



1185

APPROVED AND ORDERED APR 16.1979

*Michael S. ...*

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA APR 12.1979 Amn. 2357/87, 862/90

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that

WHEREAS a petition from owners of land within the area more particularly described in the Letters Patent attached hereto has been received requesting that the area be incorporated as an improvement district:

LETTERS PATENT do issue in the form attached hereto incorporating the tract of land described therein as an improvement district under the name of "Cobble Hill Improvement District".

*lw*

*Wanda Q*

Minister of Municipal Affairs

*W. R. Bennett*

Presiding Member of the Executive Council

(This part is for administrative purposes and is not part of the Order.)

Authority under which Order is made:

Act and section Water Act - Section 53

Other (specify) Order in Council No. 3021/78

Statutory authority checked by

*[Signature]* *H. G. ...*

(Signature and typed or printed name of Legal Officer)



AND WHEREAS the Lieutenant-Governor in Council has, by Order in Council made pursuant to the said Act, been pleased to order that the tract of land hereinafter described and the owners thereof be incorporated into an improvement district under the said Act, and has made further provision to the tenor and effect hereinafter appearing:

NOW KNOW YE THAT by these presents We do hereby order and proclaim that the tract of land hereinafter described and the owners of land therein shall on, from and after the date hereof be incorporated as an improvement district under and subject to the Water Act, and to the conditions hereinafter contained:

1. The improvement district shall be called and known by the name and style of Cobble Hill Improvement District.
2. The improvement district shall comprise all that tract of land and foreshore and land covered by water described as follows:

Commencing at the southwest corner of Lot 5 of Section 14, Range 5, Shawnigan District, Registered Plan 1336, on file in the Land Registry Office, Victoria, being a point on the northerly limit of Galliers Road; thence easterly along the northerly limit of Galliers Road as shown on Registered Plans 1336, 15656 and 26786; to the southeast corner of Lot A of Section 14, Range 6, Plan 26786; thence south to the point of intersection with the northerly boundary of Lot 7 of Section 13, Range 6, Registered Plan 1038; thence easterly along the northerly boundaries of Lots 7 and 8 of Section 13, Range 6, Plan 1038 to the northeast corner of said Lot 8, Plan 1038; thence southerly along the easterly boundary of Lot 8 of Section 13, Range 6, Plan 1038 to the southeast corner thereof; thence southerly in a straight line to the northeast corner of Lot 1 of Section 13, Range 6, Registered Plan 1986; thence southerly along the easterly boundaries of Lots 1 and 3 of Section 13, Range 6, Plan 1986 to the southeast corner of said Lot 3,

Plan 1986; thence south to the point of intersection with the northerly boundary of Lot 5 of Section 12, Range 6, Registered Plan 17281; thence westerly and southerly along the northerly and westerly boundaries of said Lot 5, Plan 17281 to the southwest corner thereof; thence westerly along the southerly boundaries of Lots 4 and 3 of Section 12, Range 6, Plan 17281 to the southwest corner of said Lot 3, Plan 17281; thence southerly along the westerly boundary of Lot 1 of Section 12, Range 6, Plan 17281 to the southwest corner thereof; thence southwesterly in a straight line to the northeast corner of Lot 2 of Section 11, Range 6, Registered Plan 25763; thence westerly along the northerly boundaries of Lots 2 and 1, Plan 25763, Lot 1, Registered Plan 15568, and Lot 1, Registered Plan 18862 all of Section 11, Range 6 to the most northerly northwest corner of said Lot 1, Plan 13862; thence westerly in a straight line to the northeast corner of Lot 12 of Block 14, Section 11, Range 6, Amended Registered Plan 1809; thence westerly along the northerly boundaries of Lots 12 to 17, inclusive of Block 14, Section 11, Range 6, Amended Plan 1809 to the northwest corner of said Lot 17, Amended Plan 1809; thence westerly in a straight line to the most northerly northeast corner of Lot 1 of Section 11, Range 6, Registered Plan 5431; thence southerly, easterly, southerly, westerly, northwesterly and northerly along the boundaries of said Lot 1, Plan 5431 to the northwest corner thereof; thence westerly in a straight line to the northeast corner of Lot 1 of Section 11, Ranges 5 and 6 Registered Plan 24563; thence westerly along the northerly boundaries of Lots 1 and 2 of Section 11, Ranges 5 and 6, Plan 24563 to the northwest corner of said Lot 2, Plan 24563; thence westerly in a straight line to the most easterly corner of Block 21, of Section 12, Range 5, Amended Plan 1809; thence northwesterly and southwesterly along the northeasterly and northwesterly boundaries of said Block 21, Amended Plan 1809 to the most westerly corner thereof; thence southerly in a straight line to the northwest corner of Lot 4 of Block 7, Section 11, Range 5, Amended Plan 1809; thence southerly along the westerly boundaries of Lots 4, 3, 2 and 1 of Block 7, Section 11, Range 5 Amended Plan 1809

to the southwest corner of said Lot 1, Amended Plan 1809; thence westerly in a straight line to the southeast corner of Lot C of Sections 11, 12 and 13, Range 5, Amended Plan 1809; thence westerly and northerly along the southerly and westerly boundaries of said Lot C, Amended Plan 1809 to the most northerly corner thereof; thence southeasterly in a straight line to the most southerly corner of Lot E of Section 13, Range 5, Amended Plan 1809; thence northeasterly and northerly along the southeasterly and easterly boundaries of said Lot E, Amended Plan 1809 to the northeast corner thereof; thence northeasterly in a straight line to the aforesaid southwest corner of Lot 5 of Section 14, Range 5, Plan 1336, being the point of commencement.

3. The objects of the improvement district shall be the acquisition, maintenance, and operation of works for waterworks purpose and all matters incidental thereto.
4. There shall be seven Trustees of the improvement district.
5. The persons qualified to vote at the first election of Trustees shall be Canadian citizens who are nineteen years of age or older and are entitled to be registered as voters under the "Provincial Elections Act" and are owners of land in the tract of land hereinbefore described, and the persons qualified to be candidates at the election shall be the persons qualified as aforesaid to vote and their wives and husbands.
6. Mrs. Geraldine Dorothy Scharfenberg, 3583 Garland Avenue, P.O. Box 23, Cobble Hill, B.C. V0R 1L0, shall be Returning Officer for the first election of Trustees. She shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least fourteen days before the date of the meeting send to each of the said persons, by ordinary first class mail, a notice signed by her giving the date, time, and place of holding the meeting. The Returning Officer shall be

chairman of the meeting and, subject to the provisions of clause 5, shall have power to determine whether or not any person who desires to vote is qualified to do so. She shall have power to determine the procedure to be followed at the meeting and the method of taking the votes. Each qualified voter shall be entitled to cast one vote for each of seven candidates. The Returning Officer shall declare the result of the election and shall notify the Inspector of Municipalities of the said result.

7. The three candidates elected as Trustees for whom the greatest number of votes are cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1982, the candidates elected for whom the fourth and fifth greatest number of votes are cast shall hold office until the annual general meeting of 1981, the candidates elected for whom the sixth and seventh greatest number of votes are cast shall hold office until the annual general meeting of 1980, but should there be nominated no more than seven candidates for the office of Trustee, or should any two or more candidates receive an equal number of votes, then the Returning Officer shall have power to and shall declare which of the candidates are elected and which shall hold office until the next, the second, and the third succeeding annual general meetings respectively.
  
8. All subsequent elections of Trustees shall be held at the annual general meetings of the improvement district, and it shall be the duty of the Trustees to call a general meeting to be held between January 1st and May 1st in each year except 1979, for the following purposes:
  - (a) To receive from the Trustees a report on the condition of the works and a statement of the financial condition of the improvement district:

- (b) To discuss with the Trustees any matter relating to the works or finances of the improvement district:
  - (c) To fix the remuneration of the Trustees for the ensuing year:
  - (d) To elect a Trustee or Trustees to succeed those whose terms of office expire coincident with the holding of such annual general meeting, and to elect a Trustee or Trustees to fill any other vacancy or vacancies that has or have occurred or is or are about to occur among the Trustees:
  - (e) To choose the auditor for the ensuing year.
9. A special general meeting may be called by the Trustees at any time for the purpose of electing a Trustee or Trustees to fill any vacancy or vacancies among the Trustees, or for the purpose of discussing with the owners any matter or matters which in the opinion of the Trustees should be brought up at a general meeting.
10. At least fourteen days notice of every general meeting shall be given by a notice sent by ordinary first class mail setting out the date, time, and place of holding the meeting.
11. The secretary shall enter in a book provided by the Trustees for this purpose minutes of all matters brought before the meeting and the action taken thereon. At any general meeting every person shall be qualified to vote who is a Canadian citizen and is nineteen years old or older and is an owner of land in the improvement district, or the authorized agent of any board or corporation that is an owner of such land, or legal representative of any owner of such land who has died, become insolvent or insane, and is entitled to be registered as a voter under the "Provincial Elections Act". Every person qualified as aforesaid to vote and the wife or husband of any such person shall be qualified to be a candidate for Trustee of the improvement district.

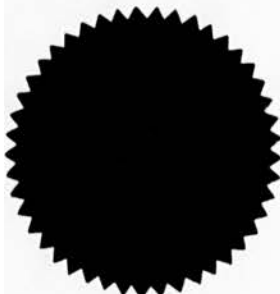
In the event of the right of any person to vote at any general meeting being challenged, the Chairman shall have authority to determine whether or not such person is entitled to vote, and the Chairman may require such person to make and file with him a statutory declaration showing that the declarant is qualified as aforesaid to vote at such general meeting. Forthwith after the holding of a general meeting the Trustees shall file with the Inspector of Municipalities a true copy of the minutes of such meeting and copies of all auditor's reports and financial statements presented or discussed at the meeting.


12. All words and phrases given special meaning in section 2 of the "Water Act" shall, where used herein, be ascribed the meaning given them in the said section, unless the context otherwise requires.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

WITNESS, the Honourable Henry P. Bell-Irving, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria in Our said Province, this 16<sup>th</sup> day of April in the year of our Lord one thousand, nine hundred and seventy-nine, and in the twenty-eighth year of Our Reign.

By Command.



  
Provincial Secretary and  
Minister of Government Services