 12:00:00AM

Expiry Date:

OCPC/MO Number: PC #1684

Purpose: RAILWAY

Area: 12.620 Acres

Land Affected: RIGHT OF WAY CLSR RR1795A

Grantor(s): CROWN CANADA

Grantee(s): CANADIAN NORTHERN PACIFIC RAILWAY COMPANY

Remarks: PC #1684, AUTHORIZES ACQUISITION OF RIGHT OF WAY - SEE PATENT 21743 DATED SEPTEMBER 19, 1929 - SALES BOOK #1, FOLIO 403, SALE 1 - SALE & PATENT STATE 11.64 ACRES



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

OCP

Instrument Date: 1913/01/25

Term:

Registration Number: 1016-1

Effective Date:

Registration Date: 1970/04/02 12:00:00AM

Expiry Date:

OCP/MO Number: PC #205

Purpose:

Area: 335.000 Acres

Land Affected: YALE DISTRICT TWP 4 RGE 28 W6M

Grantor(s): CROWN CANADA

Remarks: PC #205 WITHDRAWN FROM OPERATION OF RAILWAY BELT REGULATIONS

MINUTES OF DECISION

Instrument Date: 1914/08/14

Term:

Registration Number: 112954

Effective Date:

Registration Date: 1987/07/20 12:00:00AM

Expiry Date:

OCP/MO Number:

Purpose:

Area: 335.000 Acres

Land Affected: SEC 13 TWP 4 RGE 28 W6M LEFT BANK OF FRASER RIVER YALE DISTRICT

Grantor(s): ROYAL COMMISSION

Grantee(s): 586 Peters

Remarks: CONFIRMS RESERVE VOL.II PAGE 514



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

SURRENDER

Instrument Date: 1918/05/10

Term:

Registration Number: 3211-84

Effective Date: 1918/05/10

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: TIMBER

Land Affected: THE MERCHANTABLE SPRUCE TIMBER ON RESERVE

Grantor(s): 586 - Peters

Grantee(s): CROWN CANADA

Remarks: FOR SALE OF TIMBER

PROV OC

Instrument Date: 1923/07/26

Term:

Registration Number: 92925

Effective Date:

Registration Date: 1984/02/20 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose:

Area: 335.500 Acres

Land Affected: SEC 13 TWP 4 RGE 28 W6M ON LEFT BANK OF FRASER RIVER YALE DISTRICT

Grantor(s): CROWN BRITISH COLUMBIA

Remarks: OC #911 CONFIRMS RESERVE & ACCEPTS MINUTES OF DECISION REG #112954



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

OCP

Instrument Date: 1924/07/19

Term:

Registration Number: 12073

Effective Date:

Registration Date: 1969/08/11 12:00:00AM

Expiry Date:

OCP/MO Number: PC #1265

Purpose:

Area: 335.500 Acres

Land Affected: SEC 13 TWP 4 RGE 28 W6M ON LEFT BANK FRASER RIVER CLSR TBC22

Grantor(s): CROWN CANADA

Remarks: PC #1265 CONFIRMS RESERVE - DOES NOT APPROVE CUT OFFS

OCP

Instrument Date: 1930/02/03

Term:

Registration Number: 15203

Effective Date:

Registration Date: 1969/11/27 12:00:00AM

Expiry Date:

OCP/MO Number: PC #208

Purpose:

Area: 335.500 Acres

Land Affected: SEC 13 TWP 4 RGE 28 W6M ON LEFT BANK OF FRASER RIVER YALE DISTRICT

Grantor(s): CROWN CANADA

Remarks: PC #208 CONFIRMS RESERVE



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

CERTIFICATE

Instrument Date: 1933/06/06

Term:

Registration Number: 3230-85

Effective Date:

Registration Date: 1970/12/29 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose:

Area: 64.900 Acres

Land Affected: WHOLE OF RESERVE

Grantor(s): CROWN BRITISH COLUMBIA

Grantee(s): CROWN CANADA

Remarks: CERTIFICATE OF TITLE #62383F VESTS TITLE IN CROWN CANADA

OCPC

Instrument Date: 1952/02/26

Term:

Registration Number: 3207-84

Effective Date: 1952/02/26

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCPC/MO Number: PC #1086

Purpose:

Land Affected: WHOLE OF RESERVE

Grantor(s): CROWN CANADA

Remarks: PC #1086 AUTHORIZES NAME CHANGE FROM SQUAWTITS #1 & #2 TO PETERS #1 & #2



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

BCR

Instrument Date: 1952/03/31

Term:

Registration Number: 3206-84

Effective Date:

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose:

Land Affected: WHOLE OF RESERVE

Grantor(s): 586 - Peters

Grantee(s): CROWN CANADA

Remarks: REQUESTS NAME CHANGE FROM SQUAWTITS #1 1A & 2 TO PETERS #1 1A & 2

MINISTERIAL ORDER

Instrument Date: 1952/04/10

Term:

Registration Number: 3208-84

Effective Date:

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose:

Land Affected: WHOLE OF RESERVE

Grantor(s): MINISTER

Grantee(s): 586 Peters

Remarks: CHANGES BAND NAME TO PETERS BCR REG #3206-84 ORDER IN COUNCIL REG #3207-84



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

OCP

Instrument Date: 1953/03/19

Term:

Registration Number: 10972

Effective Date:

Registration Date: 1969/06/27 12:00:00AM

Expiry Date:

OCP/MO Number: PC #1953-378

Purpose: PIPELINE

Land Affected: CLSR M3651 & CLSR 4591

Grantor(s): CROWN CANADA

Grantee(s): TRANS-MOUNTAIN OIL PIPE LINE COMPANY

Remarks: PC #1953-378 AUTHORIZES EASEMENT - SEE REG #10848 & #10906

OCP

Instrument Date: 1953/07/02

Term:

Registration Number: 116937

Effective Date:

Registration Date: 1988/04/27 12:00:00AM

Expiry Date:

OCP/MO Number: PC #1953-1000

Purpose: HYDRO LINE

Land Affected: CLSR M3643

Grantor(s): CROWN CANADA

Grantee(s): BRITISH COLUMBIA ELECTRIC COMPANY LIMITED

Remarks: PC #1953-1000 AUTHORIZES TRANSMISSION LINE RIGHT OF WAY



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

EASEMENT

Instrument Date: 1953/07/02

Term:

Registration Number: 366355

Effective Date:

Registration Date: 2009/08/27 11:22:16AM

Expiry Date:

OCPC/MO Number:

Purpose: HYDRO LINE

Land Affected: AS PER DOCUMENT

Grantor(s): CROWN CANADA

Grantee(s): BC HYDRO

Remarks: PC #1953-1000 AUTHORIZES THE RIGHT TO CONSTRUCT OPERATE AND MAINTAIN ONE OR MORE TRANSMISSION LINE RIGHT OF WAYS

EASEMENT

Instrument Date: 1955/05/04

Term:

Registration Number: 10848

Effective Date:

Registration Date: 1969/06/23 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: PIPELINE

Area: 6.965 Acres

Land Affected: CLSR M3651

Grantor(s): CROWN CANADA

Grantee(s): TRANS-MOUNTAIN OIL PIPELINE COMPANY

Remarks: AUTHORIZING ORDER IN COUNCIL PC #1953-378 REG #10972



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

PERMIT

Instrument Date: 1957/09/25

Term: 5y 0m 0d

Registration Number: 44790

Effective Date: 1957/09/01

Registration Date: 1976/01/13 12:33:00PM

Expiry Date: 1962/08/31

OCP/MO Number:

Purpose: ACCESS ROAD

Land Affected: RIGHT TO OCCUPY THE EXISTING ROADWAY

Grantor(s): CROWN CANADA

Grantee(s): PETER KIEWIT SONS' COMPANY OF CANADA LIMITED

Remarks: SUBJECT TO TERMS AND CONDITIONS - TRANSPORTING GRAVEL

OCP

Instrument Date: 1958/05/01

Term:

Registration Number: 3210-84

Effective Date: 1958/05/01

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCP/MO Number: PC #1958-610

Purpose: PIPELINE

Land Affected: CLSR M3651 & CLSR 4591

Grantor(s): CROWN CANADA

Grantee(s): TRANS MOUNTAIN OIL PIPE LINE COMPANY

Remarks: PC #1958-610 AUTHORIZES EASEMENT FOR PIPELINE RIGHT OF WAY - EASEMENT
REG #3212-84



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

EASEMENT

Instrument Date: 1958/12/10

Term:

Registration Number: 3212-84

Effective Date:

Registration Date: 1970/12/29 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: PIPELINE

Land Affected: CLSR M3651 & CLSR 4591

Grantor(s): CROWN CANADA

Grantee(s): TRANS MOUNTAIN OIL PIPE LINE COMPANY

Remarks: SEE AUTHORIZING ORDER IN COUNCIL REG #3210-84

OCPC

Instrument Date: 1960/11/25

Term:

Registration Number: 3209-84

Effective Date: 1960/11/25

Registration Date: 1970/12/24 12:00:00AM

Expiry Date:

OCPC/MO Number: PC #1960-1589

Purpose: ROAD

Area: 16.180 Acres

Land Affected: RIGHT OF WAY CLSR 5254

Grantor(s): CROWN CANADA

Grantee(s): CROWN BRITISH COLUMBIA

Remarks: PC #1960-1589 TRANSFERS ADMINISTRATION & CONTROL TO PROVINCE RESERVING MINES AND MINERALS, SEE BC RS ATTACHED, LOOSELEAF, SALE 2



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

PERMIT

Instrument Date: 1978/06/28

Term:

Registration Number: 62874

Effective Date: 1978/06/14

Registration Date: 1979/04/09 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: COMMUNICATION

Land Affected: SEE DRAWING EP-1-4767 ATTACHED

Grantor(s): CROWN CANADA

Grantee(s): BRITISH COLUMBIA TELEPHONE COMPANY

Remarks: AUTHORIZING BCR ATTACHED

PERMIT

Instrument Date: 1980/08/16

Term:

Registration Number: 72984

Effective Date: 1980/08/16

Registration Date: 1981/02/12 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: COMMUNICATION

Land Affected: SEE DRAWING CP-3-2026 ATTACHED

Grantor(s): CROWN CANADA

Grantee(s): BRITISH COLUMBIA TELEPHONE COMPANY

Remarks: AUTHORIZING BCR ATTACHED



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

BCR

Instrument Date: 1986/10/27

Term:

Registration Number: 109628

Effective Date: 1986/10/27

Registration Date: 1986/12/01 12:00:00AM

Expiry Date:

OCPC/MO Number:

Purpose: COMMUNICATION

Land Affected: SEE DRAWING CP-3-10149 ATTACHED

Grantor(s): 586 - Peters
CROWN CANADA

Grantee(s): BRITISH COLUMBIA TELEPHONE COMPANY

Remarks: EXTENSION OF PERMIT REG #72984

OCPC

Instrument Date: 1986/11/27

Term:

Registration Number: 109627

Effective Date:

Registration Date: 1986/12/01 12:00:00AM

Expiry Date:

OCPC/MO Number: PC #1986-2667

Purpose: ROAD

Land Affected: CLSR 70037

Grantor(s): CROWN CANADA

Grantee(s): CROWN BRITISH COLUMBIA

Remarks: PC #1986-2667 TRANSFERS ADMINISTRATION & CONTROL SCHEDULE A TO
PROVINCE ,SCHEDULE B TO CROWN



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

TRANSFER

Instrument Date:	1986/12/09	Term:	
Registration Number:	112389	Effective Date:	
Registration Date:	1987/06/05 12:00:00AM	Expiry Date:	
OCPC/MO Number:		Purpose:	ROAD
Land Affected:	PTN OF RESERVE PLAN 1635 RSBC		
Grantor(s):	WILLIAM JOHN PETERS		
Grantee(s):	586 Peters		

TRANSFER

Instrument Date:	1987/05/25	Term:	
Registration Number:	112738	Effective Date:	
Registration Date:	1987/06/25 12:00:00AM	Expiry Date:	
OCPC/MO Number:		Purpose:	ROAD
Land Affected:	PTN OF RESERVE RSBC 1635 & RSBC 1847		
Grantor(s):	EVALYN ELMA PETERS FRANK PETERS		
Grantee(s):	586 Peters		



INDIAN LANDS REGISTRY SYSTEM

Reserve General Abstract Report

Selected Criteria:

Reserve: PETERS 1

Printed on: 2014/12/04 07:24 pm

UNCLASSIFIED

Reserve: 08084 - PETERS 1

Region/Province: British Columbia/BRITISH COLUMBIA

Band: 586 - Peters

OCP

Instrument Date:	1989/04/13	Term:	
Registration Number:	203048	Effective Date:	
Registration Date:	1989/05/31 2:20:58PM	Expiry Date:	
OCP/MO Number:	PC #1989-636	Purpose:	ADDITION
Land Affected:	TRANS CANADA HWY THROUGH RESERVE -902.4 SQ METERS CLSR 70337		
Grantor(s):	CROWN CANADA		
Grantee(s):	586 Peters		
Remarks:	PC #1989-636 ACCEPTS ADMINISTRATION & CONTROL OF LAND & SETS APART FOR BENEFIT OF BAND AS AN ADDITION TO RESERVE		

--- END OF REPORT ---



June 15, 1989

Your file Votre référence

PS 6165

Our file Notre référence

E5670-08084 & 08085
(RT 26)

Director
Ministry of Transportation and Highways
940 Blanshard Street
Victoria, B.C.

ATTN: Mr. Don McSween

Dear Mr. McSween:

Re: Highways R/W and Addition to Reserve
Peters Indian Reserve No. 1

Enclosed is a copy of accepting O.I.C. PC 1989-636 for your records.

Yours truly,

J.A. Addison
Land Agreements Negotiator
Lands, Revenues & Trusts
B.C. Region
P.O. Box 1000
800 Burrard Street
Vancouver, B.C.
V6Z 2J3



encl.

c.c.: - District Manager
Vancouver District
ATTN: Superintendent, L.R.&T.

1. PC 1960-1589 25/11/1960 16.18 Acs
CLSR 5254 LTO 21290
(NW)

Canada

2. PC 1986-2667 27/11/1986 NW LTO 71749 5.985 ha.

Priority / Priorité ☐ High / Elevée ☒ Medium / Moyenne ☐ Low / Faible

Page *1* of *5*

To - A **Dave Cooke, LRT, B.C. Region**

From - De **Hilda Murphy, LRT, Headquarters.**

Branch - Direction Lands + Environment	Division Lands Advisory	Program Code - Code de programme 1810
Director General - Directeur général J. Cochrane	Director - Directeur G. Swan	Return to room no. - Retourner à la pièce 1810

Addition of land to Peters I.R. No.1

We finally have received an order in Council returning the unused highway lands on Peters I.R. I have attached a copy of OCPC 1989-636 dated April 13, 1989 for your records.

I have submitted it for registration and will forward the details when available together with copies of the Order for the District and the band.

► If further space is required please use a second page - Si cet espace est insuffisant veuillez utiliser une deuxième feuille

Message prepared by - Message rédigé par Hilda Murphy	Telephone no. - N° de téléphone 994-6720
Signature of person authorizing message <i>[Signature]</i>	Date April 19/89.



CANADA

215
P.C. 1989-636
13 April, 1989

PRIVY COUNCIL • CONSEIL PRIVÉ

HER EXCELLENCY THE GOVERNOR GENERAL
IN COUNCIL, on the recommendation of the
Minister of Indian Affairs and Northern
Development, is pleased hereby to accept the
administration and control of the lands
described in the schedule hereto and to set
apart those lands for the use and benefit of
the Peters Band of Indians as an addition to
the Peters Indian Reserve No. 1, in the
Province of British Columbia.

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE COM

CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL

P. 2/5

INDIAN AFFAIRS & NORTHERN DEVELOPMENT

19 88 01

315

SCHEDULE

All that part of the Trans Canada Highway through the Peters Indian Reserve No. 1, Y.D.Y.D., containing 902.4 square metres, more or less, as shown outlined in cross-hatching on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9708" (being a copy of plan deposited in the New Westminster Land Title Office as Plan 71749) and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 70337.

9/8 '81

INDIAN & NORTHERN AFFAIRS

10:10 88 81



415

C.P. 1989-636
13 avril 1989

PRIVY COUNCIL • CONSEIL PRIVÉ

Sur avis conforme du ministre des Affaires indiennes et du Nord canadien, il plaît à Son Excellence le Gouverneur général en conseil d'accepter l'administration et le contrôle des terres décrites à l'annexe ci-jointe et de les mettre de côté à l'usage et au profit de la bande indienne Peters, à titre d'ajout à la réserve indienne Peters n° 1, dans la province de la Colombie-Britannique.

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL PRIVÉ

P. 4/5

INDIAN & NORTHERN AFFAIRS

APR 19 10:10 89

Toute la partie de l'autoroute transcanadienne passant à travers la réserve indienne Peters n° 1, YDYO, renfermant environ 902,4 mètres carrés, telle qu'elle est indiquée au moyen de hachures en croisillons sur un plan d'arpentage enregistré au ministère provincial des Transports et des Routes, à Victoria (Colombie-Britannique), sous l'identification "Levés d'arpentage de route n° 9708" (qui est une copie du plan déposé au bureau cadastral de New Westminster à titre de plan n° 71749) et dont une copie est enregistrée dans le Registre d'arpentage des terres du Canada à titre de plan n° 70337.



Province of
British Columbia

Ministry of
Transportation
and Highways

940 Blanshard Street
Victoria
British Columbia
V8W 3E6

Date: May 5, 1988
Branch/Dist.: Property Services
Phone: 387-1838
Our File: PS 6165
Your File:

Vancouver Indian District
Indian and Northern Affairs Canada
210 - 757 West Hastings Street
Vancouver, B.C.
V6C 3E6

Attention: Angela Cantryn
Land Officer

Dear Ms. Cantryn:

Attached please find a certified true copy of Provincial
Order-in-Council 635 approved April 7, 1988.

I trust you will find this in order.

D. I. F. MacSween
Acting Director of Property Services

DIFM/im
Enc.



I hereby certify that the following is a true copy of a
Minute of the Honourable the Executive Council of
the Province of British Columbia approved by His
Honour the Lieutenant-Governor.

635

APPROVED AND ORDERED APR. -7.1988

Order-in-Council Custodian

Lieutenant Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA APR. -6.1988

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the administration and control of the following land:

DESCRIPTION OF LAND

All that part of the Trans Canada Highway through the Peters Indian Reserve 1, Y. D. Y. D., containing 902.4 square metres, more or less, as shown outlined in cross-hatching on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9708" (being a copy of plan deposited in the New Westminster Land Title Office as Plan 71749)

being discontinued and closed highway, be transferred to Her Majesty the Queen in Right of Canada, in trust, for the use and benefit of the Peters Indian Band, subject to the same provisions as in Federal Privy Council Order 208 dated 3 February 1930.

MINISTER OF TRANSPORTATION AND HIGHWAYS

PRESIDING MEMBER OF THE EXECUTIVE COUNCIL

(This part is for the records of the Office of Legislative Counsel, and is not part of the Order.)

Authority under which Order is made: CHILLIWACK ELECTORAL DISTRICT

File: 15-01-78/347959; RC-54

Act and section Land Act, Section 27 and 101(2)

Other (specify)

Examined by

(Signature and typed or printed name of designated Attorney General Examiner)

456/88



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To: Acting Director Property Services

→ Attention: Ms. D. Strugnell
Senior Documentation Clerk

Date: April 19, 1988
Branch/Dist: Approvals Planning Office
Address: 3A-940 Blanshard Street
Victoria, B.C. V8W 3E6

Phone: 387-3495
Hdqtrs. File: 15-01-78/347959; RC-54
Region File: P.S. 6165
District File:

Re: Orders-in-Council

Enclosed is Order-in-Council No. 635 transferring a portion of closed road to Her Majesty the Queen in Right of Canada, in Trust, for the use and benefit of the Peters Indian Band.

R. E. Webb
Headquarters Approving Officer

REW/orb

Encl.

Copy to: Land Title Office - **NEW WESTMINSTER**
Regional Property Negotiator - **BURNABY**
District Highways Manager - **CHILLIWACK**

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.	
APR 20 1988	
Noted	_____
Victoria, B.C.	LS.



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To: **Mr. W. Montgomery**
Regional Property Agent
BURNABY

Date: **January 14, 1988**
Branch/Dist: **Approvals Planning Office**
Address: **3A-940 Blanshard Street**
Victoria, B.C. V8W 3E6

Phone: **387-3495**
Hdqtrs. File: **15-01-78/347959; RC-54**
Region File: **P.S. 6165**
District File:

Dec 23

Re: **Ministerial Order No. 87-24 - Transfer of Discontinued and Closed
Portion of Trans Canada Highway Within Peters I.R. 1, Y.D.Y.D.**

Attached is a copy of Ministerial Order No. 87-24, dated January 11, 1988,
authorizing the transfer of closed road allowance to Her Majesty the Queen in
Right of Canada, in trust, for the use and benefit of the Peters Indian Band.

Please ensure a copy of this Order is forwarded to the applicant.

m. Woloschuk

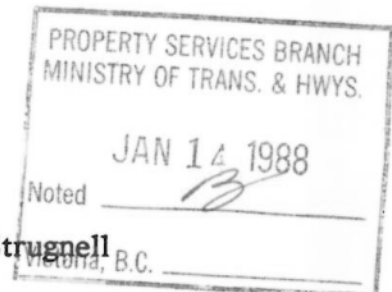
R. E. Webb
Headquarters Approving Officer

REW/MW/orb

Encl.

cc: **Land Title Office - NEW WESTMINSTER**
B.C. Assessment Authority
District Highways Manager - CHILLIWACK
Director of Property Services - Attention: Ms. D. Strugnell

COPY TO ➔





Province of
British Columbia

OFFICE OF THE MINISTER

Ministry of
Transportation
and Highways

Parliament Buildings
Victoria
British Columbia
V8V 1X4

Minister's phone:
387-3180 or 387-3181
Executive Assistants:
387-6046 or 387-6709

JAN 11 1988

MINISTERIAL ORDER

NO. 87-24

WHEREAS by notice published in The British Columbia Gazette dated May 21, 1987, the following portion of road allowance was discontinued and closed:

All that part of the Trans Canada Highway through the Peters Indian Reserve 1, Y.D.Y.D., containing 902.4 square metres, more or less, as shown outlined in cross-hatching on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B. C., under "Road Surveys 9708" (being a copy of plan deposited in the New Westminster Land Title Office as Plan 71749).

AND WHEREAS I deem it desirable to transfer the land in the closed portion of road allowance under Section 9(2)(a) of the Highway Act to the adjacent owner.

I HEREBY order that the administration and control of the aforementioned land, being closed road allowance, is transferred in fee simple to Her Majesty the Queen in Right of Canada in trust, for the use and benefit of the Peters Indian Band, subject to the same provisions as in Federal Privy Council Order 208 dated 3 February 1930.

MINISTER OF TRANSPORTATION AND HIGHWAYS

Chilliwack Electoral District

File: 15-01-78/347959;RC-54

January 11, 1988.

Ministry of Transportation and Highways

PROPERTY SERVICES BRANCH

MINISTER'S NOTE ON GAZETTE NOTICE

Location Within Fraser-Cheam Regional District

Project Discontinuing & Closing road allowance for TCH through Peters
I.R. No. 1

Electoral District Chilliwack

Road Name Trans Canada Highway, Cheam View to Jones Creek Section

Legal Description Legal Plan 71749

Owners Names

Settlement Completed?

- | | |
|--|--|
| 1) No settlement necessary (see below) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

(if more, attach sheet)

Date Owners First Contacted

- 1)
- 2)
- 3)
- 4)

Expected Date of Entry .. No

Reasons for Gazette Closure is necessary in order to facilitate transfer by
..... OIC under Section 9(2)(d) of the Highway Act as per right of way agreement.

Special Notes.

Recommended for
signing by

Deputy Minister

H.324 (80/09)



To: Assistant Deputy Minister
Administration and Services Dept.
Victoria, B. C.

Date: February 23, 1987
Branch/Dist: Property Services
Address: 7818 - 6th Street,
Burnaby, B. C. V3N 4N8

Director of Property Services

Phone: 660-8291
Hdqtrs. File:
Region File: P/N 6165
District File:
Chilliwack Highway District

Attention: Dawn Strugnell
Property Services Division

Re: Discontinuing and Closing Road
Allowance for Portion of
Trans Canada Highway
through Peters Indian Reserve No. 1

Attached hereto formal notice in duplicate for gazette purposes.
It is requested that right-of-way for the above be discontinued
and closed pursuant to provisions of the Highway Act for the
following reasons:

1. Required to discontinue and close portion of T.C.H. and transfer to Peters I.R. No. 1 as per Band Council Resolution, Item No. 3. Transfer by O.I.C. under Sec. 9(2)(d). *Planning to prepare O.I.C.*
2. Not necessary to comply with Section 9, Subsection 4.
3. One sepia and two paper prints of Statutory Right-of-Way Plan 71749 are enclosed.
4. Located within Fraser-Cheam Regional District.

To: SUBDIVISIONS &
GAZETTE NOTICES

For your attention, please.

Date: April 9/87

Chief Property Negotiator

Per: *[Signature]*

[Signature]
W. Montgomery
Regional Property Negotiator

Recommended by: *[Signature]*
D. Doyle
Regional Director, Highways

encls.

DISCONTINUING AND CLOSING

HIGHWAY

Discontinuing and Closing Highway for Trans Canada Highway;
Cheam View to Jones Creek Section, Chilliwack Electoral
District.

Notice is given, pursuant to section 9 of the "Highway Act", that all that part of the Trans Canada Highway through the Peters Indian Reserve No. 1, Yale Division Yale District, containing 902.4 m², more or less, as shown outlined in cross-hatching on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B. C., under "Road Surveys", (being a copy of plan deposited in the New Westminster Land Title Office as Plan 71749), is hereby discontinued and closed.

MINISTER OF TRANSPORTATION
AND HIGHWAYS

Ministry of Transportation
and Highways
Parliament Buildings
Victoria, British Columbia

22-20-00/346349. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31285]

X 161090

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Gun Lake West Road, Yale-Lillooet Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lots 1, 2 and 3, Plan 18849; Lot A, Plan 27537; all in District Lots 7138 and 8519; Block E, F and G, in District Lot 8278; District Lot 8027; unsurveyed Crown land; all in Lillooet District, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9588" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 37025), are hereby established as public highway. November 13, 1986. File 26-20-12/346350. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31285]

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Kamloops-Merritt Highway, Kamloops Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lots 3, 4 and 5, Plan 2673, Section 20, Township 19, Range 17, W6M, KDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9590" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 35719), are hereby established as public highway. November 13, 1986. File 21-20-10/346348. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31285]

V 27370

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Kimberley Highway: Wycliffe to Marysville Section, Columbia River Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of District Lots 6034, 6668, 10370, 4045, 10368, and Parcel B (see DD 16800i) of District Lot 6035; all Kootenay District, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9583" (being a copy of plan deposited in the Nelson Land Title Office as Plan 17117), are hereby established as public highway. November 13, 1986. File 35-20-04/345890. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31285]

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Matheson Road, Boundary-Similkameen Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lot 1; Lot 3 (except Plan 16913); both in District Lot 461, Plan 5867; Sublot 27 (except Plans 14799 and 15403); Sublot 29 (except Plans B-4249, 27228 and 28346); part of Sublot 29 shown on Plan B-4249 (except Plans 21364, 23475 and 27228); all in District Lot 2710, Plan 1189; all in SDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9582" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 36611), are hereby established as public highway. November 13, 1986. File 24-20-33/345992. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Pritchard Bridge Approaches, Shuswap-Revelstoke Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lot 4, Plan 7523, District Lot 521; Block A, Plan 4231, District Lot 512 and Section 12, Township 20, Range 14, W6M; that part of Parcel A (DD 147679F) of the west half, Section 12, Township 20, Range 14, W6M shown on Plan B6856 (except Plans 7457 and 12362); unsurveyed Crown land, being part of the bed of the South Thompson River; all in KDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9585" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 36681), are hereby established as public highway. November 13, 1986. File 22-20-00/345893. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Sicamous Narrows Bridge Approaches, Shuswap-Revelstoke Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lots 1, 2 and 3, Plan 3153; lane allowance between Lots 1, 2 and 3, Plan 3153; all in District Lot 452, KDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9589" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 36767), are hereby established as public highway. November 13, 1986. File 22-20-00/345994. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Silvernails Road 320, Shuswap-Revelstoke Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of the northwest and the northeast quarters, Section 1, Township 18, Range 12; and the northwest quarter, Section 6, Township 18, Range 11 (except Plan 36218); all W6M in KDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9584" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 36414), are hereby established as public highway. November 13, 1986. File 22-20-06/345892. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

X 161025

ESTABLISHING RIGHT OF WAY ✓

Establishing right of way for Spences Bridge-Merritt Highway, Yale-Lillooet Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all that part of District Lot 4239, KDYD, as shown outlined in bold black line on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9580" (being a copy of plan deposited in the Kamloops Land Title Office as Plan 36735), is hereby established as public highway. November 13, 1986. File 25-20-03/345927. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

ESTABLISHING RIGHT OF WAY

Establishing right of way for Trans-Canada Highway: Cheam View to Jones Creek Section, Chilliwack Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all that part of Peters Indian Reserve 1, YDYD, containing 16.18 acres, more or less, as shown outlined in red on a plan of survey recorded in the Provincial Ministry of Transportation and Highways, Victoria, B.C., under "Road Surveys 9576" (being a copy of plan deposited in the New Westminster Land Title Office as Plan 21290), is hereby established as public highway. November 6, 1986. File 15-20-40/346183. — T. R. Johnson, for Minister of Transportation and Highways. [no27 — 31286]

X 161443

ESTABLISHING RIGHT OF WAY

Establishing right of way for Woods Lake Bottom Road, Okanagan South Electoral District.

Notice is given, pursuant to section 6 of the Highway Act, that all those portions of Lots 3, 4 and 5, Plan 8514; those parts of Lots 45 and 46, Plan 457 described in and on Plan 940F; Lot 44, Plan 457 (except Plan 20108); Lot 38 (except Plans 17370 and 22191); all in District Lot 118; Lot A, Plan 8959, in District Lot 118 and Section 10, Township 20; Lots 40 and 41, Plan 457; Lot 42, Plan 457 (except Plan A339); Lot C, Plan 457 (except Plans B1030, DD 1617D, 2087D, 20009, 20771, 25047, 25475 and H17634); all in District Lot 118; Lot 1, Plan 4073, in District Lot 118 and Section 10,



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To: Assistant Deputy Minister
Administration and Service Department

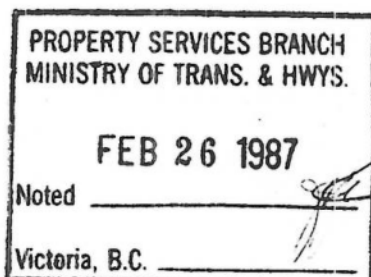
Director of Property Services

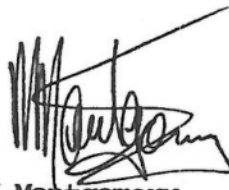
Date: February 23, 1987
Branch/Dist: Property Services
Address: 7813 - 6th Street
Burnaby, BC
V3N 4N8
Phone: 660-8290
Hdqtrs. File:
Region File: P.S. 6165
District File:

Re: Peters Indian Reserve #1

As per attached memo, enclosed please find closure gazette for your further attention.

Encs.




W. Montgomery
Regional Property Agent

Jim:
Is it in order
to proceed with
this closure.

Lesley.
Yes! Please
Jim



MEMORANDUM

To: W. Montgomery
Regional Property Agent
BURNABY, B.C.

Date: February 13, 1987
Branch/Dist: Property Services
Address: 3C-940 Blanchard St.
Victoria, B.C. V8W 3E6

Attention: John Adank

Phone: 387-1838
Hdqtrs. File:
Region File: P/S 6165
District File:

Re: Peters Indian Reserve #1


Attached please find copies of latest correspondence.

I am given to understand that all conditions in the Band Council Resolution have been met except #3.

Would you please have prepared the road closure and send all documents to Headquarters in due course.

Marilyn says that she is aware of all this and has the gazette ready.

A. C. Brown
Director of Property Services


Per: J. P. McDonell
Headquarters Property Agent

JMc/dr

RECEIVED
REGIONAL PROPERTY NEGOTIATOR

FEB 19 1987

ANSWERED.....
NOTED.....
DATE.....

Ministry of Transportation and Highways

Permission to: Sell Land and/or Building(s) ☐
 Rent Land and/or Building(s) ☐
 Transfer Land and/or Building(s) ☒
 Demolish Buildings ☐

Electoral District Chilliwack Region No. 1 P/N File 6165

Date 87/03/10 Headquarters File

Legal description. All that portion of Highway Right-of-Way within Peters Indian Reserve No. 1, Yale Division of Yale Division, in the Province of B. C. as shown on Plan 21290 deposited in the Land Titles Office at New Westminster; C.L.S.R. Plan 5254; shown cross-hatched on Plan 71749 deposited in the Land Titles Office of New Westminster; C.L.S.R. Plan 70337 and containing by admeasurement 902.4 square meters more or less.

Present Zoning N/A

Local description. Peters Indian Reserve No. 1

Origin of acquisition Trans Canada Highway - Twin Bridge-Lorenzetti Creek Project
 869 - Section 195.8 to Sta. 199

Method recommended O.I.C. transfer pursuant to Section 9 - Highway Act
 Tender/Auction/

Conditions of transfer (i.e., consolidation, access, etc.) Return of administration and control
 of 902.4 square meters to Her Majesty The Queen in Right of Canada to be
 set aside as reserve for the use and benefit of the Peters Band of Indians.

Reason property being transferred:

- (a) To consolidate an isolated parcel.
- (b) Sale/Rent instigated by Department.
- (c) Sale/Rent at request of an interested individual or corporation.
- (d) For any other reason (state) Subject portion no longer required for
 Highway purposes. Return of same was condition of Right-of-Way settlement
 as approved in the Band Council Resolution of the Peters Band.

Recommended by:
 J. Adank
 Regional Property Negotiator

 Regional Highway Engineer

 Director of Planning

 Director of Property Services

Date March 10, 1987

Date March 10, 1987

Date Mar 18/87

Date 87.03.19

Approved:

 Deputy Minister

Date 87/3/20



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To: Assistant Deputy Minister
Administration and Services Department

Director of Property Services

Re: All that portion of Highway
R/W within Peters Indian
Reserve No. 1, Y.D.Y.D.
Pl. 21290, N.W.D.

Date: 87/03/13
Branch/Dist: Property Services
Address: 7818 - 6th Street
Burnaby, B. C.
V3N 4N8
Phone: 660-8287
Hdqtrs. File:
Region File: P.S. 6165
District File:

Submitted herewith Form H.357 - Permission to Transfer Land, for
your approval please.

W. Montgomery
Regional Property Agent

JA:ew
encl.



March 23, 1987

Regional Property Agent
BURNABY

H-357 returned approved.

D. I. F. MacSween
Manager of Operations

DIFM/la
Enc.

Ministry of Transportation and Highways

Permission to:

Sell Land and/or Building(s)
Rent Land and/or Building(s)
Transfer Land and/or Building(s)
Demolish Buildings

☐
☐
☒
☐

Electoral District Chilliwack Region No. 1 P/N File 6165

Date 87/03/10 Headquarters File

Legal description All that portion of Highway Right-of-Way within Peters Indian Reserve No. 1, Yale Division of Yale Division, in the Province of B. C. as shown on Plan 21290 deposited in the Land Titles Office at New Westminster; C.L.S.R. Plan 5254; shown cross-hatched on Plan 71749 deposited in the Land Titles Office of New Westminster; C.L.S.R. Plan 70337 and containing by admeasurement 902.4 square meters more or less.

Present Zoning N/A

Local description Peters Indian Reserve No. 1

Origin of acquisition Trans Canada Highway - Twin Bridge-Lorenzetti Creek Project 869 - Section 195.8 to Sta. 199

Method recommended O.I.C. transfer pursuant to Section 9 - Highway Act Tender/Auction/

Conditions of transfer (i.e., consolidation, access, etc.) Return of administration and control of 902.4 square meters to Her Majesty The Queen in Right of Canada to be set aside as reserve for the use and benefit of the Peters Band of Indians.

Reason property being transferred:

(a) To consolidate an isolated parcel.

(b) Sale/Rent instigated by Department.

(c) Sale/Rent at request of an interested individual or corporation.

(d) For any other reason (state) Subject portion no longer required for Highway purposes. Return of same was condition of Right-of-Way settlement as approved in the Band Council Resolution of the Peters Band.

Recommended by:

J. Adank
Regional Property Negotiator
Regional Highway Engineer
Director of Planning
Director of Property Services

Date March 10, 1987
Date March 10, 1987
Date Mar 18/87
Date 87.03.19

Approved:

Deputy Minister

Date 87/3/20

Ministry of Transportation and Highways

Sale/Rental Data

Dates of advertising, names of publications, and places of posting in which the notice appeared

.....

Date of auction, place and name of auctioneer

.....

Closing date of tenders or bids

Survey required. If so, at expense of

.....

If within organized territory, has the municipality received notice of the proposed sale, and (where applicable) will the survey plan receive municipal approval?

Terms of sale/rent

Conditions of sale/rent (i.e., consolidation, access, etc.)

.....

.....

Tenders received

.....

.....

Value of property as appraised by:

(1) Department

(2) Any other party

Statement by department if recommendation carries acceptance of a bid below estimated value

.....

.....

Full name, occupation, and address of tenderer recommended (for insertion in Order in Council)

.....

.....

Recommended by:

..... Date

Regional Property Negotiator

..... Date

Regional Highway Engineer

..... Date

Director of Property Services

..... Date

Deputy Minister

Approved:

..... Date

Minister

87.03.19

MORANDUM

ASSISTANT
AD
Recommendation
Signature
MANAGER OF OPERATIONS

87/03/13
v/Dist: Property Services
is: 7818 - 6th Street
Burnaby, B. C.
V3N 4N8
660-8287
File:
File: P.S. 6165
File:

THIS SURPLUS RIGHT-OF-WAY CONTAINS PART OF BAND'S
CEMETARY AND NEW RIGHT-OF-WAY WAS DESIGNED TO AVOID
THIS SITE. RETURN WAS A COMMITMENT OF R/W SETTLEMENT.

5

H.2L

Submitted herewith Form H.357 - Permission to Transfer Land, for
your approval please.

PROPERTY SERVICES BRANCH
MINISTRY OF TRANS. & HWYS.
MAR 17 1987
Noted
Victoria, B.C.

[Signature]

W. Montgomery
Regional Property Agent

JA:ew
encl.

J. Adank
Regional Property Negotiator
Regional Highway Engineer
Director of Planning
for Director of Property Services

Date... March 10, 1987
Date... March 10, 1987
Date... Mar 18/87
Date... 87.03.19

Approved:

Date...

Deputy Minister

MORANDUM

TO	DATE: 87.03.17
D.R. PARKES	
DIRECTOR, PLANNING & TRAFFIC	
FORM H.357	
APPROVAL PLEASE	
<i>[Signature]</i>	
PROPERTY SERVICES	

87/03/13
 /Dist: Property Services
 S: 7818 - 6th Street
 Burnaby, B. C.
 V3N 4N8
 660-8287
 File:
 File: P.S. 6165
 File:

SURPLUS RIGHT-OF-WAY CONTAINS PART OF BAND CEMETARY.
 RETURN WAS A COMMITMENT OF R/W SETTLEMENT.
 H.2L

Submitted herewith Form H.357 - Permission to Transfer Land, for your approval please.

[Signature]

W. Montgomery
 Regional Property Agent

JA:ew
 encl.

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS	
MAR 17 1987	
Noted	<i>[Signature]</i>
Victoria, B.C.	15

H.118 (REV. 84 05) W-440

J. Adank
[Signature]
 Regional Property Negotiator
[Signature]
 Regional Highway Engineer

 Director of Planning

 Director of Property Services

Date... March 10, 1987
 Date... March 10, 1987
 Date.....
 Date.....

Approved:

.....
 Deputy Minister

Date.....



MEMORANDUM

To: W. Montgomery
Regional Property Agent
BURNABY, B.C.

Date: February 13, 1987
Branch/Dist: Property Services
Address: 3C-940 Blanchard St.
Victoria, B.C. V8W 3E6

Attention: John Adank

Phone: 387-1838
Hdqtrs. File:
Region File: P/S 6165
District File:

Re: Peters Indian Reserve #1

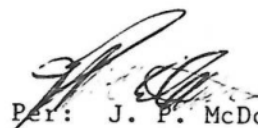
Attached please find copies of latest correspondence.

I am given to understand that all conditions in the Band Council Resolution have been met except #3.

Would you please have prepared the road closure and send all documents to Headquarters in due course.

Marilyn says that she is aware of all this and has the gazette ready.

A. C. Brown
Director of Property Services


Per: J. P. McDonell
Headquarters Property Agent

JMc/dr



January 12, 1986

Your file Votre référence

PN 6165

Our file Notre référence

E5670-08084&08085 (RT 9)

Ministry of Transportation & Highways
Property Services
940 Blanshard Street
Victoria, B.C.
V8W 3E6

ATTN: Mr. J.P. McDonell,
Headquarters Negotiator & Research
Officer



Dear Mr. McDonell:

Re: OCPC 1986-2667
Statutory Right-of-Way for a
Highway Widening through
PETERS INDIAN RESERVE NO. 1, B.C.

With reference to your memo of December 10, 1986 we attach herewith a photocopy of OCPC #1986-2667 together with the schedules referred to therein. We had inadvertently neglected to provide you with a copy at an earlier date please accept my apologies for this oversight.

We shall look forward to receiving your Order in Council which will transfer a portion of Provincial Crown land to us for an addition to the Peters Indian Reserve No. 1, B.C.

Very truly yours,

Sonja M. Stewart
Head, Surveys & Entitlements
Lands, Revenues & Trusts
B.C. Region
P.O. Box 1000
800 Burrard Street
Vancouver, B.C., V6Z 2J3
(666-5127)
(encls.)

c.c.: Dist. Manager, Vancouver Dist.
ATTN: Peter Humphrys, Head,
Land Management (666-3153)

Canada



JOHN

Date: December 10, 1986
Branch/Dist.: Property Services
Phone: 387-1838
Our File: PN 6165
Your File:

Indian and Northern Affairs Canada
B.C. Region
Lands, Revenues & Trusts
800 Burrard
Box 1000
Vancouver, B.C.
V6Z 2J3

RECEIVED
INDIAN AND NORTHERN AFFAIRS CANADA

DEC 15 1986

Attention: Mr. A. Gross
Director, Lands, Revenues & Trusts

Dear Sir:

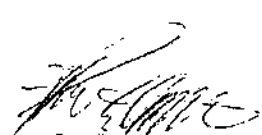
Re: Peters Indian Reserve #1
LTO Plan #71749 (C.L.S.R. #70337)

The solicitor for the above Band having received a Privy Council Order transferring reserve land to the Province requested permission to pay from his trust to your department the funds held as compensation. His request was granted and today he sent a photocopy of Privy Council Order 1986-2667 dated 27 November 1986.

Unfortunately the photocopy is not good; would you please have a member of your staff send an appropriate copy with all schedules for our files.

The Order in Council transferring a portion of Provincial Crown Land shall now proceed.

A. Brown
Director of Property Services

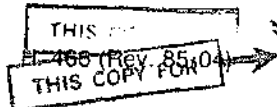

Per: J. P. McDonnell
Headquarters Negotiator and Research
Officer

JM/dr

c.c. Jack Andersen

Barrister & Solicitor

W. Montgomery, Regional Property Negotiator, Burnaby



2/13

Priority ☒ High ☐ Medium ☐ Low

To - A ▶ Sonja Stewart, Lands Support Officer, Lands, Revenues & Trusts, B.C. Regional Officer, Vanc.		
From - De ▶ Hilda Murphy, Lands Support Officer		
Branch - Div. Lands Directorate	Division Lands Revenues & Trusts	Program Code - Code de programme
Director - Directeur R.B. Kohls.	Director - Directeur Graham Swan	Return to originator 18th Floor.

Attached is a certified true copy of
O.C.P.C. 1986-2667 re Peter's I.R.No. 1, B.C..
Please ensure a copy of this is delivered
to the band's lawyer, Mr. Anderson
today.

- CC: - Chief FRANK Peters "VIA COURIER" 28.11.86
PETERS INDIAN Band 794-7059
- Mr. JACK Andersen "DELIVERED By HAND" 28.11.86
Barrister & Solicitor (D.B.H.)
for, PETERS INDIAN Band 688-0658
 - District Manager, Vancouver "DELIVERED By HAND" 28.11.86
ATT: Mr. Peter Humphrey 666-3153
 - Dennis Novak, Manager STATUTORY Requirements (28.11.86)
BC Region (D.B.H.) 666-5132
 - John Childs, Head STATUTORY Requirements (28.11.86)
Vancouver DISTRICT (D.B.H.) 666-3933
 - Harold Ervin, MANAGER, INDIAN Estates, BC Region (minor children)
666-5134 (28.11.86)
(D.B.H.)

Message prepared by: Hilda Murphy		Telephone no - N° de téléphone 994-6720
Signature of person authorizing message - Alexander Mc Dougall		Date 28 Nov '86

NOV 28 '86 13:44 H.O. INDIAN & NORTHERN AFFAIRS



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13
P.C. 1986-2667
27 November, 1986

PRIVY COUNCIL • CONSEIL PRIVÉ

WHEREAS Peters Indian Reserve No. 1 in the Province of British Columbia was set apart as such for the use and benefit of the Peters Band of Indians, and is a reserve within the meaning of the Indian Act;

WHEREAS the Ministry of Transport and Highways of the Province of British Columbia has applied to take the land described in Schedule "A" hereto, the said land being a portion of Peters Indian Reserve No. 1 in the said province, for highway and public utility purposes, in consideration of the following compensation:

- (i) cash in the amount of \$110,000.00, payable by the Government of the Province of British Columbia in the manner described in Schedule "C" hereto;
- (ii) the transfer of the administration and control of the lands described in Schedule "B" hereto to Her Majesty in right of Canada, to be set aside as a reserve for the use and benefit of the Peters Band of Indians;

AND WHEREAS the application has been approved by band council resolutions dated February 1, 1985, and October 1, 1986, copies of which are attached hereto as Schedules "D" and "E".

THEREFORE, HER EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Indian Affairs and Northern Development, is pleased hereby:

- (a) pursuant to subsection 35(1) of the Indian Act, to consent to the exercise by Her Majesty in right of the Province of British Columbia of the power of taking without the consent of the owner for highway purposes and other works of public utility, the land described in Schedule "A" hereto; and
- (b) pursuant to subsection 35(3) of the Indian Act, to authorize, in lieu of such taking without consent of the owner and subject to the payment by Her Majesty in right of the Province of British Columbia of compensation in accordance with Schedule "C" hereto

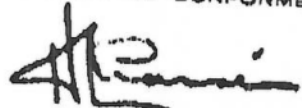
...../2

A
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- 2 -

and on condition that the Province of British Columbia shall transfer the administration and control of the land described in Schedule "B" hereto to Her Majesty in right of Canada, the transfer of the administration and control of the land described in Schedule "A" hereto for highway purposes and other works of public utility, including: footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity, lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission for cablevision, lines of fibre optics, and pipelines for transmission of district steam, to Her Majesty in right of the Province of British Columbia for so long as the said land is being used for highway purposes and other works of public utility, provided that the administration and control of the said land shall revert to Her Majesty in right of Canada immediately upon the said land ceasing to be used for those said purposes.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GÉNÉRAL ADJOINT DU CONSEIL PRIVÉ

P.4

NOV 28 '86 13:45 H.Q. INDIAN & NORTHERN AFFAIRS



CANADA

PRIVY COUNCIL • CONSEIL PRIVÉ

C.P. 1986-2667
27 novembre 1986

Attendu que la réserve indienne Peters (n°1), située dans la province de la Colombie-Britannique, est une réserve au sens de la Loi sur les Indiens et qu'elle a été mise de côté à l'usage et au profit de la bande indienne Peters;

Attendu que le ministère des Transports et de la Voirie de la province de la Colombie-Britannique a demandé que lui soient transférées les terres décrites à l'Annexe "A" ci-jointe, ces terres faisant partie de la réserve indienne Peters (n°1) située dans ladite province, à des fins de voie publique et d'autres éléments d'utilité publique, en considération de la compensation suivante:

- (i) moyennant le versement par le gouvernement de la province de la Colombie-Britannique de la somme de 110 000 \$ de la façon prévue à l'Annexe "C" ci-jointe;
- (ii) à condition que les terres décrites à l'Annexe "B" ci-jointe soient annexées de nouveau à la réserve.

Et attendu que le conseil de la bande indienne Peters a approuvé cette demande en vertu des résolutions en date du 1^{er} février 1985 et 1^{er} octobre 1986, qui constituent les Annexes "D" et "E" ci-jointes.

En conséquence, sur avis conforme du ministre des Affaires indiennes et du Nord canadien, il plaît à Son Excellence le Gouverneur général en conseil:

- a) en vertu du paragraphe 35(1) de la Loi sur les Indiens, de consentir à l'exercice par Sa Majesté du chef de la province de la Colombie-Britannique du pouvoir d'assumer, sans le consentement du propriétaire, à des fins de voie publique et d'autres éléments d'utilité publique, les terres décrites à l'Annexe "A" ci-jointe; et
- b) en vertu du paragraphe 35(3) de la Loi sur les Indiens, d'autoriser, au lieu de la prise de ces terres sans le consentement du propriétaire et pourvu que Sa Majesté du chef de la province de la

...../2

- 2 -

Colombie-Britannique verse une indemnité conformément à l'Annexe "C" ci-jointe et que la province de la Colombie-Britannique transfère à Sa Majesté du chef du Canada l'administration et le contrôle des terres décrites à l'Annexe "B" ci-jointe, le transfert de l'administration et du contrôle des terres décrites à l'Annexe "A" ci-jointe à des fins de voie publique et d'autres éléments d'utilité publique, dont des sentiers, des trottoirs, des pistes cyclables, des conduits de distribution d'eau, des tuyaux d'égout, des égouts pluviaux, des boîtes à lettres, des allées, des panneaux de signalisation, des lignes de distribution d'énergie, des lignes de transport d'énergie, des lignes téléphoniques, des lignes de câblo-distribution, des lignes de transmission par fibres optiques ainsi que des conduits d'acheminement de la vapeur utilisée dans le district, à Sa Majesté du chef de la province de la Colombie-Britannique, tant et aussi longtemps que lesdites terres seront utilisées à des fins de voie publique et d'autres éléments d'utilité publique, pourvu que l'administration et le contrôle desdites terres soient rendues à Sa Majesté du chef du Canada dès que ces terres ne seront plus utilisées auxdites fins.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ

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All those portions of Peters Indian Reserve No. 1, Yale Division of Yale District, in the Province of British Columbia which said portions are shown as Statutory Right-of-Way for Highway on plan 71749 deposited in the Land Titles Office at New Westminster. A copy of the said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said portions contain by admeasurement 5.985 hectares, more or less.

Subject to the following interest:

An easement to Trans Mountain Oil Pipeline Co. dated December 10, 1958 and recorded in the Indian Land Registry under registration number 3212-84 for an oil pipeline right-of-way as shown on CLSR Plan 4591.

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This is Schedule B to Order in Council P.C. 1986 -

All that part of Highway Right-of-Way within Peters Indian Reserve No. 1, Yale Division of Yale District, in the Province of British Columbia as shown on plan 21290 deposited in the Land Titles Office at New Westminster and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 5254; which said part is shown cross-hatched on plan 71749 deposited in the said Land Titles Office and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said cross-hatched part contains by admeasurement 902 square metres more or less.

NOV 28 '86 13:47 H.O. INDIAN & NORTHERN AFFAIRS

P.8

This is Schedule C to Order in Council P.C. 1986 -

Compensation to be paid to the following:

1. Robert Wilmer Peters No. 23 - Lot 12, Plan 154 R.S.B.C., 0.1498 hectares of land - \$ 2,753.72.
2. Peters Indian Band - Remainder of land as shown on C.L.S.R. Plan 70337, 5.8349 hectares of land - \$ 107,246.28.

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10/13
La présente constitue l'annexe A du décret du Conseil C.P. 1986 -

Toutes les parcelles de terres de la réserve indienne Peters (n° 1) situées dans la division de Yale du district de Yale, dans la province de la Colombie-Britannique, ces parcelles constituant l'emprise réglementaire d'une autoroute indiquée au plan n° 71749 déposé au bureau cadastral à New Westminster. Une copie dudit plan est versée aux Archives d'arpentage des terres du Canada sous le n° 70337.

Lesdites parcelles ont une superficie d'environ 5,985 hectares.

Sous réserve de l'intérêt suivant:

Une emprise à la Trans Mountain Oil Pipeline Co., datée du 10 décembre 1958 et inscrite au Registre des terres indiennes sous le no 3212-84, pour un oléoduc tel qu'indiqué sur le plan n° 4591 déposé aux AATC.

La présente constitue l'annexe C du décret du Conseil C.P. 1986 -

Des compensations seront versées:

1. à Robert Wilmer Peters, n° de bande 23 pour le lot 12, plan 154 R.S.B.C., 0,1498 ha - 2 753,72 \$.
2. à la bande indienne Peters, pour le reste de la parcelle de terre indiquée sur le plan n° 70337 versé aux AATC, 5,8349 ha - 107 246,28 \$.

84-85/586-20

File Reference - N° de réf. au dossier

E5670-08084

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	VANCOUVER DISTRICT	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	HOPE	Committed - Engagé	\$
DATE	DAY - JOUR	MONTH - MOIS	AD 19
			YEAR - ANNEE

DO HEREBY RESOLVE;
DECIDE, PAR LES PRESENTES:

05 FEB 8 P 1:4

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring 5.9817 hectares as shown in red on the Province's drawing No. R1-174-04, R1-174-05 and R1-174-06 for road purposes and other works of public utility and convenience.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status, at no cost.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00, unless otherwise directed.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. R1-174-04.
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any destructive excavation in areas of archaeological value. The Peters Band will examine the areas of proposed minor excavation in the deceleration/acceleration lanes in order to determine what artifacts may exist, if any.
8. The Province will cold-deck all merchantable timber from the right-of-way area for the Band in the area crosshatched on the attached drawing.

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à
Council Members
Membres du Conseil

2

9. The Province will allow the Band to have the excess rock and topsoil, such rock and topsoil to be placed as per agreement between excavation contractor and the Band.
10. The Highways Department or contractors acting on their behalf are hereby granted immediate access to the Reserve for purposes of survey and construction.

(Councillor - conseiller)

(Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
	A. Capital	B. Revenue - Revenu			
6. Recommended - Recommandable			Approved - Approuvable		
Date			Date		
Recommending Officer - recommande par			Approving Officer - Approuvé par		

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS	Current Capital Balance Solde de capital	\$
AGENCY		Committed - Engagé	\$
DISTRICT	VANCOUVER	Current Revenue balance Solde de revenu	\$
PROVINCE	BRITISH COLUMBIA	Committed - Engagé	\$
PLACE NOM DE L'ENDROIT	HOPE		
DATE	1 Oct AD 19 86		
	DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE;
DECIDE, PAR LES PRESENTES:

00002 18:14

AGREE TO THE draft submission attached as Schedule A, to the Privy Council for the transfer of 5.985 hectares of Peters I.R. #1 as shown on Plan C.L.S.R. 70337 to the Province of B.C. for highway and public utility purposes.

The Band agrees to the above in consideration of the following compensation:

- 1) Cash in the amount of \$110,000.00
- 2) The transfer of the administration and control of 902 squares as shown on Plan C.L.S.R. 70337 from the Province to Her Majesty the Queen in right of Canada to be set aside as reserve for the use and benefit of the Peters Band.

Further it is acknowledged and agreed that Robert Wilmer Peters, locatee of Lot 12, will be compensated from the \$110,000.00 in the amount of \$2,753.72 for the use of 0.1498 hectares of Lot 12.

The above was passed at an open Band Council Meeting as of the above date and place.

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à

Council Members
Membres du Conseil

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

[Signature]
(Chief - Chef)

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital \$	B. Revenue - Revenu \$	\$		
6. Recommended - Recommandable			Approved - Approuvable		
<i>[Signature]</i> Date			<i>[Signature]</i> Date		
Recommending Officer - Recommandé par			Approving Officer - Approuvé par		



Date: December 10, 1986
Branch/Dist.: Property Services
Phone: 387-1838
Our File: PN 6165
Your File:

Indian and Northern Affairs Canada
B.C. Region
Lands, Revenues & Trusts
800 Burrard
Box 1000
Vancouver, B.C.
V6Z 2J3

Attention: Mr. A. Gross
Director, Lands, Revenues & Trusts

Dear Sir:


Re: Peters Indian Reserve #1
LTO Plan #71749 (C.L.S.R. #70337)

The solicitor for the above Band having received a Privy Council Order transferring reserve land to the Province requested permission to pay from his trust to your department the funds held as compensation. His request was granted and today he sent a photocopy of Privy Council Order 1986-2667 dated 27 November 1986.

Unfortunately the photocopy is not good; would you please have a member of your staff send an appropriate copy with all schedules for our files.

The Order in Council transferring a portion of Provincial Crown Land shall now proceed.

A. Brown
Director of Property Services


Per: J. P. McDonell
Headquarters Negotiator and Research
Officer

JM/dr

c.c. Jack Andersen

Barrister & Solicitor

W. Montgomery, Regional Property Negotiator, Burnaby

Jack Andersen

B.A., LL.B.

Barrister & Solicitor

808 Nelson Street

P.O. Box 12117

Vancouver, B.C.

V6Z 2H2

Phone (24 hrs.) 688-0658

Member of Yukon Bar



December 1, 1986

Department of Highways,
3C 940 Blanshard Street,
VICTORIA, B.C. V8W 3E6

Attention: Jim McDonell

Dear Sir:

I write to confirm your instruction that I may release funds paid in connection with a land transfer from the Peters Indian Reserve to the Province of British Columbia and enclose for your reference a Privy Council order.

I look forward to completion of this transaction by transfer from the Province back to the Band of a small piece of land which your office is looking after and look forward to hearing from you in that regard.

Yours truly,


JACK ANDERSEN

JA:sp

Enclosure



CANADA

3
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P.C. 1986-2667
27 November, 1986

PRIVY COUNCIL • CONSEIL PRIVÉ

WHEREAS Peters Indian Reserve No. 1 in the Province of British Columbia was set apart as such for the use and benefit of the Peters Band of Indians, and is a reserve within the meaning of the Indian Act;

WHEREAS the Ministry of Transport and Highways of the Province of British Columbia has applied to take the land described in Schedule "A" hereto, the said land being a portion of Peters Indian Reserve No. 1 in the said province, for highway and public utility purposes, in consideration of the following compensation:

- (i) cash in the amount of \$110,000.00, payable by the Government of the Province of British Columbia in the manner described in Schedule "C" hereto;
- (ii) the transfer of the administration and control of the lands described in Schedule "B" hereto to Her Majesty in right of Canada, to be set aside as a reserve for the use and benefit of the Peters Band of Indians;

AND WHEREAS the application has been approved by band council resolutions dated February 1, 1985, and October 1, 1986, copies of which are attached hereto as Schedules "D" and "E".

THEREFORE, HER EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Indian Affairs and Northern Development, is pleased hereby:

- (a) pursuant to subsection 35(1) of the Indian Act, to consent to the exercise by Her Majesty in right of the Province of British Columbia of the power of taking without the consent of the owner for highway purposes and other works of public utility, the land described in Schedule "A" hereto; and
- (b) pursuant to subsection 35(3) of the Indian Act, to authorize, in lieu of such taking without consent of the owner and subject to the payment by Her Majesty in right of the Province of British Columbia of compensation in accordance with Schedule "C" hereto

...../2

A
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- 2 -

and on condition that the Province of British Columbia shall transfer the administration and control of the land described in Schedule "B" hereto to Her Majesty in right of Canada, the transfer of the administration and control of the land described in Schedule "A" hereto for highway purposes and other works of public utility, including: footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity, lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission for cablevision, lines of fibre optics, and pipelines for transmission of district steam, to Her Majesty in right of the Province of British Columbia for so long as the said land is being used for highway purposes and other works of public utility, provided that the administration and control of the said land shall revert to Her Majesty in right of Canada immediately upon the said land ceasing to be used for those said purposes.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE CLERK ADJOINT DU CONSEIL PRIVÉ



PRIVY COUNCIL • CONSEIL PRIVÉ

C.P. 1986-2667
27 novembre 1986

Attendu que la réserve indienne Peters (n°1), située dans la province de la Colombie-Britannique, est une réserve au sens de la Loi sur les Indiens et qu'elle a été mise de côté à l'usage et au profit de la bande indienne Peters;

Attendu que le ministère des Transports et de la Voirie de la province de la Colombie-Britannique a demandé que lui soient transférés les terres décrites à l'Annexe "A" ci-jointe, ces terres faisant partie de la réserve indienne Peters (n°1) située dans ladite province, à des fins de voie publique et d'autres éléments d'utilité publique, en considération de la compensation suivante:

- (i) moyennant le versement par le gouvernement de la province de la Colombie-Britannique de la somme de 110 000 \$ de la façon prévue à l'Annexe "C" ci-jointe;
- (ii) à condition que les terres décrites à l'Annexe "B" ci-jointe soient annexées de nouveau à la réserve.

Et attendu que le conseil de la bande indienne Peters a approuvé cette demande en vertu des résolutions en date du 1^{er} février 1985 et 1^{er} octobre 1986, qui constituent les Annexes "D" et "E" ci-jointes.

En conséquence, sur avis conforme du ministre des Affaires indiennes et du Nord canadien, il plaît à Son Excellence le Gouverneur général en conseil:

- a) en vertu du paragraphe 35(1) de la Loi sur les Indiens, de consentir à l'exercice par Sa Majesté du chef de la province de la Colombie-Britannique du pouvoir d'assumer, sans le consentement du propriétaire, à des fins de voie publique et d'autres éléments d'utilité publique, les terres décrites à l'Annexe "A" ci-jointe; et
- b) en vertu du paragraphe 35(3) de la Loi sur les Indiens, d'autoriser, au lieu de la prise de ces terres sans le consentement du propriétaire et pourvu que Sa Majesté du chef de la province de la

...../2

Colombie-Britannique verse une indemnité conformément à l'Annexe "C" ci-jointe et que la province de la Colombie-Britannique transfère à Sa Majesté du chef du Canada l'administration et le contrôle des terres décrites à l'Annexe "B" ci-jointe, le transfert de l'administration et du contrôle des terres décrites à l'Annexe "A" ci-jointe à des fins de voie publique et d'autres éléments d'utilité publique, dont des sentiers, des trottoirs, des pistes cyclables, des conduits de distribution d'eau, des tuyaux d'égout, des égouts pluviaux, des boîtes à lettres, des allées, des panneaux de signalisation, des lignes de distribution d'énergie, des lignes de transport d'énergie, des lignes téléphoniques, des lignes de câblo-distribution, des lignes de transmission par fibres optiques ainsi que des conduits d'acheminement de la vapeur utilisée dans le district, à Sa Majesté du chef de la province de la Colombie-Britannique, tant et aussi longtemps que lesdites terres seront utilisées à des fins de voie publique et d'autres éléments d'utilité publique, pourvu que l'administration et le contrôle desdites terres soient rendues à Sa Majesté du chef du Canada dès que ces terres ne seront plus utilisées auxdites fins.

CERTIFIED TO BE A TRUE COPY
COPIE CERTIFIÉE CONFORME



ASSISTANT CLERK OF THE PRIVY COUNCIL
LE GREFFIER ADJOINT DU CONSEIL PRIVÉ

- Chilliwack or Yale-Lill E.D.
- 924/SW

Peters IR 1 - TCH widening.

PN 6165.

CLSR 70337 } Copy?
LTO 71749 }

688-0658

29-8-86 - Jack Anderson, lawyer, phoned on behalf of Band: wondering when we are with O-I-C that will be reciprocal with Canada. I checked I told him we have not been able to get to because of workload, promised to try to get order moving early next week (till Marion is urgent)

- Anderson says Indians are becoming very impatient, considering some sort of pressure tactics to get matters complete (i.e. blocking the highway).

0.22 Ac.

[Canada's letter 2/1/86 -]

no - must be revised

- 902 sq. m. to be trans to Canada - has it been closed? revised
- same terms & conditions as PC 208.
- to take effect at same time as (or same date) as Canada passes P.C. Order at 5.985 for the matter

- J. Anderson folds \$110,000 "in trust" fund. receipt of O-I-C.
- sent him "to 14/2/85".

- Don's note 85/12/11 - is construction complete.

- area to be returned: 0.089 ha of TCH strung over on drawing no. R1-174-04 - see BCR 3/12/84

- we have not drawn & closed area to be visited - what byelaws do we use?

- same P.C. Order for Marion.

Peters IR / - TCH

2/9/86 Phoned B. Montgomery - asked him PN 6165
to check the files to see if closure done - he will
check, call back.

- 3/9/86 Marlyne Phoned - she will go ahead & prepare
closure of 202 sq. mi.

- Marlyne phoned again - has found no previous gaz - suggests
following procedure:

- (1) Catch area to be closed by Gaz
- (2) Same time, close area by Gaz

- Check area trans to B.C. by Canada -
PC 1960 - 1589 on Plan 21290

- Ask Dawn re procedure. - she sees no problem
with Marlyne catch & closing simultaneously if that suits her
she may wish to check with Bill M or others in Kennedy.
I phoned with this info ↑

pmi

Re attached.

Over the past six years I consistently held throughout all negotiations with Indian Bands and the Federal Government that we are prepared, where the item is negotiated, to close and vest all those surplus portions of our old roads through Reserves, but only after we have received the transfer of the new right-of-way.

We do not wish to place ourselves in a position where we have returned the old right-of-way - then have to sit and wait for the transfer of the new - for any reason whatever, the machinations of the Federal government who require 42 signatures in order to pass a Privy Council Order, or to the loss of the changeable politics of an Indian Band while we wait.

While in this singular instance the portion of old road to be closed probably does not form any important role in this transaction, it is defined by the legal survey plan of the highway

whose boundaries should be established as public highway before we close portions - plus there is the encouragement factor that if the Feds hurry along their transfer to us, they will get the surplus road back sooner.

I am aware of the possibility that we could pass a Prov. O.I.C. in this case which could be worded in a manner as to take effect reciprocal upon the passage of the Federal Order. I am not inclined to rush this matter though in view of the problems the Band caused during negotiations, and they continue to agitate to this date.

For your consideration please and discussion as necessary.

W

Peters IR 1 - re TCH

- 1 Don's written note.
- 2 Area^{is} to be closed and vested after establishing Gazette - this gazette is being processed now. Closure to follow.
← should be published within 2 weeks.
3. D. MacSweeney appears to feel we need a BCR before proceeding with closure - but we appear to have the necessary BCR.

Jack Anderson, lawyer for Peters Band, phone 23-10-86 -
688-0658



VIA COURIER

September 24, 1986

Ministry of Transportation
& Highways
Property Services,
940 Blanshard St.,
Victoria, B.C.
V8W 3E6

Your file Votre référence

PN 6165

Our file Notre référence

E5670-08084 & 08085 (RT9)

ATT: Mr. Jim MacDonell
Property Negotiator,

Dear Mr. MacDonell:

Re: Statutory Right of Way for a Highway Widening
through PETERS INDIAN RESERVE NO. 1, B.C.
LTO Plan #71749 (CLSR Plan #70337)



With reference to our memo of June 30, 1986, will you kindly advise when we may expect to receive the Provincial Order. This is in regards to the transferring of the 902 square metres, as shown cross-hatched on the subject plan, to Canada so that we may arrange to have these lands returned to reserve status, Peters I.R. #1. Accordingly we would appreciate your early response.

We are attaching herein a copy of the Draft submission along with the schedules referred to therein, for your review and subsequent response. You will note that the land transfer, pursuant to the provisions of subsection 35(1) of the Indian Act, is subject to an Easement to the Trans Mountain Oil Pipeline Co. In this respect we enclose the following:

- Reserve General Register abstracts, Peters I.R. NO. 1;
- micro-fiche print to Plan 4591 CLSR (in 2 pcs.);
- micro-fiche print of Easement #3212-84.

If you will require copies of the original documents we will be pleased to obtain these for you from the Indian Lands Registry, Ottawa, upon receipt of your request.

..... /2

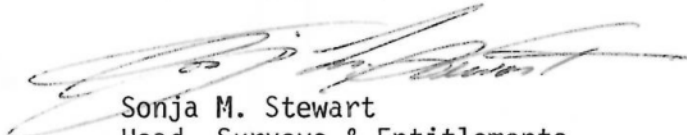
Canada

Sept. 24/86

As you are aware this transaction is long outstanding, we are therefore expediting this matter on an urgent basis. Under the circumstances we are forced to request your reply within a ten (10) day period and/or by October 9, 1986. If in effect we do not receive a reply within the specified time frame, to signify that the draft submission and attachments are unacceptable to you, we will proceed with the submission to the Privy Council.

If you require anything further please feel free to contact me at 666-5127.

Very truly yours,



Sonja M. Stewart
Head, Surveys & Entitlements
Lands, Revenues & Trusts
B.C. REGION

encls.

- cc: - Chief Frank Peters
Peters Indian Band
- Mr. Jack Anderson
Barrister & Solicitor; for,
Peters Indian Band
 - Director, Lands Directorate
National Headquarters
ATT: Ms. Hilda Murphey
 - Vancouver District Manager
ATT: Mr. Peter Humphreys

8/13

DRAFT ORDER

WHEREAS Peters Indian Reserve No. 1 in the Province of British Columbia was set apart as such for the use and benefit of the Peters Band of Indians and is a reserve within the meaning of the Indian Act;

WHEREAS the Ministry of Transport and Highways of the Province of British Columbia has applied to take the land described in Schedule "A" to this Order, said land being a portion of Peters Indian Reserve No. 1 in the said Province, for highway and public utility purposes in consideration of the following compensation:

1. Cash in the amount of \$110,000.00 received from the Province and the manner of distribution is more particularly described in Schedule "C" to this Order,
2. The transfer of the administration and control of the lands described in Schedule B to the Order to Her Majesty the Queen in right of Canada to be set aside as reserve for the use and benefit of the Peters Band of Indians.

WHEREAS the application has been approved by the Council of the said Band by Resolutions dated February 1, 1985, and, copies of which are attached as Schedules "D" and "E", to this Order.

THEREFORE HER EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL is pleased, on the recommendation of the Minister of Indian Affairs and Northern Development:

- (i) pursuant to subsection 35(1) of the Indian Act, to consent to the exercise by Her Majesty the Queen in Right of the Province of British Columbia of the power of taking, without the consent of the owner, for highway purposes and other works of public utility, the land described in Schedule "A" to the Order, and,
- (ii) pursuant to subsection 35(3) of the Indian Act, to authorize, in lieu of such taking without consent of the owner and subject to the payment by her Majesty the Queen in Right of the Province of British Columbia of compensation in accordance with Schedule "C" to this Order and on condition that the Province of British Columbia shall transfer to Her Majesty the Queen of Canada, the administration and control of the land described in Schedule "B" attached hereto, the transfer of the administration and control of the land described in Schedule "A" for highway purposes and other works of public utility including: footpaths, sidewalks, bicycle paths, water mains, sanitary sewers, storm sewers, mail boxes, driveways, signs, lines for distribution of electricity,

9/13

lines for transmission of electricity, lines of transmission for telephone communications, lines of transmission for cablevisions, lines of fibre optics and pipelines for transmission of district steam, to Her Majesty the Queen in Right of the Province of British Columbia, for so long as the said land is being used for highway purposes and other works of public utility, provided that the administration, and control of the said land shall revert to Her Majesty the Queen in Right of Canada immediately upon the said land ceasing to be used for those said purposes.

10/13

This is Schedule A to Order in Council P.C. 1986 -

All those portions of Peters Indian Reserve No. 1, Yale Division of Yale District, in the province of British Columbia which said portions are shown as Statutory Right-of-Way for Highway on plan 71749 deposited in the Land Titles Office at New Westminster. A copy of the said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said portions contain by admeasurement 5.985 hectares, more or less.

Subject to the following interest:

An easement to Trans Mountain Oil Pipeline Co. dated December 10, 1958 and recorded in the Indian Land Registry under registration number 3212-84 for an oil pipeline right-of-way as shown on CLSR Plan 4591.

11/13

This is Schedule B to Order-in-Council P.C. 1986 -

All that part of Highway Right-of-Way within Peters Indian Reserve No. 1, Yale Division of Yale District, in the province of British Columbia as shown on plan 21290 deposited in the Land Titles Office at New Westminster and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 5254; which said part is shown cross-hatched on plan 71749 deposited in the said Land Titles Office and a copy of which said plan is recorded in the Canada Lands Survey Records as plan 70337.

The said cross-hatched part contains by admeasurement 902 square metres more or less.

12/13

This is Schedule C to Order-in-Council P.C. 1986 -

Compensation to be paid to the following:

1. Robert Wilmer Peters; Band No. 23; Lot 12, Plan 154 R.S.B.C.
0.1498 Ha. for land \$2,753.72.
2. Peters Indian Band; Remainder of land as shown on C.L.S.R. Plan
70337; 5.8349 Ha. for land \$107,246.28.

Indian and Northern
Affairs CanadaAffaires indiennes
et du Nord Canada

and "North" Affairs

Affaires indiennes et du Nord

Chronological No. - Numéro chronologique

84-85/586-20

File Reference - N° de réf. du dossier

E5670-08084

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds de la bande.

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY	VANCOUVER DISTRICT	Committed - Engagé	\$ _____
DISTRICT		Current Revenue balance Solde de revenu	\$ _____
PROVINCE	BRITISH COLUMBIA	Committed - Engagé	\$ _____
PLACE	HOPE		
NOM DE L'ENDROIT			
DATE	DAY - JOUR	MONTH - MOIS	AD 19
			YEAR - ANNÉE

DO HEREBY RESOLVE
 DÉCIDE, PAR LES PRÉSENTES:

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring 5.9817 hectares as shown in red on the Province's drawing No. R1-174-04, R1-174-05 and R1-174-06 for road purposes and other works of public utility and convenience.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status, at no cost.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00, unless otherwise directed.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. R1-174-04.
4. The Province will construct an access road including installation of a cattle guard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattle guard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any destructive excavation in areas of archaeological value. The Peters Band will examine the areas of proposed minor excavation in the deceleration/acceleration lanes in order to determine what artifacts may exist, if any.
8. The Province will cold-deck all merchantable timber from the right-of-way area for the Band in the area crosshatched on the attached drawing.
9. The Province will allow the Band to have the excess rock and topsoil, such rock and topsoil to be placed as per agreement between excavation contractor and the Band.
10. The Highways Department or contractors acting on their behalf are hereby granted immediate access to the Reserve for purposes of survey and construction.

A quorum for this Band
 Pour cette bande le quorum est

consists of
 fixé à

Council Members
 Membres du Conseil

2

[Signature]
 (Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

[Signature]
 (Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital \$ _____ B. Revenue - Revenu \$ _____	3. Expenditure Dépenses \$ _____	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
6. Recommended - Recommandable		Approved - Approuvable		
Date Feb 26/85		Date		
Recommending Officer - Recommandé par		Approving Officer - Approuvé par		



Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

To: Regional Director
Ministry of Transportation
and Highways
BURNABY

Date: September 17, 1986
Branch/Dist: Property Services
Address:

Phone: 387-1838
Hdqtrs. File:
Region File: PN 6165
District File:

Ref: M. Mandziak

Attention: Regional Property Negotiator

Re: Closure of T.C.H. through Peters I.R. No. 1

Closure gazette package returned herewith per our telecon.

We will process establishing notice and wait for B.C.R.
before proceeding with closure and O.I.C.

A. C. Brown
Director of Property Services

Per: D. Strugnell

DS/im
Enc.

REGISTERED MAIL



To: Assistant Deputy Minister
Administration and Services Dept.
Victoria, B. C.

Date: September 4, 1986
Branch/Dist: Property Services
Address: 7818 - 6th Street,
Burnaby, B. C. V3N 4N8

Director of Property Services

Phone: 660-8291
Hdqtrs. File:
Region File: P/N 6165
District File:

Attention: Dawn Strugnell

Re: Establishment and Closure
of T.C.H. through
Peters I.R. No. 1

As per advice of Rick Hadley, enclosed please find establishment notice covering Plan 21290 together with closure notice for the 902.4 m2 portion of highway to be returned to the Peters I.R. No. 1 as per Band Council Resolution (Item #3).

After closure, Order-In-Council transfer to be reciprocated with release of funds in connection with the said agreement.

W. Montgomery
Regional Property Negotiator

MM/klm
encls.



BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	VANCOUVER DISTRICT	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	HOPE	Committed - Engagé	\$
DATE	3 12 AD 19 84 DAY - JOUR MONTH - MOIS YEAR - ANNEE		

DO HEREBY RESOLVE:

DÉCIDE, PAR LES PRÉSENTES:

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring approximately 5.981 hectares as shown in red on the Province's drawing No. RL-174-04 for the purpose of a road right-of-way and public utility.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. RL-174-04. (0.0902 ha.)
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.
9. The Province will allow the Band to have the excess rock from the construction site and topsoil.

A quorum for this Bande
Pour cette bande le quorum estconsists of TWO
fixé àCouncil Members
Membres du Conseil

(Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital B. Revenue - Revenu	3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
6. Recommended - Recommandable		Approved - Approuvable		
JAN. 4/85 Date		Date		
Recommending Officer - Recommandé par		Approving Officer - Approuvé par		



cc: Ministry of Trans. & Highways
Attn: Mr. J. MacDonnell
Senior Property Negotiator

July 8, 1986

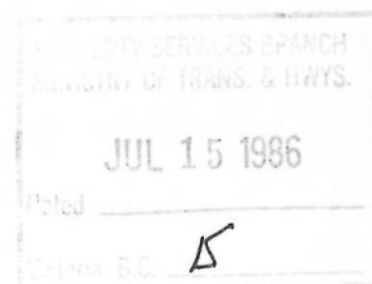
Your file Votre référence

E5670-08085

Our file Notre référence

E5670-08084 & 08085 (RT 9)

Mr. H.J. Ryan
A/Director
Lands Directorate
Lands, Revenues & Trusts (Operations)
Departmental Headquarters



File → Re: Statutory Right-of-Way for a Highway
Plan 70337 CLSR
PETERS INDIAN RESERVE NO. 1, B.C.

We have now finalized the survey of the statutory right-of-way for a highway widening (Trans-Canada Highway) through Peters Indian Reserve No. 1. The subject lands are reflected on Plan 70337 CLSR and recorded in the New Westminster Lands Titles Office as No. 71749.

The lands required for the highway widening consist of 5.985 hectares + (14.78 acres +). These lands are to be transferred to the Province pursuant to the provisions of Section 35 of the Indian Act. Though much of the relevant material was already provided to you we enclose the following for your easy reference:

- Written land description and print of Plan 70337 CLSR.
- Copy of B.C.R. dated December 3, 1984, numbered 84-85/586-19.
- Memos from the Province of October 17, 1984, December 17, 1984 and February 14, 1985 Re: Agreement Discussion.
- District memos of November 15, 1984, January 9, 1985 and August 9, 1985 Re: Agreement Discussion.
- Original B.C.R. dated February 1, 1985 (confirmation of Agreement) numbered 84-85/586-20 (Please note this B.C.R. supercedes 84-85/586-19, mentioned above).
- Memo from Province of February 14, 1985 to Peters Band's Lawyer, Mr. J. Andersen Re: Compensation to the Band.

You will recall that the compensation amount of \$110,000.00, for the 14.78 acres required, is held "in trust" by the Band's Lawyer, Mr. J. Andersen, pending receipt of an Order in Council.

There are no Leases or Permits within the area required for the right-of-way. The highway widening does encroach onto locatee lands which are in the possession of Robert William Peters #23. Peters #23 was issued Notice of Entitlement No. 10347 for the whole of Lot 12, Plan 154 RSBC. The lands required consist of 0.1498 hectares + (0.37 acres +). The District, in their memo to the locatee, had suggested that the compensation amount be based on the agreed (Band/Province) \$7,442.49 per acre value. Consequently, Peters #23 would receive \$2,753.77 for the 0.37 acre portion +. The Council have recognized the foregoing, in their verbal discussions with the District Office, however have never formally acknowledged the compensatory amount. Enclosed are the following:

- Reserve Land Register abstract for Lot 12.
- Micro-film copy of BCR registration No. 62732 (allotment).
- District memo of November 30, 1984 to, locatee, Robert W. Peters #23.
- Consent from R.W. Peters #23.

There is also a portion of land lying adjacent to Lot 12 which is to be transferred to Canada for an addition to Peters Indian Reserve No. 1. This area consists of 902 square metres (0.22 acres +) and is shown cross-hatched on Plan 70337 CLSR. We have recently, per memo of June 30, 1986, requested the Province to arrange for an executive order which will transfer these lands to Canada. Upon receipt, a copy will be forwarded to you. We enclose herewith a written land description for the 902 square metres.

We would like to remind you that the Peters Band Council had passed a resolution on March 26, 1985 (original attached herein) which requests the Minister, pursuant to Section 64(a) of the Indian Act, to release \$39,000.00 of the total compensation amount (\$110,000.00). The Council intends to distribute \$1,000.00 to each of their thirty-nine (39) Band members. The

.../3

Band's concerns were also expressed at their meeting with the Minister, in Musqueam, B.C., on November 28, 1984. A Distribution List was also attached to the subject BCR as Schedule 'A', enclosed is a copy for your easy reference. We have reviewed Schedule 'A' in conjunction with the "Family" Band membership listings and have identified eight (8) minor children, that is:

- 1) s.22
- 2)
- 3)
- *4)
- *5)
- *6)
- * Mother: s.22
- 7) s.22
- 8)

Pursuant to Section 52 of the Indian Act, the Minister is the trustee of Infant monies. In this respect, trust accounts are opened in the respective child's name until he/she becomes the age of majority (B.C.; 19 years). We have a duty to ensure that

.../4

certain safeguards are employed in the management of these monies, such as an accounting of all expenditures so that we can accurately account to the infants upon their coming of age. It has been the Department's long standing policy to examine each case individually before any amounts are released. We will await your advice accordingly.

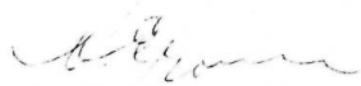
We would also like to refer you to the previous correspondence which expresses the need for an interim Order in Council. Enclosed are the following:

- District Memo of February 27, 1985
Re: Docket No. TI 0127B
- District memo of April 2, 1985
Re: Peters Band - Minister's visit of November 28, 1984
- District memo of May 2, 1985
Re: Interim O.C.
- Headquarters memo of July 2, 1985 to Chief Frank Peters
Re: Interim O.C. - release of monies
- Headquarters memo of July 23, 1985
Re: Highway Transfer - Interim O.C.
- District memo of July 23, 1985

In this respect, the Band membership is quite anxious to receive the compensation amounts due to them. Will you kindly review the foregoing to determine if an Interim Order in Council can now be arranged.

.../5

If you require anything further, to initiate this process,
kindly contact Sonja M. Stewart of my Lands staff at 666-5127.


A.J. Gross
Director
Lands, Revenues & Trusts
B.C. Region

encls.

c.c.: - Chief Frank Peters (604-794-7059)
Peters Indian Band
Peters Road
R.R. #2, Hope, B.C.
VOX 1L0

- Mr. J. Andersen (604-688-0658)
Barrister & Solicitor
808 Nelson Street
P.O. Box 12117
Vancouver, B.C.
V6Z 2H2

- Ministry of Transportation & Highways (604-387-1838)
Property Services
940 Blanshard Street
Victoria, B.C.
V8W 3E6
ATTN: Mr. J. MacDonell,
Senior Property Negotiator

- District Manager,
Vancouver District (604-666-3153)
ATTN: Mr. P. Humphrys,
Head, Land Management

- Mr. Harold Ervin (604-666-5134)
Regional Manager, Indian Estates



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

June 30, 1986.



Your file Votre référence

P/N 6165

Our file Notre référence

E5670-08084-08085(RT9)

Ministry of Transportation &
Highways
Property Services
940 Blanshard Street
Victoria, B.C.
V8W 3E6

Attention: Mr. Jim MacDonnell
Senior Property Negotiator

RE: STATUTORY RIGHT-OF-WAY
PLAN 70337 CLSR
PETERS INDIAN RESERVE NO. 1, B.C.

As you are aware the plan which reflects the highway right-of-way through Peters Indian Reserve No. 1 has now been finalized. The subject area is reflected on your plan number 71749 and our CLSR number 70337.

In order for us to arrange for a transfer of the 5.985 hectare portion required for the highway right-of-way, will you kindly arrange for a Provincial Order which will transfer the 902 square meters, as shown cross-hatched on the subject plan, to Canada for an addition to Peters Indian Reserve No. 1.

If you require anything further from our office to initiate the foregoing please feel free to contact me at 666-5127.

Very truly yours,

Sonja M. Stewart
Head, Surveys & Entitlements
Lands, Revenues & Trusts
British Columbia Region
Box 1000 - 800 Burrard St.,
Vancouver, B.C. V6Z 2J3

...2

Canada

J. MAC DONNELL

- 2 -

JUNE 30, 1986.

CC: - DISTRICT MANAGER
VANCOUVER DISTRICT
Attention: Mr. Peter Humphreys

- PETERS INDIAN BAND
Attention: Chief Frank Peters

- Mr. J. Anderson
Barrister & Solicitor
Peters Indian Band



To: Regional Director
Ministry of Trans., & Highways
Burnaby

RECEIVED
REGIONAL PROPERTY NEGOTIATOR

Date: February 11, 1985

Branch Dist:

Address:

FEB 13 1985

Attention: W. Montgomery
Regional Property Negotiator

NOTED
DATE

Phone:

Hdqtrs. File:

Region File: P/N 6165

District File:

Re: Peters Indian Reserve No. 1

Enclosed herewith please find Provincial Treasury cheque no. 4676924 in the amount of \$110,000.00 payable to the order of "Jack Anderson, Barrister and Solicitor, In Trust".

These funds may be forwarded to Mr. Anderson to be held by him "in trust" pending the issuance of a Provvy Council Order by Canada, transferring the new right-of-way to this Province. Once the P.C. Order has issued the funds are to be paid to Canada for disbursement. We have no objection to Mr. Anderson placing the funds in an interest bearing trust account.

For your attention please.

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

Assistant Deputy Minister,
Administration and Services Department,
Victoria, B.C.,

85/01/16

Director of Property Services

P/M 6163

Re: F.C.R. No. 1 : Cheam View-Jones Creek

Submitted herewith for your approval and subsequent payment
is Form H.120 covering compensation for the following:

Jack Andersen, Barrister and Solicitor "In Trust".....\$110,000.00

W. Montgomery,
Regional Property Negotiator

encl.
JA/kbv

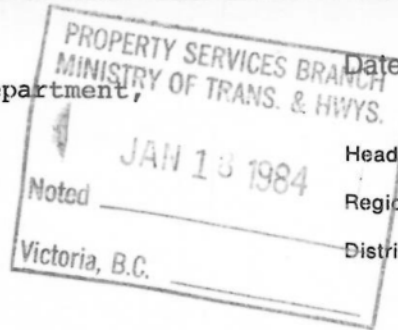


MEMORANDUM

H118

To: Assistant Deputy Minister,
Administration and Services Department,
Victoria, B.C.,

Director of Property Services



Date: 85/01/16

Headquarters File:

Regional File:
P/N 6165

District File:

Re: T.C.H.No.1 : Cheam View-Jones Creek

Submitted herewith for your approval and subsequent payment
is Form H.120 covering compensation for the following:

Jack Andersen, Barrister and Solicitor "In Trust".....\$110,000.00

W. Montgomery,
Regional Property Negotiator

encl.
JA/kbv

1985.01.23
Mad...

*cheque to
be sent
to Property Services.*

DATE:	<i>Jan 25/85</i>
TO: DEPUTY MINISTER, ADMIN., MINISTRY OF TRANSPORTATION & HIGHWAYS	
SUBMITTED FOR APPROVAL PLEASE	
DIRECTOR OF PROPERTY SERVICES	
PER:	<i>Shelton</i>



COMPENSATION IN TERMS OF THE HIGHWAY ACT

(SECTION 14)

H.Q. Project P-2801 -5015 Plan No. Rl-174-04 to 06 P/N File 6165
Highway District No. 15 Electoral District Chilliwack Engineering District Chilliwack
Name and details of highway or incidental works Trans Canada Highway No. 1 Cheam View - Jones Creek

Municipality Unorganized Fraser-Cheam Regional District
Description of property Peters Indian Reserve No. 1 in the Province of British Columbia

Name of registered owner Her Majesty the Queen in Right of Canada "In Trust"

Is title encumbered? N/A If yes, give details of encumbrance

Name, title, etc., of party to whom compensation is recommended to be paid Jack Andersen Barrister & Solicitor "In Trust"

DETAILS OF COMPENSATION RECOMMENDED TO BE PAID PURSUANT TO SEC. 14 OF THE HIGHWAY ACT

A. For Improvements on the Lands Taken

(Subsec. (1) (a).)

Roads: Area,

payment in lieu of sub base preparation and black top paving between Peters Road at the T.C.H. to new access road approx. 300 meters. (estimate provided by Design & Surveys Branch)

25,000 00

allowance for construction of access road on private locatee lands approximately 1.16 Ac. @ \$6,000.00

6,960 00

Fences: Length,

Clearing: Area,

Planting: Area,

Cultivation: Area,

Other improvements (to be stated) Allowance for Miscellaneous costs including travel time, legal, appraisal costs, etc.

3,040 00

Remarks:

COMPENSATION RECOMMENDED

35,000 00

A.

B. For Lands Taken (Not Subdivided Lands)

(Subsec. (1) (b).)

Area of Crown grant - - - - - ha (ac.) 324.208

Total area taken for road purposes { Old - - - - - ha (ac.) 4.89

{ New - - - - - ha (ac.) 14.78 5.9817

Deduct one-twentieth of area of Crown grant - - - - - ha (ac.) 16.2104

Area for which compensation is payable - - - - - ha (ac.) 14.78

The land is valued at \$75,000.00 for the taking COMPENSATION RECOMMENDED \$75,000.00

B.

I hereby certify that this statement is in accordance with the provisions of section 14 of the Highway Act.

Date January 14, 19 85

Date January 14, 19 85

I hereby recommend that compensation be paid accordingly.

Date January 14, 19 85

Date, 19

Date, 19

APPROVED:

(Dealt with)

(Deputy Minister or Assistant Deputy Minister)

C. For Lands Taken (Subdivided Lands Only)

(Subsec. (1) (b).)

Details of registered subdivision plan, parcel, lot, etc.

Total area of parcel	-	-	-	-	-	ha (ac.)	ha (ac.)	ha (ac.)
Total area taken for road purposes	{	Old	-	-	-	ha (ac.)	ha (ac.)	ha (ac.)
		New	-	-	-	ha (ac.)	ha (ac.)	ha (ac.)
Deduct one-twentieth area of parcel	-	-	-	-	-	ha (ac.)	ha (ac.)	ha (ac.)
Area for which compensation is payable	-	-	-	-	-	ha (ac.)	ha (ac.)	ha (ac.)
The land is valued at \$ per hectare (acre).								

COMPENSATION RECOMMENDED \$ C.

D. For Materials Taken from Improved Lands

(Subsec. (5).)

CLASS OF MATERIAL TAKEN	QUANTITY	UNIT RATE	AMOUNT

TOTAL COMPENSATION RECOMMENDED \$ D.

E. Deduction for Increased Capital Value due to Construction

(Subsec. (4).)

Details

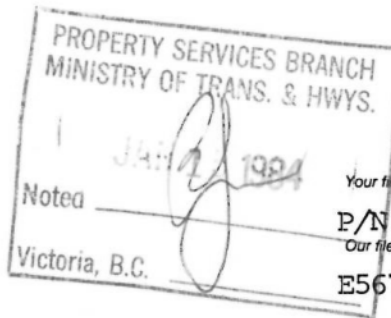
TOTAL DEDUCTIONS \$ E.

Remarks:

Compensation shall be held until Headquarters approve the wording in The Bank Council Resolution to follow.

Agreement Form signed

SUMMARY OF AMOUNT OF COMPENSATION RECOMMENDED TO BE PAID									
OR {	A.	For improvements on lands taken	-	-	-	-	-	-	\$ 35,000.00 A.
	B.	For lands taken (not subdivided lands)	-	-	-	-	-	-	\$ 75,000.00 B.
	C.	For lands taken (subdivided lands only)	-	-	-	-	-	-	\$ C.
	D.	For materials taken from improved lands	-	-	-	-	-	-	\$ D.
Gross total amount of compensation recommended								-	\$ 110,000.00
E. Deduction for increased value								-	\$ E.
NET TOTAL OF COMPENSATION RECOMMENDED TO BE PAID								-	\$ 110,000.00
Cheques \$110,000.00									



Your file Votre référence
P/N 6165
Our file Notre référence

E5670-08084&08085 (RT8)

January 9, 1985

Ministry of Highways
7818 - 6th Street
Burnaby, B.C.
V3N 4N8

Attention: John Adank

Dear Sir:

Road Right-of-Way
Peters Indian Reserve No. 1

The contents of your December 17 letter has been discussed with Chief Frank Peters and we wish to make the following comments:

1. Item 9 of the B.C.R. now reflects the agreement made at the meeting of November 9, 1984, namely, the Band will not require the Province to place the excess rock and soil at locations on the Reserve as determined by the Band Council. However, the Province will allow the Band to have any excess rock and topsoil and this excess, if any, will be placed at one dump area.
2. Chief Frank Peters has verbally given the consent of himself and the Band Council to allow the Province and its agents immediate access to the Reserve for survey and construction purposes.
3. The Band, once again, wishes to make the point that no artifacts are to be removed from the Reserve. When construction takes place in an area which may contain artifacts, a Band member should be notified and be allowed to be present.
4. I wish to confirm that the Band Council have verbally instructed me to have the Province pay the compensation to "Jack Andersen In Trust". This instruction is not required in the Band Council Resolution.
5. We wish to acknowledge that the subject area is 5.9817 hectares which are shown on 3 drawings, namely, R1-174-04, R1-174-05 and R1-174-06. However, the final area to be transferred will be defined by the legal survey which will be done by the Province as referred to in item 2 of the Band Council Resolution.

.../2

Canada

Enclosed for your records is a copy of Band Council Resolution
No. 84-85/586-19.

Yours truly,

Peter Humphrys

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2
666-3153
Encl.

cc: Chief Frank Peters
Peters Band

Mr. Jack Andersen
Box 12117
808 Nelson Street
Vancouver, B.C.
V6Z 2H2

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 2H3

Attn: Don MacSween

PH/bc

Chronological No. - Numéro consécutif
84-85 / 586-19
File Reference - N° de réf. du dossier
E5670-08084

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	VANCOUVER DISTRICT	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	HOPE	Committed - Engagé	\$
DATE	3 12 AD 19 84 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring approximately 5.981 hectares as shown in red on the Province's drawing No. R1-174-04 for the purpose of a road right-of-way and public utility.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. R1-174-04.
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.
9. The Province will allow the Band to have the excess rock from the construction site and topsoil.

A quorum for this Bande
Pour cette bande le quorum est

consists of TWO
fixé à


Council Members
Membres du Conseil

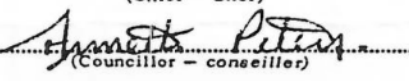

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)


(Chief - Chef)


(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE				
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital \$	B. Revenue - Revenu \$	3. Expenditure Dépenses \$	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens
5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu			6. Recommended - Recommandable Approved - Approuvable	
JAN. 4/85 Date			M. J. Faurie Recommending Officer - Recommandé par	
			Date Approving Officer - Approuvé par	



PN 6165



Your file Votre référence

Our file Notre référence

E5670-08084 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

December 11, 1984

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 3E6

Attention: Don MacSween

Dear Sir:

Road Right-of-Way
Peters Indian Reserve No. 1

Enclosed for your information is a copy of a Band Council Resolution dated December 3 from the Peters Band which consents to the transfer of the control and administration of approximately 5.981 hectares to the Province for a road.

Chief Frank Peters has verbally instructed me to request that the \$110,000.00 monetary settlement to be paid by the Province is to be made payable in trust to Jack Andersen, their lawyer. Upon final documentation Mr. Andersen would then forward the funds to the Receiver General for Canada in care of this office. The principle amount will then be deposited to the Band's Capital Account and the accrued interest will become part of the Band's Revenue Account.

Upon completion of a legal survey and the payment of the compensation, an Order-in-Council will be requested to complete the transaction.

Yours truly,

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C. V6E 3S2
666-3153

Encl.

cc: Chief Frank Peters, Peters Band

Mr. Jack Andersen
Box 12117, 808 Nelson Street
Vancouver, B.C. V6Z 2H2

Ministry of Highways
7818 - 6th Street
Burnaby, B.C. V3N 4N8
Attn: John Adank

Canada

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
NOTA: Les mots "des fonds de notre bande "Capital" ou revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	VANCOUVER DISTRICT	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	HOPE	Committed - Engagé	\$
DATE 03 12 AD 19 84 DAY - JOUR MONTH - MOIS YEAR - ANNEE			

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

84 DEC 4 P 2 :30

Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No. 1 measuring approximately 5.981 hectares as shown in red on the Province's drawing No. R1-174-04 for the purpose of a road right-of-way and public utility.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. R1-174-04.
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.
9. The Province will allow the Band to have the excess rock ~~from the construction site~~ and topsoil, and the Province will place the excess rock and topsoil at one or more locations on the Reserve as determined by the Band Council.

A quorum for this Bande
Pour cette bande le quorum est

consists of TWO
fixé à

Council Members
Membres du Conseil

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

[Signature]
(Chief - Chef)

[Signature]
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital B. Revenue - Revenu	3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue <input type="checkbox"/> Révenu
\$	\$	\$		

6. Recommended - Recommandable

Approved - Approuvable

Dec 4/84

[Signature]
Recommending Officer - Recommandé par
D. J. M. M. M.

Date

Approving Officer - Approuvé par

204.
To: BURNABY.REGIONAL (MOH001)

Bc: GENERAL.OFFICE (MOH019)

From: GENERAL.OFFICE (MOH019) Posted: Tue 11-Dec-84 19:30 EST Sys 20 (4)

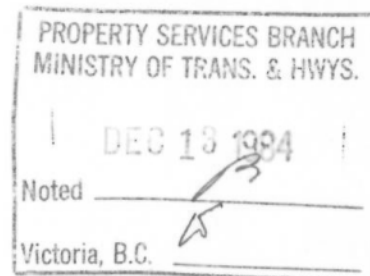
Subject: PETERS INDIAN RESERVE NO. 1

REG DIR HWYS
BURNABY

ATTN: REG PROP NEGO

REG FILE: PN 6165

RE: PETERS INDIAN RESERVE NO. 1
BAND COUNCIL RESOLUTION



THERE ARE SEVERAL ITEMS WHICH DO NOT QUITE MATCH WITH MY RECOLLECTIONS OF OUR AGREEMENT MEETING WITH THE BAND, AND SOME MINOR CRITICISMS OF THE FORM OF THE BCR, AS FOLLOWS:

A. PARAGRAPH 2 WORD "PURPOSE" BEGINNING OF LINE 2 SHOULD BE PLURALIZED.

B. PARAGRAPH 3

ITEM 1 - ADD TO EXISTING SENTENCE "...UNLESS OTHERWISE DIRECTED..." FOR WE ALREADY HAVE DIRECTIONS FROM DIA THEY AGREE THE COMPENSATION CAN BE PAID TO "JACK ANDERSON, IN TRUST"

ITEM 7 - SUGGEST THIS SENTENCE BE AMENDED TO READ "THE PROVINCE WILL NOT ALLOW ANY EXCAVATION OF THE AREA IDENTIFIED AS OF PARTICULAR ARCHEOLOGICAL VALUE, THIS BEING ON THE DECELERATION/ACCELERATION LANES TO BE CONSTRUCTED TO ACCESS PETERS ROAD". PERHAPS DESIGN AND SURVEY COULD GIVE A MORE SPECIFIC DESCRIPTION AND WE COULD ENCLOSE A PLAN SHOWING OUR UNDERSTANDING.

ITEM 8 - WE COULD CLARIFY EXACTLY WHERE WE INTEND THE COLD-DECK TO BE PLACED.

ITEM 9 - THIS ITEM IS QUITE DIFFERENT FROM MY RECOLLECTION. WE ONLY UNDERTOOK TO ADVISE OUR CONTRACTOR THAT THE INDIAN BAND HAD AN INTEREST IN RECEIVING ANY SURPLUS MATERIALS NOT REQUIRED FOR CONSTRUCTION AND THAT THEY WOULD IDENTIFY THROUGH CONSULTATION WHERE SUCH MATERIAL COULD BE PLACED. NO MATERIAL WAS PROMISED. NO OTHER MINISTRY PARTICIPATION WAS CONTEMPLATED THAN ADVICE ABOVE. THE MATTER WAS LEFT AS ONE FOR ARRANGEMENT BETWEEN THE CONTRACTOR AND THE INDIAN BAND.

A.C. BROWN
DIR PROP SRVS

PER: D.I.F. MacSWEEN
SNR PROP NEGO

Ministry of Transportation and Highways

TELEX

TO: REGIONAL DIRECTOR MINISTRY OF TRANSPORTATION AND HIGHWAYS BURNABY		DATE: DECEMBER 11, 1984	
ATTENTION: REGIONAL PROPERTY NEGOTIATOR		DISTRICT/BRANCH: HEADQUARTERS FILE: REGIONAL FILE: PN 6165 DISTRICT/BRANCH FILE:	
SUBJECT: PETERS INDIAN RESERVE NO. 1 BAND COUNCIL RESOLUTION		REF. DATED:	VIA RADIO <input type="checkbox"/> TELETYPE <input type="checkbox"/>

THERE ARE SEVERAL ITEMS WHICH DO NOT QUITE MATCH WITH MY RECOLLECTIONS OF OUR AGREEMENT MEETING WITH THE BAND, AND SOME MINOR CRITICISMS OF THE FORM OF THE BCR, AS FOLLOWS:

A. PARAGRAPH 2 WORD "PURPOSE" BEGINNING OF LINE 2 SHOULD BE PLURALIZED.

B. PARAGRAPH 3

ITEM 1 - ADD TO EXISTING SENTENCE "...UNLESS OTHERWISE DIRECTED..."

FOR WE ALREADY HAVE DIRECTIONS FROM DIA THEY AGREE THE COMPENSATION CAN BE PAID TO "JACK ANDERSON, IN TRUST"

ITEM 7 - SUGGEST THIS SENTENCE BE AMENDED TO READ "THE PROVINCE WILL NOT ALLOW ANY EXCAVATION OF THE AREA IDENTIFIED AS OF PARTICULAR ARCHEOLOGICAL VALUE, THIS BEING ON THE DECELERATION/ACCELERATION LANES TO BE CONSTRUCTED TO ACCESS PETERS ROAD". PERHAPS DESIGN AND SURVEY COULD GIVE A MORE SPECIFIC DESCRIPTION AND WE COULD ENCLOSE A PLAN SHOWING OUR UNDERSTANDING.

ITEM 8 - WE COULD CLARIFY EXACTLY WHERE WE INTEND THE COLD-DECK TO BE PLACED.

ITEM 9 - THIS ITEM IS QUITE DIFFERENT FROM MY RECOLLECTION. WE ONLY UNDERTOOK TO ADVISE OUR CONTRACTOR THAT THE INDIAN BAND HAD AN INTEREST IN RECEIVING ANY SURPLUS MATERIALS NOT REQUIRED FOR CONSTRUCTION AND THAT THEY WOULD IDENTIFY THROUGH CONSULTATION WHERE SUCH MATERIAL COULD BE PLACED. NO MATERIAL WAS PROMISED. NO OTHER MINISTRY PARTICIPATION WAS CONTEMPLATED THAN ADVICE ABOVE. THE MATTER WAS LEFT AS ONE FOR ARRANGEMENT BETWEEN THE CONTRACTOR AND THE INDIAN BAND.

A. C. BROWN
DIRECTOR OF PROPERTY SERVICES

PER: D. I. F. MacSWEEN
SENIOR PROPERTY NEGOTIATOR
DIFM/im

To: GENERAL.OFFICE (MOH019)
Cc: BURNABY.REGIONAL (MOH001)
From: BURNABY.REGIONAL (MOH001) Posted: Wed 5-Dec-84 18:21 EST Sys 20 (
Subject: P/N 6165-PETERS I.R. B.C.R.

Director of Property Services, Att:D.MacSween,Senior Property Negotiator

Received Band Council Resolution this date as follows:

"Under Section 35 of the Indian Act to transfer to the Province of British Columbia, the control and administration of that portion of the Peters Indian Reserve No.1 measuring approximately 5.981 hectares as shown in red on the Province's drawing R1-174-04 for the purpose of a road right-of-way and public utility.

It is understood that if and when the land is not required for the above purpose, it will revert back to reserve status.

In exchange for the above, the Province of British Columbia will do the following:

1. Pay to the Receiver General for Canada the sum of \$110,000.00.
2. Legally survey all portions of land involved in the exchange.
3. The Province will return to reserve status the 0.089 hectare portion of the Trans Canada Highway, as shown in green on drawing No. R1-174-04.
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.
5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.
9. The Province will allow the Band to have the excess rock and topsoil, and the Province will place the excess rock and topsoil at one or more locations on the Reserve as determined by the Band Council."

It is noted first paragraph omit "convenience" after utility.
Please advise if this is your understanding of agreement.

W.Montgomery
Regional Property Negotiator

RECEIVED
MINISTRY OF TRANSPORTATION & HIGHWAYS
VICTORIA, B.C.

DEC 6 1984

ANSWERED
NOTED
DATE





BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds", "Capital" or "Revenue", whichever is the case, must appear in all resolutions.

J. G. L.

To: GENERAL.OFFICE (MOH019)
Cc: BURNABY.REGIONAL (MOH001)
From: BURNABY.REGIONAL (MOH001) Posted: Wed 5-Dec-84 18:21 EST Sys 20 (39)
Subject: P/N 6165-PETERS I.R. B.C.R.

Director of Property Services, Att:D.MacSween, Senior Property Negotiator
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5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.
9. The Province will allow the Band to have the excess rock and topsoil, and the Province will place the excess rock and topsoil at one or more locations on the Reserve as determined by the Band Council."

It is noted first paragraph omit "convenience" after utility.
Please advise if this is your understanding of agreement.

W.Montgomery
Regional Property Negotiator

Dec 4/84

Recommending Officer - Recommandé par

Date

Approving Officer - Approuvé par



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

PROPERTY SERVICES BRANCH
MINISTRY OF TRANS. & HWYS.
DEC 5 1984
Noted _____
Victoria, B.C. _____

Your file Votre référence

Our file Notre référence

E5670-08084(RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

• November 29, 1984

Mr. Jack Anderson
Box 12117
808 Nelson Street
Vancouver, B.C.
V6Z 2H2

Dear Sir:

Road Right-of-Way Payment
Peters Band

Further to our conversation of November 23, 1984, I wish to confirm that the compensation to be paid by the Province of B.C. for the land required for their highway widening are considered as capital funds. This compensation must be eventually made payable to the Receiver General for Canada and deposited to the Band's Capital Account.

However, with the consent of the Peters Band, the Province may forward the money to yourself in trust and upon completion of the necessary documentation of the land transaction, you would then forward the money to the Receiver General for Canada in care of this office.

Yours truly,

Peter Humphrys

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C. V6E 3S2
666-3153

→ cc: Ministry of Highways
940 Blanshard Street
Victoria, B.C.
Attn: Don MacSween

PH/bc

cc: Ministry of Highways
7818 - 6th Street
Burnaby, B.C. V3N 4N8
Attn: John Adank

Canada



November 15, 1984

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 3E6



Your file Votre référence

P/N 6165

Our file Notre référence

E5670-08084 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

Attention: Don MacSween

Dear Sir:

Road Right-of-Way
Peters Indian Reserve No. 1

Further to the meeting of Friday, November 9, 1984, attended by Mr. & Mrs. Frank Peters, Wilfred Peters and Bill Peters from the Peters Band, their lawyer Jack Anderson, yourself and John Adank of Highways and myself, the following was agreed to:

1. Crown Canada will transfer to the Province of British Columbia the control and administration for a road right-of-way and public utility of that portion of Peters Indian Reserve No. 1 as shown outlined in red on your drawing RL-174-04. The area which is approximately 5.981 hectares (14.78 acres) will be legally surveyed by the Province.

If and when the land is no longer required for the above purpose it reverts back to the Band. The land will be transferred under Section 35 of the Indian Act.

2. The Province will pay to the Receiver General for Canada the sum of \$110,000.00.
3. The Province will return to reserve status the 0.089 hectare (0.22 acre) portion of the Trans Canada Highway, as shown in green on drawing No. RL-174-04.
4. The Province will construct an access road including installation of a cattleguard and proper railway crossing signals, from the proposed underpass location to the existing Peters Road. The road will be fenced with standard barbed wire.

.../2

5. The Province will restore existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway.
6. To construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
7. The Province will not allow any excavation in areas of archaeological value.
8. The Province will deck all merchantable timber from the right-of-way area for the Band.

By copy of this letter to the Peter Band, I shall request that they send us a Band Council Resolution approving the aforementioned.

Once we receive the Band Council Resolution and have a legal survey, we can then request an Order-in-Council for the transfer in the control and administration of the land.

If there are any questions, please do not hesitate to contact me.

Yours truly,



Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C. V6E 3S2
666-3153

cc: Chief Frank Peters
Peters Band

Mr. Jack Andersen
Box 12117
808 Nelson Street
Vancouver, B.C.
V6Z 2H2

Ministry of Highway
7818 - 6th Street
Burnaby, B.C.
V3N 4N8
Attn: John Adank

PH/bc

Brue.

1984.11.13

PN 616'S

RE PETERS 1R1 - MEETING FRIDAY NOV. 9TH, 1984.

SETTLED AS FOLLOWS:

- (1) 75,000⁰⁰ LAND
- (2) 25,000⁰⁰ IN LIEU OF PAVING A SECTION OF BAND ROAD.
BAND TO DO PAVING AT SOME FUTURE DATE COMPATABLE WITH THEIR DEVELOPMENT.
- (3) 10,000⁰⁰ SPLIT THE DIFFERENCE IN OUR RESPECTIVE POSITIONS.
(WE COULD HAVE PAID 6900⁰⁰ OF THIS AMOUNT ANYWAY AS COMPENSATION FOR LOCATEE LANDS AFFECTED BY ACCESS ROADS. OTHER 3100⁰⁰ CAN BE ATTRIBUTABLE TO LEGAL FEES AND MISCELLANEOUS COSTS.

110,000⁰⁰ SETTLED.

AGREEMENT INCLUDES RIGHT TO IMMEDIATE ENTRY FOR HIGHWAY CONSTRUCTION.

THE 25,000⁰⁰ SHOULD BE RECOVERABLE FROM CONSTR. VOTE BY JOURNAL VOUCHER FOR IT IS IN LIEU OF CONSTR. WORKS.

W



MEMORANDUM

To: Mr. T. R. Johnson
Asst. Deputy Minister, Operations
Ministry of Trans., & Highways
Buildings

Date: November 7, 1984
Branch/Dist: Property Services
Address: 940 Blanshard Street

Re: Peters Indian Reserve

Phone: 387-1838
Hdqtrs. File:
Region File: P/N 6165
District File:

The previously proposed portion of an Island desired by the Band is now frustrated as the Band is apparently uninterested.

One new request of the Band is that we upgrade and pave the area between the limits of construction (see green outline on plan attached). Peters Road is not a public road.

Mr. Garlinge of Burnaby estimates the cost of this additional upgrading and paving to be \$25,000.00 \pm (6" crush plus pavement - 310 meters more or less).

Are we prepared to consider this additional work as a part of the right-of-way settlement plan?

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

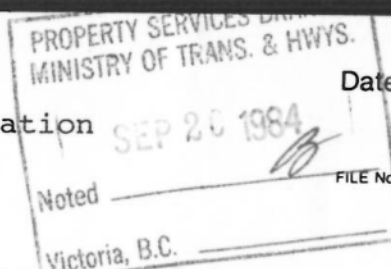
DIFM/ds

OK



Don

To: R. Gilmour
Manager of Land Administration
Lower Mainland Region
Burnaby, B.C.



Date: 84-09-18

Re: Land Adjacent to Peters
(formerly Squatits)
Indian Reserve No. 2

The Ministry of Transportation and Highways is negotiating with the Peters' Indian Band with regard to obtaining land for highway widening within Peters (formerly Squatits) Indian Reserve No. 1. The Band has requested that as part payment for compensation for lands to be taken from Reserve No. 1 that they would like to obtain the remaining Crown land on the small island on which Reserve No. 2 is located. I attach a copy of the official plan of Reserves 1 and 2 and a cut sheet from the appropriate reference map showing the Indian Reserves and the subject island.

Before advising Highways whether the land desired by the Band will be made available for exchange purposes it is necessary to determine what Crown land remains on the island and also an approximate value of the land. From the reference map it appears there has been a considerable change in the boundaries of the island since Reserve No. 2 was originally established.

In view of the above it will be appreciated if you would arrange for an examination and report on the area desired by the Indians and provide me with a report including a value for the area.

This is an urgent matter insofar as Highways is concerned, therefore, an early reply is requested.

W. C. Fry
W. C. Fry
Advisor, Indian
Land Matters

WCF/ld
Attachment

cc: Mr. D. McSween, Senior Property Negotiator
Ministry of Transportation & Highways,
Victoria



Province of
British Columbia

Ministry of
Transportation
and Highways

7818 - 6th Street,
Burnaby, B.C.,
V3N 4N8

Telephone :525-0961

YOUR FILE

OUR FILE P/N-6165.....

October 17th, 1984

Mr. Jack Andersen,
P.O.Box 12117,
808 Nelson Street,
Vancouver, B.C.
V6Z 2H2

Dear Sir,

Re: Peters Indian Reserve
T.C.H.- Cheamview - Jones Creek

I had the opportunity on October 4th, 1984, to meet with Chief Peters, and along with a representative from the Ministry of Lands, Parks and Housing, inspect the "Island" property alongside of I.R.#2.

Upon further deliberation, we are now prepared, in consideration of a Band Council Resolution that approves of a transfer pursuant to Section 35 of the Indian Act, of 5.9817 hectares (14.78 acres) of the Peters Indian Reserve No. 1 shown outlined in heavy red emphasis on Ministerial drawings No. R1-174-04, 05 and 06, to the Ministry of Transportation and Highways for Highway purposes and other works of public utility and convenience, and further allows entry unto the Reserve by the Ministry, its agents or assigns for the purposes of highway construction and other related works, to:

- (1) Transfer that portion of the Island I.R. #2 is located upon, that is Crown land and defined by its present highwater mark, to Her Majesty the Queen in Right of Canada, to be established as Indian Reserve for the use and benefit of the Peters Indian Band subject to the provisions of Order-in-Council 208/1930. The area is said to be approximately 18.2115 hectares (45 acres), but to be confirmed by a legal survey.
- (2) Pay to the Receiver General for Canada, on behalf of the Band, or to such person "In Trust" for the band, as specified by the Department of Indian Affairs, the sum of \$40,000.00 to be released upon completed transfer of highway right-of-way from Canada to the Ministry of Transportation and Highways.
- (3) Return to Reserve status the 0.0890 hectare (.22 acre) portion of the Trans Canada Highway, as shown shaded in green on drawing No. R1-174-04.

Contd.....page 2

- (4) Construct and pave an access road including installation of a cattleguard and proper signalization at the railway, from the proposed underpass location to the existing Peters Road. The Ministry will further fence both sides of said access road with highway standard type 'C' barbed wire fencing. Location of access road is to be determined by the Band and Construction Supervisor at the time of construction.
- (5) Restore existing access and cattleguard where existing Peters Road will be realigned to meet the Trans Canada Highway.
- (6) To construct and pave an access road from the south side of the highway, to the existing house located on the south side of the Trans Canada Highway.

We feel this proposal is very fair and reasonable to both sides of the negotiations and ask that the Band accept this letter of our commitments and prepare a Band Council's Resolution reiterating the same.

Yours truly,
W.Montgomery
Regional Property Negotiator

per:

John Adank
Property Negotiator

JA/kbv

c.c. Frank Peters, R.R.#2, Peters Road, Hope, B.C., VOX 1L0

c.c. Peter Humphries, Indian and Northern Affairs,
400 - 1145 Robson Street, Vancouver, B.C., V6E 3S2
(File #E5670-08084-08085(RT8))

B.c.c. D.I.F. MacSween

84/10/12 phone Larry Sorken - Min of Lands Parks & Housing.

His report examined a sale of some 151 Acres of Land located on Seabird Isld, from a ^{s.22} to Scott Paper. Sale price was \$1646 per acre but involved a requirement to break a lease, and other things affecting it. Mr Sorken felt after adjustments the ~~subject~~ property was worth \$1000 per acre. The B.C. Assessment Authority uses a figure of \$1100 per acre.

The subject Island however is subject to more erosion than Seabird, and possibly flooding. His report further discounts the value of the subject to \$665 per. Acre. He further explains that Forest Service thought a cursory value of the timber stumpage would be \$175 per acre, thereby increasing the value to \$840 per acre

His scale of the 1985 air photo showed the existing Island to be approx 54 Acres.

A 1980 air photo, when scaled was approx 45 Acres.

$$\text{Say } 45 \text{ Acres.} \times \$840 = \$37,800 \approx$$



MEMORANDUM

H118

To: Assistant Deputy Minister
Administration and Services Department
Victoria, B.C.

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.	
OCT 15 1984	
Noted _____	
Victoria, B.C. _____	

Date: 84/10/11

Headquarters File:

Regional File: P/N 6165

District File:


Director of Property Services

Attention : Mr.D.I.F.MacSween
Senior Property Negotiator

Re: Peters Indian Reserve #1 and 2

Thought you would find the attached photocopy useful.
Note the original size of the Island I.R. #2 is located upon.

✓ encl.


W.Montgomery
Regional Property Negotiator

REGIONAL DIRECTOR
MINISTRY OF TRANS., & HIGHWAYS
BURNABY

SEPTEMBER 10, 1984

P/N 6165

REGIONAL PROPERTY NEGOTIATOR

PETERS INDIAN RESERVE NO. 1

TELEX

I REGRET THAT MY PLANS HAVE CHANGED AND I WILL NOT NOW BE AVAILABLE TO MEET MR. ANDERSON ON 13TH INSTANT, PLEASE HAVE MR. ADANK MEET AGAIN WITH MR. ANDERSON, CHIEF PETERS AND MR. HUMPHRIES OF DIA AND CONFIRM OUR POSITION THAT:

- (1) IN THE ABSENCE OF ANY INFORMATION TO THE CONTRARY, WE CONFIRM OUR OFFER OF COMPENSATION FOR RIGHT-OF-WAY SHOWN ON THE PRESENTED PLANS AT \$75,000.00 TOGETHER WITH THE VARIOUS CONSTRUCTION COMMITMENTS DISCUSSED.
- (2) THE BAND MAY OPT FOR THE COMPENSATION IN CASH, IN LAND (FAIR VALUE FOR FAIR VALUE EXCHANGE) OR A COMBINATION OF THE TWO TO A TOTAL VALUE AS SET OUT IN (1) ABOVE.
- (3) FAILING IMMEDIATE SETTLEMENT OF THIS PROBLEM, WE WILL HAVE TO CONSIDER THE IMPLEMENTATION OF THE ALTERNATIVE MEANS AT OUR DISPOSAL TO ACQUIRE THE RIGHT-OF-WAY.

WITH DUE RESPECT TO MR. ANDERSON'S OPINION ABOUT RESUMPTION, WE HAVE TESTED OUR RIGHT TO RESUME RIGHT-OF WAY FROM P.C. 208/1930 INDIAN RESERVES AND WE HAVE ABSOLUTELY NO DOUBT ABOUT THE OUTCOME OF ANY FUTURE QUESTIONS PLACED BEFORE THE COURTS IN THIS REGARD. OUR RIGHTS WERE CONFIRMED BY THE SUPREME COURT OF BRITISH COLUMBIA (1977) AND THE BRITISH COLUMBIA COURT OF APPEAL (1979) IN MOSES ET AL VS. HMQBC.

RE OTHER ITEMS, WE WILL INSTALL CURRENT MINISTRY STANDARDS OF BARB WIRE FENCING - PLEASE SEE DESIGN AND SURVEY TO OBTAIN PRINT OF CURRENT STANDARD FOR PRESENTATION TO BAND.

. . . . 72

TELEX (CON'T)

PLEASE DISCUSS CEMETARY PROBLEM WITH DESIGN & SURVEY. PERHAPS THEY CAN MINIMIZE THE CLEARING AND GRUBBING AT THIS POINT TO LEAVE THE MAXIMUM POSSIBLE WIDTH OF BUSH AS A SCREEN BUT WITHOUT COMPROMIZING THEIR HWY. DESIGN.

DIRECTION WITH RESPECT TO SIGN CAN BE OBTAINED FROM DISTRICT OR REGION OFFICIALS.

THE BAND SHOULD BE LEFT IN NO DOUBT OF OUR RESOLVE TO ACQUIRE THE RIGHT-OF-WAY AT AN EARLY DATE, BY ONE MEANS OR THE OTHER.

A. C. BROWN
DIRECTOR OF PROPERTY SERVICES

PER:

D.I.F. MACSWEEN
SENIOR PROPERTY NEGOTIATOR

DIFM/ds

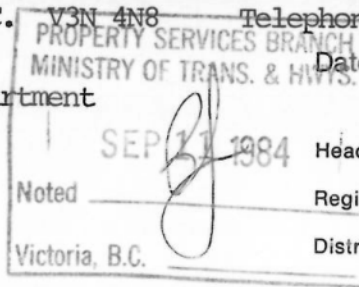


H118

7818 - 6th Street, Burnaby, B. C. V3N 4N8

Telephone: 525-0961

To: Assistant Deputy Minister
Administration and Services Department
Victoria, B. C.



Date: September 7, 1984

Headquarters File:

Regional File: P/N 6165

District File:

Director of Property Services

Attention: D. I. F. MacSween
Senior Property Negotiator

Re: Peters I.R.#1 - Trans Canada Highway
Wahleach Power Station to Jones Creek

I met with the bands legal council Mr. Jack Andersen, Barrister and Solicitor, at his office during the a.m. of September 6, 1984. Also present was Mr. Peter Humphries, of Indian and Northern Affairs. Mr. Andersen reiterated some of the thoughts and concerns the Peters Band had regarding the loss of more reserve lands, and the general plight of all Indians concerning land issues. Upon further elaboration he explained the Band would not accept our offer of \$75,000.00, but may consider the following proposals:

1. To place a value of \$20,000.00 per acre upon the lands required for highways, in the event of a cash settlement only. This would be approximately \$300,000.00.
2. The Band may consider something less than the \$20,000.00 per acre figure, providing the Province will transfer the remainder of the Island I.R.#2 is situated on. (see enclosed maps and photo copies) This area can best be described as "The Fractional Sections 24 and 13, Township 4, Range 28, W6M, N.W.D.

At this point values were discussed further, and I stressed our policy of exchanging lands as "value for value". Mr. Andersen felt this Island, regardless of the size of it, has little or no value, due to the fact that access is available only through the reserve, and the erosion problems the river creates. He added, the Band felt this area should have been included in their reserve initially, as the Crown had no use for it, even today.

...../2

P/N 6165
September 7, 1984

When the topic of the 1/20th was put forth, Mr. Andersen was of the opinion that we do not have this option, and inferred litigation in the event we were to invoke the resumptive reservation of P.C. O.I.C. 208/1930. I felt that this matter be put in abeyance, at least for the time being. However I would appreciate any legal advice, or opinions on this.

3. As the Band is aware we will acquire Lots 1 and 2, Plan 44973. There is some thought they would like to add onto the south side of the reserve from these properties. This would benefit Robert the owner of the house we must access. Mr. Andersen inferred the area transferred could be equal to the amount used for Highways, however he was somewhat vague on this subject.

Other items of concern were:

- i) The fence that we agreed to build on either side of the new access road be of 5 strand barbed wire and not 3 strand as stated in my letter to Andersen, August 2.
- ii) What the visual impact and effect the highway would have on the Cemetary, and are we prepared to somehow shield or conceal the Cemetary area from the traffic. On the grade etc. I am to contact Design and Surveys, but I said we will not build anything other than a gravel shoulder.
- iii) The band would like a sign positioned indicating "Peters Road" and their Craft Centre.

This more or less recapitulates our meeting.

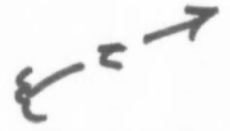
I would appreciate your comments and advice.



W. Montgomery
Regional Property Negotiator

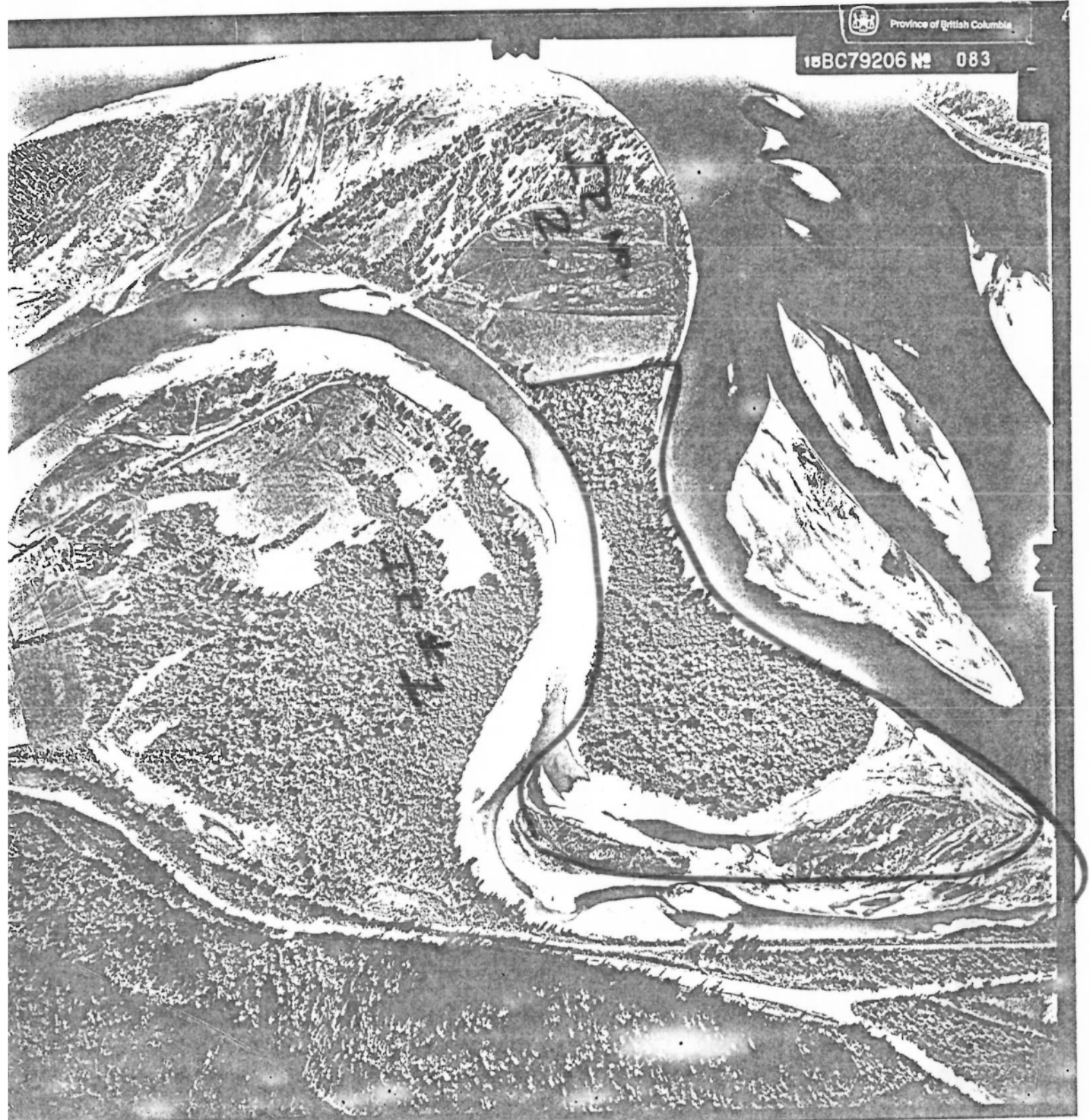
JA/klm
encl.

Area outlined
in red.
"Fractional Sections
24 and 13 Top 4
Range 25 W. 6 N.
N.W. 0."



Province of British Columbia

15BC79206 No 083



P/N 6165

Indian and Northern Affairs Canada

September 4, 1984

Unfortunately there are no records available as to the area of this land. There may also be an access problem as the railway isolates the river frontage. The property is suitable only for pasture. Value of \$1,000. - \$2,500. per acre would seem reasonable.

iv) Surplus Crown Lands.

- a) Pt. NW $\frac{1}{4}$ Sec. 30 Twp. 29 Lying South of Plan 21995 except Plan 19611 N.W.D. This property is called "Meadowland Provincial Park"; it has an area of 10.96 \pm acres valued at \$7,000. per acre.
- b) Pt. Pcl. 1 (Ref. Plan 7969) of NE $\frac{1}{4}$ Sec. 30 Twp. 29 N.W.D. Lying South of Pl. 21995. This property is approximately 11.52 ac. valued at \$7,000. per acre.
- c) Pt. Pcl. A (Ref. Pl. 7177) of the NE $\frac{1}{4}$ Sec. 30 Twp. 29 N.W.D. Lying South of Pl. 21995 except Pcl. 1 (Ref. Pl. 7969). This property is approximately 20.17 acres and is valued at \$8,000. per acre.

These properties are located just east of Annis Rd. and immediately west of Nixion Rd. They are contiguous to one another and are under the administration of the Ministry of Lands, Parks and Housing. These properties are also within the Agricultural Land Reserve.

I trust this is satisfactory.

Yours truly

W. Montgomery
Regional Property Negotiator

Per: J. Adank
Property Negotiator

JA:ew



COURIERS LTD.

1018 MAINLAND
VANCOUVER, B.C. V6B 2T4 669-8889

B-412841

NOTE: TERMS AND CONDITIONS ON REVERSE SIDE

SHIPPER: Ministry of Transport 7418-611 st		PREPAID <input checked="" type="checkbox"/>	DESTINATION: Jack Harrison Box 12117, 408 100 St Vancouver B.C. V5Z 2H2		COLLECT
REGULAR <input checked="" type="checkbox"/> RUSH <input type="checkbox"/> HOT <input type="checkbox"/> RETURN <input type="checkbox"/>		CHARGE TO (IF OTHER THAN ABOVE)		Maximum Liability \$50.00	C.O.D. \$ <input type="checkbox"/> CASH <input type="checkbox"/> CHEQUE <input type="checkbox"/>
No. Pcs	DESCRIPTION		WEIGHT	DELIVERY	
1	Envelope			WAITING TIME	
				RETURN	
				Advances	Insurance
				TOTAL	Cash <input type="checkbox"/> Cheq <input type="checkbox"/>
SHIPPER: B. Harrison		DRIVER: 74		RECEIVED IN GOOD CONDITION	
DATE: 4/12/5		TIME: 11:55		DATE: TIME:	

MONITOR COPY



Province of
British Columbia

Ministry of
Transportation
and Highways

7818 - 6th Street,
Burnaby, B.C.,
V3N 4N8



Telephone : 525-0961

YOUR FILE

OUR FILE P/N 6165

August 2nd, 1984

Mr. Jack Anderson
P.O.Box 12117,
808 Nelson Street
Vancouver, B.C
V6Z 2H2

Dear Sirs,

Re: Peters Indian Reserve Number One
and the Trans Canada Highway -
Wahleach Power Station -
Jones Creek.

Firstly, through your courtesy, we would like to thank the Council Members for the constructive and business like manner our August 1st, 1984, meeting was conducted.

Those in attendance for the Band were:

Chief : Frank Peters
Councilor: Cliff Peters
Councilor: Bill Peters
Member : Annette Peters
Indian Affairs: Peter Humphries

Those in attendance for the Ministry were:

Property Negotiator : John Adank
Senior Property Negotiator : Don MacSween

To briefly recapitulate our meeting, we opened discussion on a review of past topics and examined our final preliminary Right-of-way drawing along with a laning diagram. This latest proposal showing an on-off-ramps at Peters Road met with a supportive indication from the Council Members. However, Bill Peters still had some reservations regarding the access road from the underpass to Peters Road. He felt there should be some compensation for the loss of land from his property. Later in the meeting, Mr. MacSween stated the land is a capital asset of the Band and the only loss would be that of its present use to a road. There could be some allowance for disturbance, but the amount would have to be decided upon by the Band internally.

contd.....page 2

Further discussion centred around a cash settlement, a land exchange or a combination of the two. Several parcels of land that might be available for a land exchange were talked about and the Council were to give further consideration to this option. The Ministry expressed its position that an exchange of land would have to be equitable; that is equal value for equal value. Any transfer of Crown lands would be given to Canada, as reserve lands, for the use and benefit of the Band under the same conditions the Reserve was created; in this case P.C.O.I.C. 208/1930.

Further discussion took place on what value should be placed on the Reserve land required for the R/W. Several recent sales and current listings were talked about, that are in the local area. The analysis indicated larger acreages of pasture type lands to have a value of \$2,500 to \$3,000 per acre. For smaller acreages or homesites suitable for hobby farms a value of \$7,000 to \$8,000 was indicated.

After a short consultation, the Ministry stated it was in a position to offer the Band \$75,000.00. This was calculated rather hurriedly in the field on the premise the lands between the railway and highway are suitable for pasture and the lands to the south of the highway are akin to small holdings or homesites. The only exception to this is the very steep section at the east end of the Reserve totalling an area of 0.596 hectares. For the benefit of doubt in this case, the pasture land price was thought to be suitable. Unfortunately at that time we were unaware of an error in our adding when totalling the areas on the south side of the highway. Originally we calculated this area at 2.229 ha. at \$8,000 per hectare. In fact the area should be 1.952 ha. at \$8,000.00 per hectare. However, we will agree to the figure stated. To illustrate, our present calculations are as follows; (we appreciate at this time you have not had the opportunity to review the preliminary right-of-way requirements, and we have left a copy of same with the Band Council for your retention.)

2.548 hectares (area south of highway)		
<u>- .596 hectares</u> (steep area south of highway)		
1.952 hectares @ \$19,769 (equiv. to \$8,000 per acre)	=	\$38,589.09
3.4337 hectares (area between R.R. and highway)		
<u>+ .596 hectares</u> (steep area south of highway)		
4.0297 hectares @ \$7,413 (equiv. to \$3,000 per acre)	=	\$29,872.18
=====	Total	= <u>\$68,461.27</u>

Our original calculations were \$72,240.00 rounded upward to \$75,000 to offset any disturbance to Band. We will still agree to the \$75,000 amount as compensation.

contd.....page 3

The Ministry further agreed to construct the access road to a paved two lane standard to the present Peters Road. A cattleguard was also to be installed. In this regard we committed to fence both sides of this access road to the existing fence line, presumably this was to be 3 strand barb wire fence.

It was agreed we would return to Reserve Status the 0.0890 hectare portion of Right-of-way by the cemetery that is coloured red on the preliminary plan.

We would further restore the existing cattleguard when restoring the realigned access of Peters Road to the Trans Canada Highway.

The access road to the house on the south side of the highway said to be owned by "Robert", will be constructed by the Ministry and blacktopped to the house. All areas within our right-of-way will be maintained by the Ministry, any roads outside are the Band's responsibility.

We understand you will be meeting the Band Council on August 7th this instance. If our proposal is satisfactory to the Council, will you please effect a Band Council Resolution for the following:

(1) A transfer, subject to the existing B.C.Hydro easement and R|W in favour of Trans Mountain Oil Pipeline Company; pursuant to Section 35 of Indian Act; of 5.9817 hectares of Peters Indian Reserve No. 1, shown shaded in yellow on Ministerial drawing No. R1-53-11, R1-53-12 and R1-53-13 to the Ministry of Transportation and Highways for highway purposes and other works of public utility and convenience.

(2) In consideration of the foregoing transfer, the Ministry of Transportation and Highways agrees to:

- (a) Pay to the Receiver General for Canada 'In Trust' for the Band, the sum of \$75,000.00. This amount will be offset by the value of any available Crown land, or obtainable private lands, if the Band requires a land exchange. Any such lands available will be transferred to Canada "In Trust" for the use and benefit of the Band under the same conditions and terms of Privy Council Order-in-Council 208|1930.
- (b) To construct and pave an access road, including installation of a cattleguard from the proposed underpass location to the existing Peters Road. Location of this road to be determined by the Band and Construction Supervisor at the time of construction; to fence both sides of this access road to existing fence lines. Fencing material to be equivalent to 3 strand barbed wire.
- (c) Restore existing cattleguard and access where the Peters Road will be realigned to meet the Trans Canada Highway.

contd.....page 4

- (d) To return to Reserve Status the 0.0890 hectare portion of the Trans Canada Highway, shaded in red, as shown on drawing No.R1-53-11.
- (e) to construct and pave an access road to the existing house located on the south side of the highway.

The Band agrees that all maintenance and repairs of the roads herein described, that are not in the 5.9817 hectare portion of Right-of-way, shall be the responsibility of the Band.

The Band further agrees, that in exchange for moneys received, the Band will allow the Ministry of Transportation and Highways, its agents or assigns, the right to enter for the purposes of road construction.

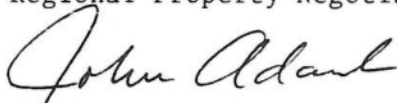
We trust the foregoing information is sufficient, as I will be absent for three weeks from the office commencing August 7th, 1984, however, the Regional Property Negotiator will be able to answer any questions that may arise in the meantime.

The Minister intends to tender this contract in conjunction with several more on the Trans Canada to the Coquihalla by August 15th, 1984. Therefore, I hope you can appreciate the urgency that we wish a speedy conclusion to this matter.

We await a copy of the Band Council Resolution, as herein expressed.

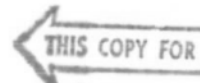
Yours truly
W.Montgomery
Regional Property Negotiator

per:


John Adank
Property Negotiator

JA/kbv

c.c. Senior Property Negotiator, Victoria



July 3, 1984

PN6165

SUBJECT: WAHLEACH - JONES CREEK

RE: PETERS INDIAN RESERVE

A meeting was held with the Peters Indian Band Council at the Reserve Craft Centre on June 26, 1984, 3:00 P.M.

In attendance:

Mr. Frank Peters, Band Chief

Mr. Cliff Peters, Council Member

Mr. J. Adank, Property Negotiator

Mr. A. G. Garlinge, Regional Manager, Design & Surveys

Mr. L. Martell, Regional Design Supervisor

The purpose of this meeting was to discuss the various access proposals suggested by the Band at our meeting of June 19, 1984.

Mr. Martell reviewed the drawings, plans and profiles, for four different access proposals.

After reviewing and discussing these proposals it was the consensus of the meeting that proposal D-1, prepared 81/05/29, with the access from the north end of the O/P located along the boundary between lots 3 and 4 is the most desirable.

It was agreed that the Band Members would be consulted before the location of the roadway between lots 3 and 4 is finalized.

With regard to compensation Mr. Peters advised that they would be interested in an exchange of farm land for the R/W required. Mr. Cliff Peters suggested that they are interested in the farm land The Ministry owns at Laidlaw (currently based for a 15 year period) and a parcel of land on the north side of Hwy. 1 east of Annis Road.

The Council members were advised that all future negotiations would be conducted by the Property Negotiators and that the Design and Surveys Branch would no longer be involved other than to answer questions that may arise during negotiations.

The meeting adjourned at approximately 4:30 P.M.

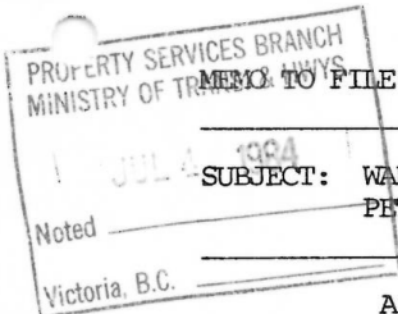


A. G. Garlinge
Regional Manager
Design & Surveys Branch

AGG:ew

c.c. Mr. D.I.F. MacSween
c.c. Director of Design and Surveys
c.c. Regional Director, Highways
c.c. District Highways Manager
c.c. Regional Property Negotiator
c.c. Regional Survey Supervisor
c.c. Regional Design Supervisor
c.c. Design File

THIS COPY FOR



RLL-01-19A

July 3, 1984

SUBJECT: WAHLEACH - JONES CREEK
PETERS INDIAN RESERVE

A meeting with the Peters Indian Board Council was held at the Reserve Craft Centre on June 12, 1984, 3:00 P.M.

In Attendance:

Mr. Frank Peters, Band Chief
Mr. Cliff Peters, Council Member
Mr. P. S. Dunn, District Highway Manager
Mr. J. Adank, Property Negotiator
Mr. L. Martell, Regional Design Supervisor
Mr. A. G. Garlinge, Regional Manager, Design & Surveys

This meeting was requested by Mr. Frank Peters to discuss various features of our proposed access to the reserve which the Band Members objected to.

Mr. Frank Peters opened the meeting by advising that our proposed layout had been reviewed by the Band Members and that they were concerned about the following features:

1/ The roadway from the pipe o/p running across the reserve to the existing road serves the area and occupies too much land.

2/ They would prefer to have the west bound off-ramp and east bound on-ramp located in the same area.

He suggested that a solution to these problems would be to locate the pipe o/p in the area of the cemetery.

We advised that many different schemes had been tried, including a layout with the pipe o/p located at the cemetery, and that it is our opinion that the current proposed layout has less impact on the reserve than any other.

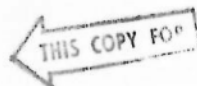
It was agreed that we would prepare other possible schemes for review at the next meeting to be held at 3:00 P.M., June 26th, 1984.

The meeting adjourned at approximately 4:30 P.M.

A. G. Garlinge
Regional Manager
Design & Surveys Branch

AGG/ru

c.c. Mr. D. I. F. MacSween
c.c. Director of Design & Surveys
c.c. Regional Director, Highways
c.c. District Highway Manager, Chilliwack
c.c. Regional Property Negotiator
c.c. Regional Design Supervisor
c.c. Regional Survey Supervisor
c.c. Design file





PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.	
JUL 26 1984	
Noted _____	
Victoria, B.C. _____	

Your file Votre référence

Our file Notre référence

E5673-08084

July 24, 1984

Ministry of Transportation
and Highways
Property Services
940 Blanshard Street
Victoria, B.C.
V8W 3E6

ATTN: Don MacSween

Dear Sirs:

Re: Peters I.R. No. 1, B.C.

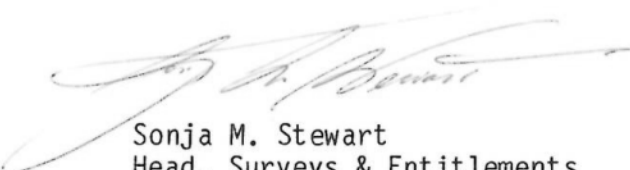
Reference is made further to our telephone conversation
(MacSween/Stewart) of July 23, 1984.

Enclosed please find the following:

- i) OCPC 1960-1589 - reg. #3209-84
- ii) Plan 5254 - micro-fiche #3096
- iii) Reserve General Register

I trust the foregoing proves sufficient.

Very truly yours,



Sonja M. Stewart
Head, Surveys & Entitlements
Reserves & Trusts
B.C. Region
P.O. Box 1000
800 Burrard St.
Vancouver, B.C.
V6Z 2J3
(666-5127)

encls.

Canada

Memo to file

Surplus lands talked about at Aug. 1st by meeting with Band.

① lots 2, 3, 4 Pl. 26850

PlN 16496 - in Laidlaw area, we agreed to treat these 3
PlN 16495 - properties as one 6.06 acre parcel valued at
PlN 22503 - \$8000 per acre. Could be consolidated when transferred.

② Crown land on Island next to Peters I.R. 2

"Fractional sections 24 & 13 Twp. 4. R. 28. W604."

No value discussed on this.

③ Fractional Sec. 19 etc. see PlN 16494.

value similar to Indian lands \$3.000 per acre.

I have no idea how large this parcel is.

④ PlN 7166 10.46 Ac. \$7,000 per acre
PlN 7169 11.52 Ac \$7,000 per acre.
PlN 7137 20.17 Ac \$6,000 per acre.

These properties are adjacent to Trans Canada Highway near Annis Rd. - Rosedale. They have been transferred to L.P.H. ~~HA~~. 79/4/30. last time I checked they were still owned by the Crown.



To: Regional Director
Ministry of Transportation
and Highways
BURNABY

Date: July 23, 1984

Headquarters File:

Regional File: PN 6165

District File:

Attention: Regional Property Negotiator

Re: Peters I.R. 1


Re my telephone conversation with John Adank 23rd instant,
I can confirm following information with respect to this Reserve:

Gross area of Reserve	335.50 acres
Excluded roads	11.292 acres (Old Yale Road)
Net area of Reserve	324.208 acres
1/20th of Net area	16.2104 acres

Additional right-of-way was acquired for the Trans Canada Highway Project 753 - Twin Bridges to Lorenzettie Creek Section in two transactions (1) 4.47 acres for \$447.00 on H.120 dated 56/06/06 and (2) 0.42 acres for \$42.00 on H.120 dated 57/06/24. Our file indicates Canada had approved the transactions and P. C. Order would issue shortly (letter 60/11/16) as surveyed on IASR Rd. 5254. I have no record of P. C. Order on my file but am informed one was issued in 1960 and that a copy will be forwarded forthwith.

For your information.

A. C. Brown
Director of Property Services


Per: D. I. F. MacSween
Senior Property Negotiator

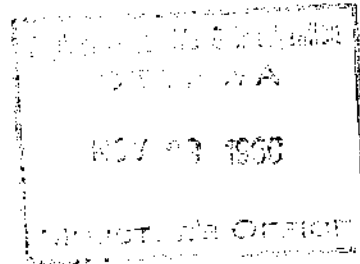
DIFM/im



CANADA

PRIVY COUNCIL

153/31-4-30-1A



AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 25th day of NOVEMBER, 1966

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Minister of Highways, Province of British Columbia, has applied for the lands hereinafter described, being a portion of Peters Indian Reserve number one in the said Province, for road purposes;

AND WHEREAS the Council of the Peters Band of Indians, for whose use and benefit the said Reserve has been set apart, have by resolutions dated the 10th day of May, 1956, and the 2nd day of April, 1957, approved the application in consideration of the sum of Four Hundred and Eighty-nine Dollars (\$489) which has been paid by the Province.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Citizenship and Immigration, pursuant to section 35 of the Indian Act, is pleased hereby to consent to the taking of the said lands by the Province of British Columbia and to transfer the administration and control thereof to Her Majesty in right of the Province of British Columbia:

Description

In the province of British Columbia, in the Yale Division of the Yale District, in Peters Indian Reserve number one, the whole of a right-of-way according to plan number fifty-two hundred and fifty-four in the Canada Lands Surveys records at Ottawa, a copy of which has been deposited in the Land Registry Office for the New Westminster Land Registration District at New Westminster under number twenty-one thousand two hundred and ninety; said right-of-way containing by admeasurement sixteen acres and eighteen hundredths of an

...2

acre, more or less, subject however to a grant of easement to British Columbia Electric Company Limited dated July 2, 1953, for a power line right-of-way as shown on Plan M3643, Canada Lands Surveys Records, and further subject to a grant of easement to Trans Mountain Oil Pipeline Company dated December 10, 1958, for an oil pipeline right-of-way as shown on Plan 4591, Canada Lands Surveys Records.

Reserving all mines and minerals whether solid, liquid or gaseous which may be found to exist within, upon or under such lands, together with full power to work the same and for this purpose to enter upon, use and occupy the said lands or so much thereof and to such extent as may be necessary for the effectual working and extracting of the said minerals.

Certified to be a true copy

A. M. Hill
A. M. HILL

Ass't. Clerk of the Privy Council.

John Adams

1. Peterson Reserve.

- problems with design.
- Indians want east-west access from Reserve to highway. TC pipe on SE, Rly on river - Venturing effect - only way for access to install multi-plat access under highway with proper access.
- Design & Survey to do couple of proposals. Reevaluation Indian
- did not tell them - Regional District want Kam - Chilliwack - interchange access only.



PN 6165

May 16, 1984

Your file Votre référence

Our file Notre référence

E5670-08084-08085 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

Ministry of Highways
7818 Sixth Street
Burnaby, B.C.
V3N 4N8

Attention: John Adank

Dear Sir:

Highway Right-of-Way
Peters Indian Reserve No. 1

I wish to acknowledge our meeting with the Peters Band Council on May 14 and confirm that the Council gave their verbal consent to allow the Province to carry out survey work related to the new proposed highway widening and its access roads on the above reserve. This office concurs with the consent of the Band.

Once the final locations of the new roads are determined, perhaps we could then have a meeting to discuss compensation.

Yours truly,

Peter Humphrys

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2
666-3153

PH/bc

PROPERTY SERVICES BRANCH
MINISTRY OF TRANS. & HWYS.
MAY 2 1984
Noted _____
Victoria, B.C. _____

PN 6165

MEMO TO FILE

(Wahleach - Jones Creek)

RIL-01-19A

RE: PETERS INDIAN RESERVE.

A meeting with the Peters Indian Band Council was held at the Reserve Craft Centre on May 14th, 1984, 5:30 p.m.

In attendance:-

Mr. Frank Peters, Chief
Mr. Cliff Peters, Council Member
Mr. Bill Peters, Council Member
Mrs. Evelyn Peters, Council Member
Mr. P.S. Dunn, District Highways Manager
Mr. W.A. Montgomery, Regional Property Negotiator
Mr. J. Adank, Property Negotiator
Mr. L. Martell, Regional Design Supervisor
Mr. A.G. Garlinge, Regional Manager, Design and Surveys
Mr. P. Humphries, Ministry of Indian Affairs

The purpose of the meeting was to discuss the impact of the proposed highway design on the Reserve. Specifically this involved, access to the Reserve and right-of-way requirements.

The Ministry Staff reviewed the highway layout and design as it affects the Reserve. During this review the following features and requirements were covered.

- 1) Access to and from the east is provided at the Reserve but access to and from the west will be via the service road to the interchange at station 462.
- 2) The location of the roadway connecting the pipe O/P to the existing Reserve road to the north will be selected by the Indian Band. It was noted that the alignment shown on our preliminary layout passes through or very close to a house. The most likely alignment for this connection is along the lot line to the east.
- 3) The location of the west end of the road accessing the west end of the Reserve on the south side of the highway can be adjusted to best suit the property.
- 4) The intention at this time is to buy out the private property situated west of the Reserve on the south side of the highway.

- 5) The Ministry would consider the transfer of the following areas of existing right-of-way back to the Reserve.
 - a) Small areas on both sides of the cemetery.
 - b) The area required to construct the access road along the south side of the highway west of the pipe O/P. This transfer would place responsibility of the administration and maintenance of the road with the Indian Band.
- 6) With regard to the maintenance of the roadways it was suggested that the Ministry would be responsible for the pipe O/P, on and off ramps and the service road leading to the interchange at station 462. All roads on the Reserve would be the responsibility of the Band.
- 7) The areas required from the Reserve for additional right-of-way was pointed out on the plan. This involves a total of 10.09 ac.
- 8) It was explained to the Council Members that our plans have not been discussed with the C.N.R. and that minor changes may be necessary to accommodate the double tracking and other railway considerations. Also the additional railway crossing at the pipe O/P must be approved by the Transport Commission.

The Council members appeared to generally accept the concept of the proposed layout and only expressed concern or questioned details which could be adjusted to accommodate these concerns.

Compensation for right-of-way was only discussed in general terms. The possibility of an exchange of crown land for right-of-way required was mentioned but was not discussed in detail.

Mr Humphries advised that he was not in a position to comment on the proposed highway improvements. His only responsibility is to ensure that the Indian Band receive just compensation.

It was pointed out that construction on the project will start this fall and that the Band's comments, concerns and acceptance are required as soon as possible. The Council members advised that they wish to review the highway improvements with other Band members and they will get back to us as soon as possible.

The Council Members gave verbal permission for our survey crews to enter the Reserve and map the area so that the access road can be located and designed. A formal Band Resolution will be provided in the near future. Our Project Supervisor will contact Mr. Frank Peters before starting the survey.

The Meeting adjourned at 8:00 p.m.



A.G. Garlinger,
Regional Manager,
Design and Surveys.

AGG/mo:

c.c. D.I.F. MacSween, Victoria
c.c. Director of Design and Surveys
c.c. Regional Director
c.c. District Highways Manager
c.c. Regional Property Negotiator
c.c. Regional Design Supervisor
c.c. Regional Survey Supervisor
c.c. Design File.



Indian and
Northern Affairs

Affaires
indiennes
et du Nord

Property Services Branch
Ministry of Highways

JAN 10 1980

NOTED

VICTORIA, B.C.

400 - 1145 Robson Street
Vancouver, B. C.
V6E 3S2

January 4, 1980

Ministry of Transportation and
Highways
7818 6th Street
Burnaby, B. C.
V3N 4N8

Your file Votre référence

P/N 6165

Our file Notre référence

987/31-4-586-1 & 1A
(LD8)

Attention: J. D. Killer

Dear Sir:

RE: BORE HOLES
PETERS INDIAN RESERVE 1 & 1A

Further to your letter of December 11, 1979, I wish to advise you that Chief Robert Peters of the above Band gave me his verbal consent over the telephone on January 3, 1980 to allow your Department permission to enter his reserve to conduct a seismic investigation and bore eight holes only as indicated on the two drawings you sent me. Since the Chief has no objections to your Department's request, you also have the approval of this office.

It is understood, of course, that your Department will accept full responsibility for any liabilities or damages incurred by the seismic study and drill holes.

Yours truly,

Peter Humphrys
Real Estate Advisor
VANCOUVER DISTRICT

cc: Chief Robert Peters
Peters Band

PIN 6165

ASSIGNMENT

MINISTRY OF HIGHWAYS AND PUBLIC WORKS

To: Mr E E Readshaw *SR* Date: 1980.02.11
Mr VADrew *K* Supply Services Branch
 File: _____
 Letter No. _____
 FEB 12 1980
 SUBJECT: NOTED
VICTORIA, B.C.

- | | |
|--|---|
| 1. Please investigate and report to this office. | 9. Please reply direct. |
| 2. Please investigate and take action as necessary. | 10. cc to this office. |
| 3. Comments, please. | 11. Please prepare reply for _____ signature. |
| 4. Recommendations, please. | 12. For your attention, please. |
| 5. Discuss, please. | 13. For your signature, please. |
| 6. Note and return, please. | 14. For your information, please. |
| 7. <input checked="" type="checkbox"/> Note and forward, please. | 15. For your file, please. |
| 8. Note and forward to file, please. | |

REMARKS _____

DESIGN & SURVEYS
 MINISTRY OF HIGHWAYS
 FEB 12 1980
 050859
 VICTORIA, B.C.

From: Elctn

HWY 15 CHWK

HWY RI VCR

D H M
CHILLIWACK

RE: PETERS INDIAN RESERVE

HAD A DISCUSSION WITH THE INDIAN BAND. I AGREED AS A TEMPORARY MEASURE TO REPAIR THEIR BRIDGE. COULD YOU HAVE YOUR BRIDGE CREW REPLACE ONLY THE DETERIORATED CROSS DECKING AND ADD TO THE RUNNING PLANKS ON THE BRIDGE? THE BRIDGE IS IN POOR CONDITION AND OUR REPAIRS SHOULD ONLY BE SUFFICIENT TO GET THE BRIDGE THROUGH ANOTHER 6 MONTHS TO A YEAR. THE BRIDGE MUST TAKE OUR GRADER AND THE FIRE TRUCK. I ALSO AGREED TO PURCHASE THE PIPE THAT WILL BE THE ULTIMATE REPLACEMENT FOR THE BRIDGE.

G. GARLINGE WILL BE SUPPLYING YOU WITH PARTICULARS. PLS PROCEED WITH THE PURCHASE AS SOON AS YOU HAVE THE INFORMATION.

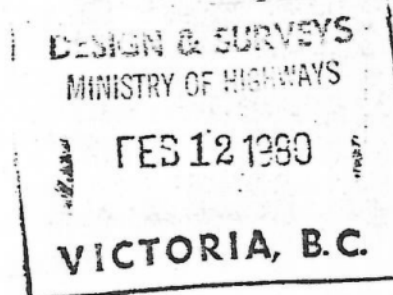
M. J. O'CONNOR.
REG. HWY. ENGR.

BURNAEY
80/02/06
3:46 PM

CC: G. GARLINGE.

c.c. *M. G. ELSTON*

HWY 15 CHWK



THIS COPY FOR

*
HWY 15 CHWK

HWY RI VCR

D H M
CHILLIWACK

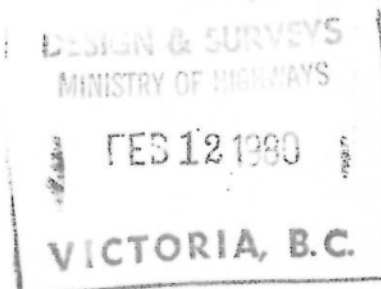
RE: PETERS INDIAN RESERVE

HAD A DISCUSSION WITH THE INDIAN BAND. I AGREED AS A TEMPORARY MEASURE TO REPAIR THEIR BRIDGE. COULD YOU HAVE YOUR BRIDGE CREW REPLACE ONLY THE DETERIORATED CROSS DECKING AND ADD TO THE RUNNING PLANKS ON THE BRIDGE? THE BRIDGE IS IN POOR CONDITION AND OUR REPAIRS SHOULD ONLY BE SUFFICIENT TO GET THE BRIDGE THROUGH ANOTHER 6 MONTHS TO A YEAR. THE BRIDGE MUST TAKE OUR GRADER AND THE FIRE TRUCK. I ALSO AGREED TO PURCHASE THE PIPE THAT WILL BE THE ULTIMATE REPLACEMENT FOR THE BRIDGE.

G. GARLINGE WILL BE SUPPLYING YOU WITH PARTICULARS. PLS PROCEED WITH THE PURCHASE AS SOON AS YOU HAVE THE INFORMATION.

M. J. O'CONNOR,
REG. HWY. ENGR.

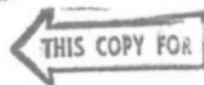
BURNAEY
80/02/06
3:46 PM



CC: G. GARLINGE.

c.c. M. G. ELSTON

*
HWY 15 CHWK

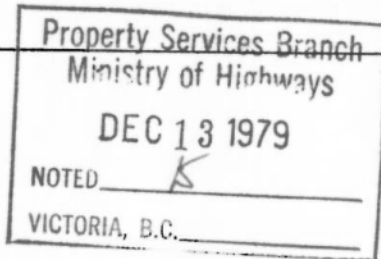




Province of
British Columbia

Ministry of
Transportation,
Communications
and Highways
HIGHWAYS

7818 - 6th Street
Burnaby, B.C.
V3N 4N8
Telephone : 525-0961



YOUR FILE
OUR FILE P/N 6165
Chilliwack

December 11th 1979

Indian & Northern Affairs
400 - 1155 Robson Street
Vancouver, B.C.
V6E 1B9

Attention : Mr. Peter Hymphrys

Dear Sirs,

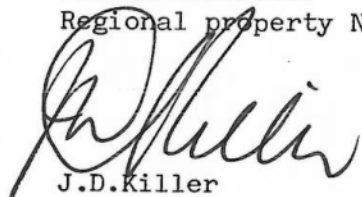
Re: Access to Peters Indian Reserves
No. 1 and 1A

Further to our recent telephone conversation relative to the above, we are hereby soliciting your assistance in obtaining a Band Council Resolution for the purpose of obtaining a Permission to Enter upon the Peters Indian Reserves #1 and 1A to conduct a seismic investigation and bore a number of holes to determine strata contour and quality of material at locations indicated in red on prints of Ministry Location drawings attached.

Your early attention to this matter will be much appreciated and should you require further information or personal attendance for a meeting to obtain said Resolution, please contact the undersigned .
Thank you.

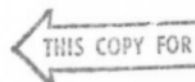
Yours truly
Lionel H. Mercier
Regional property Negotiator

By:


J.D. Killer
Property Negotiator

JDK/kbv
encl.

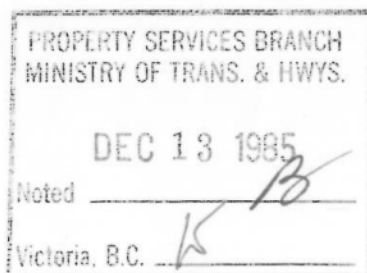
c.c. Senior Property Negotiator, Victoria, B.C.
c.c. Director of Geotechnical and Materials Engineering, Victoria
c.c. Regional Geotechnical and Materials Engineer, Burnaby





December 10, 1985

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 3E6



Your file Votre référence

PN 6165

Our file Notre référence

E5670-08084-08085 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

Attention: Don MacSween

Dear Sir:

Survey
Peters Indian Reserve No. 1

The Peters Band, after discussions with Mr. Trevorrow, have now agreed to the survey of the highway right-of-way through their reserve as indicated by their Band Council Resolution signed December 9, 1985.

Hopefully, we can now proceed with the necessary Order-in-Councils in order to finalize the transaction.

Yours truly,

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C. V6E 3S2
666-3153

cc: Jack Andersen, Solicitor
808 Nelson Street
P.O. Box 12117
Vancouver, B.C.
V6Z 2H2

Ministry of Highways
7818 - 6th Street
Burnaby, B.C.
V3N 4N8
Attn: John Adank

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro consécutif

H.Q. Reference - N° de réf. du b. pr.

E5690-08084-08085.

Item AD-84 BC

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	PETERS BAND	Capital balance Solde de capital	\$
AGENCY AGENCE	VANCOUVER DISTRICT	Committed - Engagé	\$
PROVINCE	BRITISH COLUMBIA	Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT		Committed - Engagé	\$
DATE	9 DEC AD 19 85 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE;
DÉCIDE, PAR LES PRÉSENTES:

that the Statutory Right-of-Way
Plan of the Trans Canada Highway
through PETERS Indian Reserve
Number 1, Province of British
Columbia

as executed on May 29, 1985 by
David Trevorrow, B.C.L.S.


is hereby accepted.

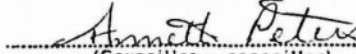

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)


(Chief - Chef)


(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

FOR HEADQUARTERS USE ONLY - RÉSERVÉ AU BUREAU PRINCIPAL				
1. TRUST ACCT COMPTE DE FIDUCIE	2. CURRENT BALANCES - SOLDES COURANTS		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens
	A. Capital \$	B. Revenue - Revenu \$	\$	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
6. Recommended - Recommandé				
Date			Date	
Authorized Officer - Fonctionnaire autorisé			Assistant Deputy Minister - Sous-ministre adjoint	



H118

7818 - 6th Street, Burnaby, B. C. V3N 4N8

Telephone: 660-8287

To: Assistant Deputy Minister
Administration and Services Department
Victoria, B. C.

Date: November 21, 1985

Headquarters File:

Regional File: P/N 6165

District File:

Director of Property Services

Attention: D.I.F. MacSween
Manager of Operations

Re: Peters I.R.#1 - T.C.H.

Thank you for your memo November 14, 1985 outlining the "L-1000" access road to the Reserve that was re-aligned by Bill Peters, Frank Peters and B.S. Jassal, Project Supervisor of our Construction Branch. Until your memo, we had no knowledge of the change.

You are by now in receipt of a letter copy from Chief Frank Peters, dated November 7, 1985 whereby he requests an other survey of the right-of-way where he suspects construction has trespassed. My self and their lawyer, Mr. Andersen met with Cheif Peters on the Reserve October 11, 1985 to examine the area they where concerned with. It was mainly restricted to the area south of the Highway beginning where the existing house is then eastward to approximately Station 157.

I'm surprised he has taken this stance again, because at our meeting he agreed to accept the survey as final and after construction we would examine for any discrepancies. Mr. Andersen indicated he would prepare the B.C.R. for D.I.A. ratification.

Perhaps it would be in our interest to have Mr. D. Trevorrow check his survey at this point to lay to rest The Band's concern.

W. Montgomery
Regional Property Negotiator

✓JA/klm

PROPERTY SERVICES BRANCH MINISTRY OF TRANS. & HWYS.	
NOV 25 1985	
Noted	
Victoria B.C.	

November 20, 1985

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 3E6

Attention: Don MacSween

Dear Sir:

Highway Right-of-Way Survey
Peters Indian Reserve No. 1

The Peters Band Council, as you may now be aware, have not signed a Band Council Resolution accepting the survey of the new right-of-way as done by David Trevorow on May 29, 1985. They have now officially requested by a letter dated November 7, 1985, for another survey to be done by Mr. Trevorow.

In numerous conversations with Chief Frank Peters, he has been very adamant that another survey be completed and I strongly feel that unless one is done, the completion of the right-of-way transaction will be much delayed. Your assistance in having this problem resolved will be appreciated.

Yours truly,

Peter Humphrys

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2
666-3153

cc: Chief Frank Peters
Peters Band

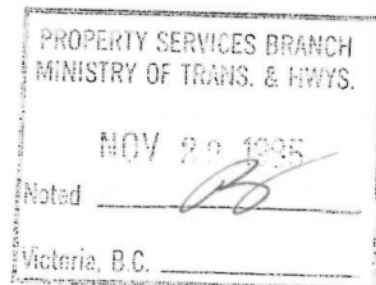
Your file Votre référence

PN 6165

Our file Notre référence

E5670-08084-08085 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY



November 7, 1985

Mr. Peter Humphrys
 Head of Land Management
 Vancouver District,
 400-1145 Robson St.
 Vancouver, B.C. V6E 3S2

(RT8)
 E5670-08084-08085

Dear Sir;

Re: Survey of Highway Widening Through
Peters IR #1 B.C.

In reply to your letter of October 21, 1985, please be advised of the following:

In order for my council and I to sign a B.C.R. accepting the survey for the widening of the Highway. We require an additional survey showing lands that we suspect have been taken beyond the agreed to area.

Upon this survey and plan being executed showing these additional areas and an equitable agreement being transacted between the Peters Band and the Department of Highways. We will then be in a position to sign an accepting B.C.R.

We also request that the Minister of Highways retain Mr. David Trevorrow to survey the above mentioned area.

Your help in bringing about an equitable solution will be greatly appreciated.

85 NOV 18 A 6 :02

Yours Truly,



Chief Frank Peters
 of Peters Band

cc: Mr. Jack Anderson
 cc: Mr. John Adank
 Ministry of Highways
 cc: Mr. Don Macsween
 Ministry of Highways

November 7, 1985

Mr. Peter Humphrys
Head of Land Management
Vancouver District,
400-1145 Robson St.
Vancouver, B.C. V6E 3S2

PROPERTY SERVICES BRANCH
MINISTRY OF TRANS. & HWYS.

NOV 15 1985

Noted _____

Victoria, B.C. _____

Dear Sir;

Re: Survey of Highway Widening Through
Peters IR #1 B.C.

In reply to your letter of October 21, 1985, please be advised of the following:

In order for my council and I to sign a B.C.R. accepting the survey for the widening of the Highway. We require an additional survey showing lands that we suspect have been taken beyond the agreed to area.

Upon this survey and plan being executed showing these additional areas and an equitable agreement being transacted between the Peters Band and the Department of Highways. We will then be in a position to sign an accepting B.C.R.

We also request that the Minister of Highways retain Mr. David Trevorrow to survey the above mentioned area.

Your help in bringing about an equitable solution will be greatly appreciated.

Yours Truly,

Frank Peters

Chief Frank Peters
of Peters Band

cc: Mr. Jack Anderson

cc: Mr. John Adank
Ministry of Highways

→ cc: Mr. Don Macsween
Ministry of Highways



Province of
British Columbia

Ministry of
Transportation
and Highways

940 Blanshard St.
Victoria
British Columbia
V8W 3E6

YOUR FILE

OUR FILE PN 6165

Your file: E5670-08084 (RT8)

November 14, 1985

Indian & Northern Affairs Canada
Vancouver District
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2

Attention: Peter Humphries
Head, Land Management

Dear Sir:

Re: Highway Right-of-Way L-1000
Alignment Change - Peters Indian
Reserve No. 1

Thank you for your letter of 12 November, 1985 outlining the apparent agreement between our Construction Branch personnel and the Chief of the Band.

We will consider our original agreement duly amended to reflect this change.

Thank you for bringing this to our attention.

Yours truly,

D. I. F. MacSween
Manager of Operations

DIFM/im

c.c. N. R. Zapf
Director of Construction
Enc.

c.c. Regional Property Negotiator
BURNABY -

Enc. - I trust this does not come as great a surprise to you as it did to me.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

November 12, 1985

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 3E6

Attention: Don MacSween

Dear Sir:

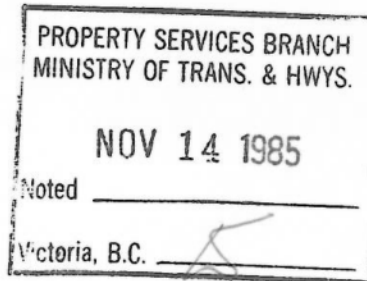
Highway Right-of-Way
L-1000 Alignment Change
Peters Indian Reserve No. 1

Enclosed is an agreement signed by the Peters Band
consenting to an alignment change of their new access
road.

Yours truly,

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2
666-3153

Encl.



Your file Votre référence

PN 6165

Our file Notre référence

E5670-08084 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY



Province of
British Columbia

Ministry of
Transportation
and Highways

B.S. Jassal
Project Supervisor
C/O, Remember When
R.R. #2, Hope B.C.
VOX-110

YOUR FILE _____

OUR FILE _____

to: Frank Peters
and
Bill Peters
Peters Indian Reservation

October 29, 1985

Re: L-1000 alignment change.

As per our discussions on site at the new access road to the Reserve (L-1000 line) with yourselves and R.K. Dash (Regional Manager of Construction), and myself on October 24, 1985. At that time you both requested that the centerline alignment of the L-1000 line be changed to follow the existing fence line.

Attached is a plan showing the alignment as you requested and staked in the field.

If both parties are in agreement with this proposal please sign below and forward this letter through your Band to:

Ministry of Transportation and Highways
940 Blanshard Street
Victoria B.C.
V8W-3E6

Attn: Don McSween, Property Services Branch

We Agree,

1. Frank Peters
Frank Peters

2. Bill Peters
Bill Peters

B.S. Jassal
B.S. Jassal
Project Supervisor

c.c. Ron Dash, Regional Manager of Construction, Nanaimo.
c.c. N. Zapf, Director of Construction, (for your information)

CHEAM VIEW - JONES CREEK.

2907

LIMIT OF CONSTRUCTION
L1000 - STA. 13+28.500

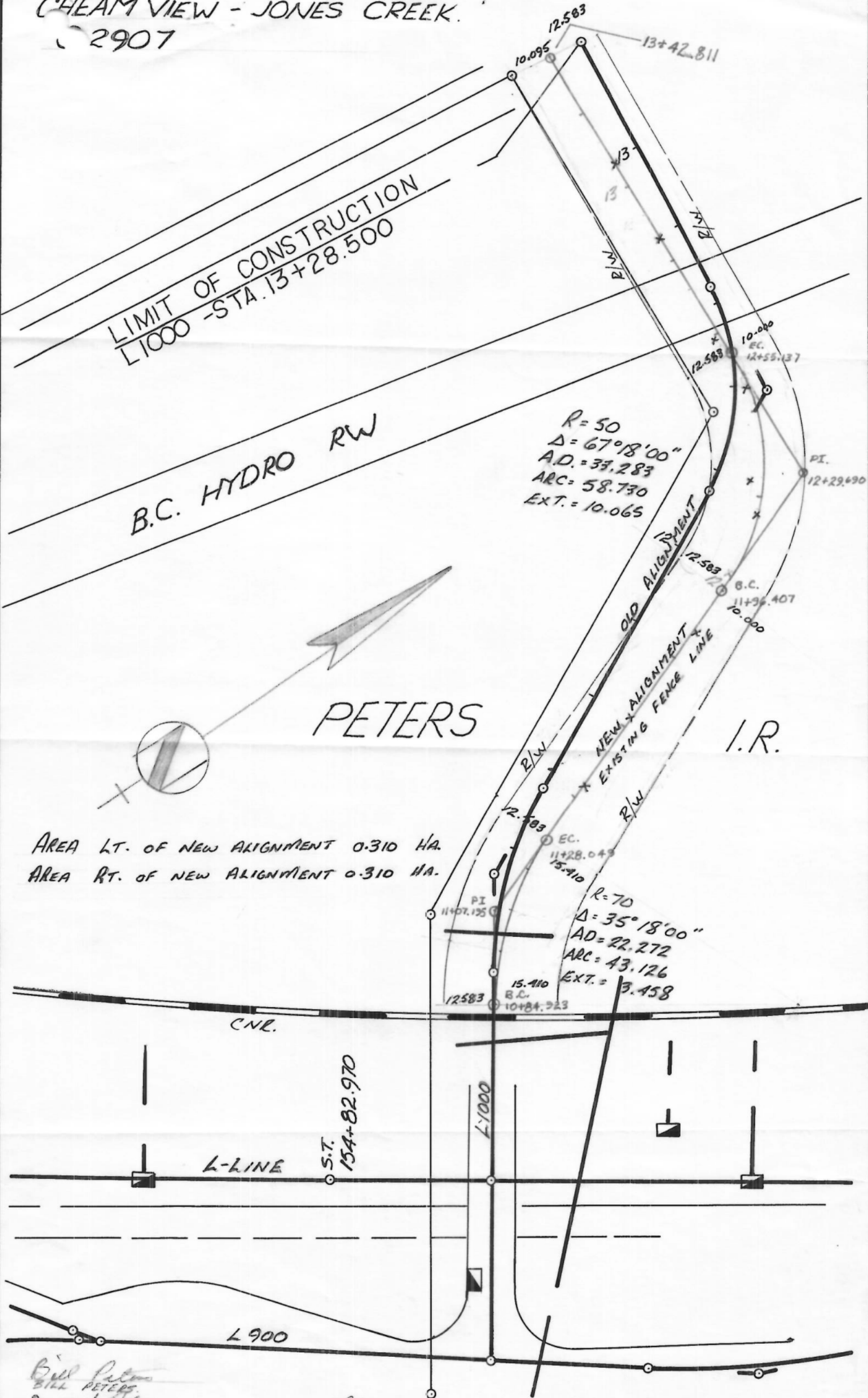
B.C. HYDRO RW

PETERS

AREA LT. OF NEW ALIGNMENT 0.310 HA.
AREA RT. OF NEW ALIGNMENT 0.310 HA.

R=50
Δ=67°18'00"
A.D.=37.283
ARC=58.730
EXT.=10.065

R=70
Δ=35°18'00"
AD=22.272
ARC=43.126
EXT.=3.458



Bill Peters
FRANK PETERS

B.S. JASSAL, PROJ. SUPERVISOR

Scale: 1" = 100'



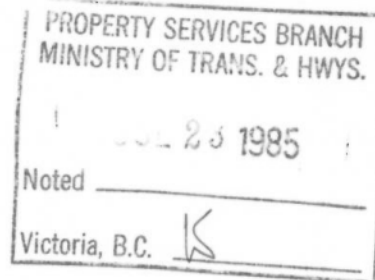
Energy, Mines and
Resources Canada

Énergie, Mines et
Ressources Canada

Science and Technology

Science et Technologie

Legal Surveys Division
P.O. Box 1300
800 Burrard Street
Vancouver, B.C.
V6Z 2J4



Your file Votre référence

AN 6162

Our file Notre référence

Item AD-84 BC
5210-P15-1 CD

July 19, 1985

Mr. D. Trevorrow, B.C.L.S.
8751 Young Street
Chilliwack, B.C.
V2P 4P3



Dear David:

As per our telephone conversation of this date, please find enclosed the letter concerning the Highway widening through the Peters Indian Reserve.

As you're aware we cannot proceed with the processing of the Plan of Survey until we receive a signed Band Council Resolution.

Trusting that your efforts of liaison with the Band and B.C. Highways will bring about an amicable solution.

Yours truly,

D. Neill
Head, Regulations
for
M.H. Collins, C.L.S., B.C.L.S.
Regional Surveyor, B.C.

DN/jw

Enclosure

cc: Mr. Frank Clapp, Ministry of Transportation & Highways
cc: Mr. Don McSween, Property Section, Ministry of Transportation & Highways

Chief Frank Peters
Box 11 Peters Road
R.R. #2 Hope, B.C.
VOX 1LO

July 11, 1985

M.H. Collins, C.L.S., B.C.L.S.
Regional Surveyor, B.C.
P.O. Box 1300
800 Burrard Street
Vancouver, B.C.
V6Z 2J4

Dear Sir:

Regarding letter dated June 11, 1985, file number 5210-P15-1
CD. Band Council discussed that we the Band wants the surveyor to
come out and meet with the Chief and show him the surveyed or survey
posts that was currently put in. Also, to be assured that the map
is correct in the amount of land being cleared and used.

Following this action as well as a covering letter stating that
the map shows the correct amount of land being cleared, from Mr.
David Trevorrow. The Band Council then will meet again and discuss
the signing of the Band Council Resolutions.



Sincerely, *Frank Peters*

Chief Frank Peters



Province of
British Columbia

Ministry of
Transportation
and Highways

940 Blanshard Street
Victoria
British Columbia
V8W 3E6

Date: June 7, 1985
Branch/Dist.: Property Services
Phone: 387-1838
Our File: P/N 6165
Your File:

British Columbia Region
Indian and Northern Affairs Canada
P. O. Box 1000
800 Burrard Street
Vancouver, B. C.
V6Z 2J3

Attention: J. W. Evans, Esq.
Director, Reserves and Trusts

Dear Sir:

Re: Peters Indian Reserve No. 1

Enclosed herewith for your information please find two paper prints of "interim print" of the plan of survey prepared by David Trevorrow, B.C.L.S. of Chilliwack, B.C., showing in bold black those areas of the Peters Indian Reserve No. 1 acquired by this Ministry for all highways purposes and other works of public utility.

This plan will now be checked by our respective Surveyors - General, and the approved plan will follow in due course for preparation of the P.C. Order.

Yours very truly,

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

cc. Regional Property Negotiator
Burnaby



MEMORANDUM

To: Construction Branch
Ministry of Trans., & Highways
Compartment 10 "Remember When"
R.R. 2
Hope, B. C.
VOX 1L0

Date: April 23, 1985
Branch/Dist: Property Services
Address: 940 Blanshard Street

Phone: 387-1838
Hdqtrs. File:
Region File: P/N 6165
District File:

Attention: B. Singh Jassal
Acting Project Supervisor

Re: Trans Canada Highway #1: Cheam View to Jones Creek Section
Peters Indian Reserve No. 1

This has reference to my telephone discussion with Kathy Stewart 22nd instant with respect to the Band's claim we "will allow the Band to have the excess rock from the construction site", as evidenced by item 9 of the Band Council Resolution dated 3rd December, 1984.

I enclose herewith copies of subsequent correspondence upon which I have highlighted the relevant passages. You will note that we would not agree to the Band's demand above, but correctly stated the matter was one for the consideration of the Contractor. Mr. Zapf was so notified 29th January, 1985.

A. C. Brown
Director of Property Services

Per: D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

cc. N. R. Zapf
Director of Construction



To: Lands Branch
Ministry of Lands, Parks & Housing
Dogwood Building, 1019 Wharf Street
Victoria, B. C.

Date: February 25, 1985
Branch/Dist: Property Services
Address: 3C, 940 Blanshard Street

Attention: W. C. Fry
Advisor, Indian Land Matters

Phone: 387-1838
Hdqtrs. File:
Region File: P/N 6165
District File:

Re: Peters Indian Reserve No. 1
Land Exchange

This will confirm our verbal advice that the matter of acquisition of certain Indian Reserve lands has now been settled amicably with the Band on the basis of financial consideration only.

The lands adjacent to Peters Indian Reserve No. 2 will not be required by this Ministry for land exchange purposes.

Thank you for your kind assistance in this matter.

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

cc. Regional Property Negotiator
Burnaby



Province of
British Columbia

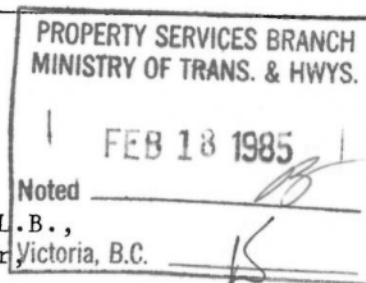
Ministry of
Transportation
and Highways

7818 - 6th Street,
Burnaby, B.C.,
V3N 4N8

Telephone : 525-0961

REGISTERED MAIL

Jack Andersen, B.A., LL.B.,
Barrister and Solicitor,
808 Nelson Street
P.O.Box 12117
Vancouver, B.C.,
V6Z 2H2



YOUR FILE
OUR FILE P/N 6165

February 14, 1985

Dear Sir,

Re: Peters Indian Reserve No. 1
T.C.H. Cheamview - Jones Creek

Enclosed herewith please find Provincial Treasury cheque No. 4676924 in the amount of \$110,000.00, payable to "Jack Andersen Barrister and Solicitor, In Trust." These funds are to be held "In Trust", pending the issuance of a Privy Council Order by Canada, transferring the new right-of-way to the Province of B.C., after which time please forward the funds to the Receiver General for Canada in care of Indian and Northern Affairs Canada; Vancouver District. In the meantime, if you so wish, we have no objections if the funds are placed in an interest bearing account.

In addition to the Band Council Resolution 84-85/586-19 dated December 3, 1984, we are accepting as an addendum to the B.C.R., the letter dated January 9, 1985, as provided by Peter Humphrys of Indian Affairs (file #E5670-08084 & 08085 (RT81)). It is our understanding the five items listed in the letter were discussed with and accepted by the Band and Indian Affairs.

We are advised the legal survey is underway and in due course, we will provide a preliminary drawing for your perusal.

Yours truly
W. Montgomery
Regional Property Negotiator

per:

John Adank
Property Negotiator

- c.c. Peter Humphrys, Indian and Northern Affairs
400 - 1145 Robson St., Vancouver, B.C., V6E 3S2
c.c. D.I.F. MacSween, Senior Property Negotiator, Victoria
c.c. Frank Peters, R.R.#2, Peters Road, Hope, B.C., VOX 1L0

THIS COPY FOR

PROVINCE OF BRITISH COLUMBIA
GENERAL ACCOUNT

REMITTANCE STATEMENT - DETACH BEFORE PRESENTING

4676924



Province of
British Columbia
CANADIAN IMPERIAL BANK OF COMMERCE
DOUGLAS AND VIEW
VICTORIA

04047 FEB 08 85 RIGHT OF WAY PURCHASE
7010 REG 15, P/N 6165

0

110,000.00

PAY

ONE HUNDRED TEN THOUSAND DOLLARS NO CENTS

JACK ANDERSON BARRISTER & SOLICITOR
IN TRUST

GENERAL ACCOUNT

\$ ****110,000.00

04047 FEB 08 85
7010

VOTE NO.

DATE ISSUED

4676924

TRANSPORTATION & HIGHWAYS

018 014733 739536 535609 6924

"4676924" 10009000101 0000108"

Regional Director
Ministry of Trans., & Highways
Burnaby

February 11, 1985

Attention: W. Montgomery
Regional Property Negotiator

P/N 6165

Re: Peters Indian Reserve No. 1

Enclosed herewith please find Provincial Treasury cheque no. 4676924 in the amount of \$110,000.00 payable to the order of "Jack Anderson, Barrister and Solicitor, In Trust".

These funds may be forwarded to Mr. Anderson to be held by him "in trust" pending the issuance of a Provy Council Order by Canada, transferring the new right-of-way to this Province. Once the P.C. Order has issued the funds are to be paid to Canada for disbursement. We have no objection to Mr. Anderson placing the funds in an interest bearing trust account.

For your attention please.

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

N. R. Zapf
Director of Construction
Ministry of Transp. & Highways
Buildings

January 29, 1985
Property Services

387-1838

Re: Peters Indian Reserve No. 1
TCH #1: Cheam View to Jones
Creek Project

P/N 6165

This will report that we have successfully negotiated the new right-of-way for the current project and that the following construction commitments were made:

1. The Province will construct an access road including installation of a cattleguard and proper railway signals, from the proposed underpass location to the existing Peters Road (per design). The road will be fenced with standard barbed wire.
2. The Province will restore the existing access and cattleguard where the existing Peters Road will be aligned to meet the Trans Canada Highway (per design).
3. The Province will construct and pave an access road from the south side of the highway to the existing house located on the south side of the highway.
4. The Province will cold-deck all merchantable timber cut from the right-of-way at a convenient location off the right-of-way for the use of the Band. (Suggested site shown cross-hatched on attached drawing.)
5. s.18

6. The Band desires any excess rock and/or gravel which may be surplus to our construction requirements and requests that we make known to the contractor that they will provide a convenient site on their Reserve as a dump site. The Band was advised that we would so inform our Contractor but would leave arrangements to be made directly between the Band and Contractor. Would you kindly inform the successful contractor.

A. C. Brown
Director of Property Services

Per:

D.I.F. MacSween
Senior Property Negotiator

DIFM/ds

cc. Regional Property Negotiator
Burnaby



January 17, 1985

Ministry of Highways
940 Blanshard Street
Victoria, B.C.
V8W 2H3



Your file Votre référence

P/N 6165

Our file Notre référence

E5670-08084 (RT8)

PLEASE QUOTE FILE NUMBER ON REPLY

Attention: Don MacSween

Dear Sir:

Highway Right-of-Way
Peters Indian Reserve No. 1

I wish to confirm that the Peters Band will have to discuss with the contractor as to the amount of rock and gravel which will be considered in excess to the requirements of the road construction. Further the Band and the contractor will also have to discuss the location that the contractor should deposit the excess rock and gravel, if any. The above is not the direct responsibility of your Ministry.

It would be appreciated if you could make the above known to the contractor and have them contact Chief Frank Peters.

Yours truly,

Peter Humphrys
Head, Land Management
VANCOUVER DISTRICT
400 - 1145 Robson Street
Vancouver, B.C.
V6E 3S2
666-3153

PH/bc

cc: Chief Frank Peters
Peters Band

1985.01.18

PN 5165

PETER'S INDIAN RESERVE No.1

MEMO TO FILE

MET WITH PETER HUMPHRIES RE SURPLUS ROCK AND PETER SAYS
HE UNDERSTANDS THE AGREEMENT IS SAME AS OURS, TO WIT:

" THAT THE INDIAN BAND DESIRES THE SURPLUS ROCK, IF ANY,
AND WILL SET ASIDE A CONVENIENT DUMP SITE FOR THE
CONTRACTOR. HIGHWAYS WILL ADVISE CONTRACTOR OF BAND'S
OFFER BUT IT IS LEFT TO THE CONTRACTOR TO MAKE HIS
OWN ARRANGEMENTS DIRECTLY WITH THE BAND."

PETER ADVISES HE HAS SOME TROUBLE REDUCING HIS UNDERSTANDING
TO WORDS BUT WILL TRY AGAIN.

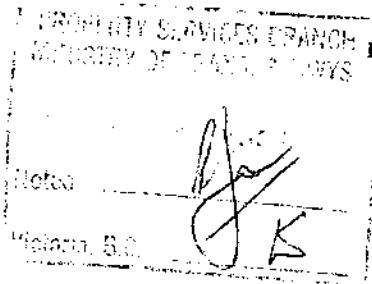
MacQueen



YOUR FILE

OUR FILE P/N. 6165

Mr. Jack Andersen,
Box 12117,
808 Nelson Street,
Vancouver, B.C.,
V6Z 2H2



December 17th, 1984

Dear Sir,

Re: Peters Indian Reserve
T.C.H. Cheamview - Jones Creek

This office is now in receipt of a Band Council Resolution dated December 3rd, 1984, consenting to transfer Reserve lands to the province for certain considerations. We wish to point out some discrepancies and make more clear some items as agreed to with your clients at your office, November 9, 1984:

The first paragraph of the B.C.R. should be corrected as to the following:

- ;the area is more precisely 5.9817 hectares.
- ;there are 3 drawings, namely R1-174-04, R1-174-05 and R1-174-06.
- ;we prefer the wording to be "for road purposes and other works of public utility and convenience."

Item #1 - Add to the existing sentence "...unless otherwise directed". We already have direction from D.I.A. to pay the compensation to "Jack Andersen In Trust"

Item #7 The topic of excavation was discussed at our November 9th meeting. It was explained there would have to be some minor excavation for the deceleration/acceleration lanes in order to maintain the proper grades and place gravel for the road base. Our Design and Surveys Branch has prepared a drawing indicating the quantity and area affected and has shown same crosshatched in red on attached drawing. You will note the excavation is very shallow and the total amount of material to be removed is approximately 200 cubic meters. It is suggested the material removed be placed on the reserve. Perhaps Band members could examine this area to determine what artifacts may exist, if any.

Item #8 As discussed at the November 9th meeting, the area where merchantable timber will be cold-deck is also crosshatched and identified on attached drawing.

Contd.....page 2

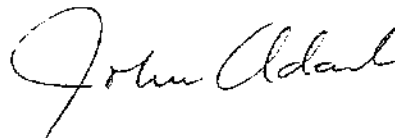
Item #9 - This item is quite contrary to the discussion at the November 9th meeting. My recollection was the Band would talk to the contractor and if feasible, arrange to have any excess material dumped at a mutually acceptable area on the Reserve. As stated at the meeting, the designated dump area for that area is on Crown land near Jones Creek. For numerous reasons discussed, the Ministry did not promise the Band any material. The whole matter was left as one for arrangement between contractor and the Band.

Another item that has been overlooked in the B.C.R. is one for permission of entry by the Ministry, and its agents, onto the Reserve for construction purposes. This is necessary as some of the items of our agreement will take some time to complete, i.e. legal survey etc.

Please note, we cannot vouch for the monetary consideration of this agreement until these items are clarified and adopted in a Band Council Resolution. As you are aware time is of the essence in terms of our contract and we would appreciate these areas of concern be dealt with as quickly as possible.

Yours truly,
W.Montgomery.
Regional Property Negotiator

per:



John Adank
Property Negotiator

JA/kbv

c.c. Frank Peters, R.R.#2, Peters Road, Hope, B.C., VOX 1L0

c.c. Peter Humphries, Indian and Northern Affairs
400 - 1145 Robson Street, Vancouver, B.C., V6E 3S2

c.c. D.I.F. MacSween, Senior Property Negotiator, Victoria

THIS COPY FOR

39 McManis Street,
New Westminster, B.C.

September 11th, 1937.

Your File 153/31-4

Mr. J.S. Arnell,
Indian Commissioner for B.C.,
Department of Indian Affairs,
P.O. Box 73,
Vancouver, B.C.

Dear Sir:

Re: Acquisition of Right-of-Way
Trans-Canada Highway
Twin Bridges-Lorenzetti Creek

We enclose herewith by registered mail, compensation cheque No. 473810 P in the amount of \$42.00 made payable to the Receiver General of Canada, representing payment in full for property purchased in connection with the above-mentioned project.

Kindly acknowledge receipt.

Yours very truly,

V.A. Drew,
Right-of-Way Agent.

VAD:fbv
Encl.

REGISTERED

DETACH BEFORE PRESENTING

20..340A

WORKS

Region #1

Per #869 T.C.H. Twin Bridges
Lorenzetti Creek

RIGHT OF WAY COMPENSATION RE
VOUCHER NO. 39955

Return Indian Reserve #1

\$42.00



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

V.A.Drew Esq,
Right of Way Agent
Dep't of Highways,

Dear Sir:

I enclose herewith our official receipt in the amount of \$42.00, covering the acquisition of Right of Way, for the Trans-Canada Highway, Twin Bridges-Lorenzetti Creek.

Yours very truly,
W.S.Arneil,
Indian Commissioner for B.C.

cc, J.C.Letcher, Esq,
Sup't of Indian Agency,
New Westminster, B.C.

Right of Way Agent,
39 Mackenzie Street,
New Westminster, B. C.

Mr. L. J. Moore,
Chief Right of Way Agent,
Department of Highways,
Victoria, B. C.

July 24, 1957

Chilliwack

R/W 6165

Re: Acquisition of Right of Way
(Project) Trans-Canada Highway,
Twin Bridges-Lorenzetti Creek Section.

Submitted herewith, for approval and payment,
Forms H. 120 covering compensation for the following.

Receiver General of Canada.....\$42.00

VAD/nll
Encl.

V. A. Drew,
Right of Way Agent



DEPARTMENT OF CITIZENSHIP / IND IMMIGRATION

INDIAN AFFAIRS BRANCH

Nº 89590

16/9/57	Province of British Columbia	Acquisition of R/W, Trans Canada Hwy, Twin Bridges, Lorenzetti Cr. 153/31-4	\$	42
DATE	RECEIVED FROM	ON ACCOUNT OF		AMOUNT

OFFICIAL RECEIPT

B. C. REGIONAL OFFICE

Right of Way agent,
39 Chafensia Street,
New Westminster, B. C.

Mr. E. J. Carrott,
Regional Constr. Engineer,
New Westminster, B. C.

July 24, 1957

Chilliwack

R/W 8185

Acquisition of Right of Way
(Project) Trans-Canada Highway,
Twin Bridges-Lorenzetti Creek Section.

- (B) Please be advised that the following Right of Way settlement
has been completed for the above mentioned project.

Crown
Crown Dominion

Peters
Peters Indian Reserve
Pl as shown on Sept.
Location Plan.

Notes
The compensation is
supplemental to form
R-125 dated June 6,
1956 and covers addi-
tional Right of Way
required as per Constr.
Engrs. directions.

VAG/mil
C. C. - Mr. G. E. Myers,
District Engineer.

V. A. Wood,
Right of Way agent.

INDIAN COMMISSIONER
BRITISH COLUMBIA



CANADA

OUR FILE No. 153/31-4.

YOUR FILE No. D/W 6165.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

July 8, 1957.

Department of Highways,
39 McKenzie Street,
New Westminster, B. C.

RIGHT-OF-WAY AGENT
DEPT. OF HIGHWAYS
RECEIVED

JUL 10 1957

NEW WESTMINSTER, B. C.

Re: Trans Canada Highway,
Twin Bridges Lorenzo Creek Section,
Additional Right-of-way.

Dear Sirs:

I wish to refer to your letter dated March 14 in which application was made for a further encroachment on Peters I.E. #1 in connection with reconstruction of the above-noted project. The area in question was shown on a preliminary print of the plan as a parcel containing .42 acres for which \$100.00 per acre, or \$42.00, has been offered as compensation.

The Band accordingly, by resolution, agreed to alienation of the additional acreage at the amount offered and it was our assumption that the property now required would be included in the total survey of land alienation respecting the entire Indian Reserve. The total highway encroachment containing 4.888 acres.

Compensation has been received for the original land taken, namely \$447.00, and I would appreciate receiving your further cheque in the amount of \$41.80.

A report would also be appreciated at this time as to when we might expect to receive plan of survey in order that we may deal with the transfer to the Province of British Columbia.

Yours very truly,

E. S. Arnell,
Indian Commissioner for B. C.

.jt

COMPENSATION IN TERMS OF THE "HIGHWAY ACT"

(SECTION 16)

DEPT. FILE NO. _____ PLAN No. _____ RIGHT-OF-WAY FILE 6165
REGIONAL DISTRICT No. 1 ELECTORAL DISTRICT Chilliwack
Name and details of highway or incidental works R/W Project 869 Trans Canada Highway
Twin Bridges-Lorenzetti Creek, Section 195/8 to Sta 199.
Description of property Peters Indian Reserve #1 as shown on Department Location Plan

Name of registered owner Crown Dominion
Is title unencumbered? Yes If not, give details of encumbrance _____

Name, title, etc., of party to whom compensation is recommended to be paid _____
Receiver General of Canada

DETAILS OF COMPENSATION RECOMMENDED TO BE PAID PURSUANT TO SECTION 16 OF THE "HIGHWAY ACT"

A. For Improvements on the Lands Taken		\$	¢
(Subsec. (1) (a).) "Improvements on the land so taken, that is to say, everything constructed on or annexed to the soil by the hand of man."			
Roads: Length, _____; width, _____			
Buildings: Length, _____; width, _____; height, _____			
See Remarks _____			
Structures: See Remarks _____			
Fences: Length, _____ feet. See Remarks _____			
Clearing: Area, _____ acres			
Grading: Area, _____ acres			
Planting: Area, _____ See Remarks _____			
Cultivation: Area, _____ See Remarks _____			
Other improvements (to be stated) _____			
Remarks: _____			
COMPENSATION RECOMMENDED			<u>A.</u>

B. For Lands Taken (Not Subdivided Lands)			
(Subsec. (1) (b).) "Lands which were originally granted to some person by the Crown, either in the right of the Province or the Dominion, and by the taking of which the total area taken for the purpose of highways from the lands comprised in the original Crown grant is found to exceed one-twentieth of the total area of the lands comprised in the Crown grant, and then only for the area in excess of one-twentieth of that total area."			
Area of original Crown grant	_____ ac.	_____ ac.	_____ ac.
Total area taken for road purposes	<u>14.67</u> ac.	<u>old &</u> ac.	<u>new</u> ac.
Deduct one-twentieth of area of original Crown grant	<u>N. A.</u> ac.	<u>Railway</u> ac.	<u>Belt</u> ac.
Area for which compensation is payable	<u>0.42</u> ac.	_____ ac.	_____ ac.
The land is valued at \$ <u>100.00</u> per acre.			
COMPENSATION RECOMMENDED \$		<u>42.00</u>	<u>B.</u>

I hereby certify that this statement is in accordance with the provisions of section 16 of the "Highway Act."

Date _____, 19____ V.A. Drew
Regional Right-of-way Agent, Highways Dept.

I hereby recommend that compensation be paid accordingly.

Date _____, 19____ APPROVED: _____
District Official, Highways Dept.

Date _____, 19____ _____
Regional Highway Engineer.

(DEALT WITH.) _____
Deputy Minister or Assistant Deputy Minister.

(OVER)

C. For Lands Taken (Subdivided Lands Only)

(Subsec. (1) (b).) " But, where the lands comprised in the Crown grant have been subdivided into parcels by any registered conveyance or plan of subdivision, the area of land which may be so taken from any parcel without payment of compensation shall not exceed one-twentieth of the area of that parcel, and where the lands are being taken from two or more of the parcels at the same time, the total area to be so taken without the payment of compensation shall be apportioned among those parcels on the basis of their respective areas."

Details of registered subdivision plan, parcel, lot, etc. _____

Total area of parcel	-	-	-	-	-	-	-	_____ac.	_____ac.	_____ac.
Total area taken for road purposes	-	-	-	-	-	-	-	_____ac.	_____ac.	_____ac.
Deduct one-twentieth area of parcel	-	-	-	-	-	-	-	_____ac.	_____ac.	_____ac.
Area for which compensation is payable	-	-	-	-	-	-	-	_____ac.	_____ac.	_____ac.
The land is valued at \$ _____								per acre.	_____	_____

COMPENSATION RECOMMENDED \$ _____ C.

D. For Materials Taken from Improved Lands

(Subsec. (4).) " Where in respect of gravel, sand, stone, timber, or other materials taken by Crown for construction, maintenance, or repair of any highway or bridge, the provisions of any Statute or the reservations contained in any Crown grant permit of the same being so taken without payment of compensation, and where the same is taken from Improved Lands, the Minister may, notwithstanding the provisions or reservations aforesaid, pay reasonable compensation therefor."

CLASS OF MATERIAL TAKEN	QUANTITY	UNIT RATE	AMOUNT

TOTAL COMPENSATION RECOMMENDED \$ _____ D.

E. Deduction for Increased Capital Value due to Construction

(Subsec. (3).) " In determining the compensation payable to any owner in respect of any land entered upon and taken possession of under this Part, there shall be taken into consideration the increased value, beyond the increased value common to all lands in the locality, that will be given to the remaining lands of the owner through which the highway will pass, by reason of the passage of the highway through the same or by reason of the construction of the highway or of works incidental thereto, and the increased value that will be so given shall be set off against the compensation otherwise payable to that owner under this section."

Details _____

TOTAL DEDUCTIONS \$ _____ E.

Remarks: (NOTE.—Give details and approximate value of any other compensation arranged for and recommended, such as fencing or transfer to adjacent owner of land comprised in old road to be closed, or other matters.)

The compensation is supplemental to form H-120 dated June 6, 1956 & covers additional Right of Way required as per Construction Engrs. directions.

SUMMARY OF AMOUNT OF COMPENSATION RECOMMENDED TO BE PAID

A.	For improvements on lands taken	-	-	-	-	-	-	\$ _____	A.
OR	B.	For lands taken (not subdivided lands)	-	-	-	-	-	\$ 42.00	B.
	C.	For lands taken (subdivided lands only)	-	-	-	-	-	\$ _____	C.
	D.	For materials taken from improved lands	-	-	-	-	-	\$ _____	D.
		Gross total amount of compensation recommended	-	-	-	-	-	\$ 42.00	
	E.	Deduction for increased value	-	-	-	-	-	\$ _____	E.
		NET TOTAL OF COMPENSATION RECOMMENDED TO BE PAID	-	-	-	-	-	\$ 42.00	

39 McKenzie Street,
New Westminster, B.C.

March 18th, 1957.

Your File: 153/31-4

Mr. W.S. Arnell,
Indian Commissioner for B.C.,
Department of Indian Affairs,
P.O. Box 70,
Vancouver, B.C.

Dear Sir:

Re: Trans-Canada Highway
Twin Bridges Lorenzetti Creek Section
Additional Right-of-Way

We have been advised by our Construction Department that a further encroachment on the Peters Indian Reserve No. 1 is necessary, in connection with the construction of the above-mentioned project.

The area in question is shown outlined in red on the enclosed print of plan and amounts to approximately 0.42 of an acre.

We are prepared to recommend compensation at the same rate as previously paid for right-of-way through this Reserve, which at one hundred dollars (\$100.00) per acre would be forty-two dollars (\$42.00) for this addition area.

Your early advice on this offer of compensation will be appreciated.

Yours very truly,

V.A. Drew,
Right-of-Way Agent.

VAD:fbv
Encl.

PROVINCE OF BRITISH COLUMBIA

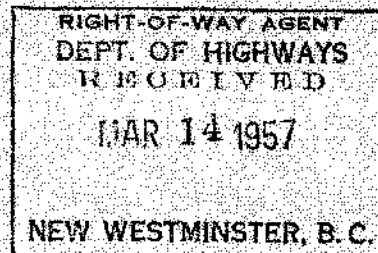
DEPARTMENT OF HIGHWAYS

FROM M.S.Kennedy, Resident Engineer, 11 Main St, Chilliwack, B.C.	TO Mr Vic.Drew, Right-of-Way Agent Department of Highways, New Westminster, B.C.	DATE March 13, 1957. ELECTORAL DISTRICT Chilliwack. OUR FILE YOUR FILE
SUBJECT Additional Right-of-Way.		REFERENCE YOUR LETTER

Peter, s Indian Reserve # 1.

I am enclosing herewith, plan, showing location of additional Right-of Way required on F.R. of L.S.#, S.13, T.P.4, Range 28, on the property referred to herein, being adjacent to Stations 195/00 to 199/00. It would be appreciated if the necessary arrangements were completed as quickly as possible.

Yours truly,


M.S.Kennedy,
Resident Engineer.


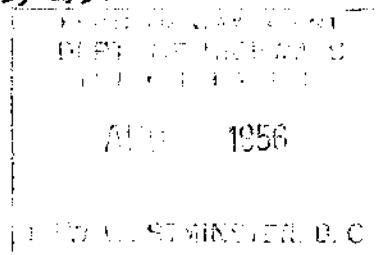


DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

August 3, 1956

Mr. V.A. Drew,
Right-of-Way Agent,
Department of Highways,
39 McKenzie Street,
New Westminster, B.C.



Dear Mr. Drew:

Re: Highway Right-of-Way, -
Peters Indian Reserve No. 1.

Receipt is acknowledged of your letter dated July 30, and compensation cheque in the amount of \$447.00 for acquisition of additional land for widening the above noted highway on Peters Indian Reserve No. 1.

Authority to commence work, you will recall, subject to the provision of an acceptable plan of survey at an early date, was given, and as this matter has been the subject of further correspondence from our Department in Ottawa, I would appreciate your early advice on this matter.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

.bl

DETACH BEFORE PRESENTING

5... 343 A
WORKS - REG. NO. 1

RIGHT-OF-WAY COMPENSATION,
RE VOUCHER NO. 18128

\$ 447.00

PROVINCE OF BRITISH COLUMBIA
GENERAL ACCOUNT
IN SETTLEMENT OF ACCOUNT AS STATED

Nº 180564 P

39 McKenzie Street,
New Westminster, B. C.
July 30th, 1956.

Mr. W. S. Arnail,
Indian Commissioner for B. C.,
Department of Indian Affairs,
P.O. Box 70,
Vancouver, B. C.

Dear Sir:

Re: Acquisition of Right-of-Way
Trans-Canada Highway; Twin
Bridges - Lorenzetti Creek
Peters Indian Reserve No. 1.

We enclose herewith, by registered mail, compensation
cheque No. 180564P, covering purchase of right-of-way
in connection with the above mentioned project.

Yours very truly,

VAD:EL
Encl.

V. A. Drew,
Regional R/W Agent.

REGISTERED

Mr. V.A. Drew,
R/W Agent,
Rm. 102,
39 MacKenzie Street,
New Westminster, B.C.

Mr. L.J. Moore,
Sr. R/W Agent,
Dept. of Highways,
Victoria, B.C.

June 6, 1946

Chilliwack

R/W 6135

Re: Acquisition of R/W, B.C. Highway,
Twin Bridges-Lorenzette Creek Loc.

Submitted herewith for approval form
H-120 covering compensation settlement with
Peter's Indian Reserve #1.

Yours very truly,

V.A. Drew,
R/W Agent.

VAD:pas
Encl.



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

June 21, 1956

Mr. V.A. Drew,
Right-of-Way Agent,
Department of Highways,
Rm. 102,
39 MacKenzie Street,
New Westminster, B.C.

Dear Mr. Drew:

Re: Trans-Canada Highway -
Peters Indian Reserve No. 1.

With reference to your letter dated May 29, the Band Council has agreed to make land available on the above noted reserve for the Trans-Canada Highway right-of-way and, in view of the agreement reached with respect to compensation, it will be in order for you to enter on to the reserve to commence construction, subject to the provision of an acceptable plan of survey at an early date, and the payment of the agreed compensation.

Yours very truly,

W.S. Arneil,
Indian Commissioner for B.C.

.b1

(SECTION 16)

ENGINEERING DISTRICT No. 1 ELECTORAL DISTRICT

SECRET

.....

Is title unencumbered? Yes If not, give details of encumbrance _____

_____ **DATE OF SIGNATURE**

217 of 222

C. For Lands Taken (Subdivided Lands Only)

(Subsec. (1) (b).) "But, where the lands comprised in the Crown grant have been subdivided into parcels by any registered conveyance or plan of subdivision, the area of land which may be so taken from any parcel without payment of compensation shall not exceed one-twentieth of the area of that parcel, and where the lands are being taken from two or more of the parcels at the same time, the total area to be so taken without the payment of compensation shall be apportioned among those parcels on the basis of their respective areas."

Details of registered subdivision plan, parcel, lot, etc.....

Total area of parcel - - - - - acres.

Total area taken for road purposes - - - - - acres.

Deduct one-twentieth area of parcel - - - - - acres.

Area for which compensation is payable - - - - - acres.

The land is valued at \$.....per acre.

COMPENSATION RECOMMENDED \$.....C.

D. For Materials Taken from Improved Lands

(Subsec. (4).) "Where in respect of gravel, sand, stone, timber, or other materials taken by Crown for construction, maintenance, or repair of any highway or bridge, the provisions of any Statute or the reservations contained in any Crown grant permit of the same being so taken without payment of compensation, and where the same is taken from Improved Lands, the Minister may, notwithstanding the provisions or reservations aforesaid, pay reasonable compensation therefor."

CLASS OF MATERIAL TAKEN	QUANTITY	UNIT RATE	AMOUNT

TOTAL COMPENSATION RECOMMENDED \$.....D.

E. Deduction for Increased Capital Value due to Construction

(Subsec. (3).) "In determining the compensation payable to any owner in respect of any land entered upon and taken possession of under this Part, there shall be taken into consideration the increased value, beyond the increased value common to all lands in the locality, that will be given to the remaining lands of the owner through which the highway will pass, by reason of the passage of the highway through the same or by reason of the construction of the highway or of works incidental thereto, and the increased value that will be so given shall be set off against the compensation otherwise payable to that owner under this section."

Details.....

TOTAL DEDUCTIONS \$.....E.

Remarks:

(NOTE.—Give details and approximate value of any other compensation arranged for and recommended, such as fencing or transfer to adjacent owner of land comprised in old road to be closed, or other matters.)

Department not responsible for collecting or assessing rates or taxes.

SUMMARY OF AMOUNT OF COMPENSATION RECOMMENDED TO BE PAID

A. For improvements on lands taken - - - - - \$.....A.

OR { B. For lands taken (not subdivided lands) - - - - - \$ 447.00 B.

 C. For lands taken (subdivided lands only) - - - - - \$.....C.

D. For materials taken from improved lands - - - - - \$.....D.

Gross total amount of compensation recommended - - - - - \$ 447.00

E. Deduction for increased value - - - - - \$.....E.

NET TOTAL OF COMPENSATION RECOMMENDED TO BE PAID - - - - - \$ 447.00

Right-of-Way Branch

Rm. 102,
39 MacKenzie Street,
New Westminster, B.C.,
May 23, 1956.

Mr. W.S. Arneil,
Indian Commissioner for B.C.,
Dept. of Indian Affairs,
P.O. Box 70,
Vancouver, B.C.

Dear Sir,

Re: R/W T.C. Hwy., Peter's
Indian Reserve No.1.

In reply to your letter of the 17th instant, we wish to advise that in view of the fact that a greater rate of compensation was paid for rights-of-way through other Reserves in the vicinity of the Peters Reserve, we are prepared to recommend compensation at the rate of \$100.00 per acre for the 4.47 acres required from the subject Reserve.

With regards to the 6.9 acres lying to the north of the R/W, none is not required by this Dept. and our offer to purchase same was only suggestion for the Band's Council consideration.

We wish to advise that we are arranging for payment of the 4.47 acres and a cheque will be issued in favour of The Receiver General of Canada, in the near future.

Yours very truly,

V.A. Drew,
R/W Agent.

VAD:pas

INDIAN COMMISSIONER
BRITISH COLUMBIA



CANADA

OUR FILE No. 153/31-4

YOUR FILE No. R/W 6165

RIGHT-OF-WAY AGENT
Department of Highways

MAY 19 1956

Ans'd
Victoria, B.C. File

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

P.O. BOX 70,
VANCOUVER, B.C.

May 17, 1956

Mr. V.A. Drew,
Right-of-Way Agent,
Department of Highways,
Victoria, B.C.

Dear Mr. Drew:

Re: Trans-Canada Highway -
Peters Indian Reserve No. 1.

The compensation offer outlined in your letter of April 19 has been discussed with the Peters Band Council, who are not willing to release the 4.47 acres for less than the sum of \$100.00 per acre. As a basis for their request for increased compensation they refer to the \$150.00 per acre paid by you for rights-of-way in Union Bar Indian Reserve No. 11, Yale Indian Reserve No. 5 and Yale Indian Reserve No. 8, and the \$100.00 per acre paid for 7.85 acres in the Cheam Reserve. Furthermore, the Council is not prepared to dispose of the 6.9 acres which will be severed by the road.

I should appreciate being advised if you are prepared to forego acquisition of the 6.9 acres and pay compensation at the rate of \$100.00 per acre for the 4.47 acres.

Yours very truly,

W.E. Arneil,
Indian Commissioner for B.C.

-bl

RIGHT OF WAY AGENT

New Westminster, B. C.
April 19th, 1956.

Mr. W. S. Arneil,
Indian Commissioner for B.C.,
Department of Indian Affairs,
P.O. Box 70,
Vancouver, B. C.

Dear Sir: Re: Acquisition of Right-of-Way
Trans-Canada Highway: Twin
Bridges - Lorangetta Creek
Peters Indian Reserve No. 1

We wish to advise that this Department intends to proceed with reconstruction of the above-mentioned section of the Trans Canada Highway in the near future.

This results in an additional right-of-way encroachment on the Peters Indian Reserve No. 1 to the extent of 4.47 acres of which we are prepared to recommend compensation at the rate of \$50.00 per acre or \$223.50.

In addition to the above we are prepared to recommend the purchase of all that part of the Indian Reserve lying to the West of the Highway Right-of-Way and bounded by the C. E. R. Right-of-Way to a point South where the B. C. Electric power line crosses the Reserve. This would exclude that portion in the vicinity of the Indian cemetery. This area, according to our calculation, comprises 6.9 acres and in this case we are prepared to offer \$25.00 per acre or \$172.50.

We are forwarding under separate cover three prints of our location plan showing the right-of-way outlined in red and the extra area outlined in green.

..... 2

- 2 -

We trust that our location plan will be acceptable for entry at this time as arrangements will be made for the usual B. C. Land Survey after construction is completed.

Your early advice on our offers of compensation will be appreciated.

Yours very truly,

V. A. Drew,
Right-of-Way Agent.

VAD:mnw