

BY-LAW # 1009-03-01

**A BY-LAW TO STOP UP AND CLOSE A PORTION OF
MALONE STREET AND LEO AVENUE
IN THE TOWN OF SUSSEX**

The Council of the Town Of Sussex, pursuant to Section 187 (2) of the Municipalities Act, enacts as follows.

The Council of the Town Of Sussex does hereby stop up and close a portion of the highway located in said Town Of Sussex and known as Malone Street and Leo Avenue and more particularly described as follows:

all that certain lot, piece or parcel of land situate, lying and being on the West side of Brookview Crescent, in the Town Of Sussex, in the County Of Kings and Province Of New Brunswick bounded and described as follows:

beginning at a survey marker at the intersection of the western boundary of Brookview Crescent and the southern boundary of Lot 79-1 as shown on Plan No. 6738 filed in the Kings County Registry Office on September 25th, 1979, "Amending Subdivision Plan, Leo Malone Subdivision No. 2", the Stephen N. Wilson and A. Anne Wilson property;

thence in a westerly direction on a N. B. Grid Azimuth of two hundred fifty-four degrees, thirty-seven minutes, fifty seconds (254-37-50) following the southern boundary of Lot 79-1 a distance of thirty and forty-eight hundredths (30.48) metres to a survey marker at the South-east corner of Lot 76-28 as shown on Plan No. 5837 filed in the Kings County Registry Office on May 2nd, 1977, "Subdivision Plan, Leo Malone Subdivision No. 2", the Leo John Malone and Gertrude Malone property;

thence in a westerly direction along the arc of a curve to the right following the southern boundary of Lot 76-28 a distance of thirty and ninety-three hundredths (30.93) metres to a point;

thence in a northerly direction on a N. B. Grid Azimuth of three hundred forty-four degrees, thirty-seven minutes, fifty seconds (344-37-50) following

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the western boundary of Lot 76-28, Lot 76-29, Lot 76-30, Lot 76-31, Lot 76-32, Lot 76-33, Lot 76-34 and Lot 76-35 as shown on Plan No. 5837 a distance of one hundred ninety-nine and seventy hundredths (199.70) metres to a point at the North-west corner of Lot 76-35;

thence in an easterly direction along the arc of a curve to the right following the northern boundary of Lot 76-35 a distance of thirty and ninety-three hundredths (30.93) metres to a survey marker at the North-west corner of Lot 79-8 as shown on Plan No. 6738, the Jessie Margaret Cogger property;

thence in an easterly direction on a N. B. Grid Azimuth of seventy-four degrees, thirty-seven minutes, fifty seconds (74-37-50) following the northern boundary of Lot 79-8 a distance of thirty and forty-eight hundredths (30.48) metres to a survey marker on the western boundary of Brookview Crescent;

thence in a northerly direction on a N. B. Grid Azimuth of three hundred forty-four degrees, thirty-seven minutes, fifty seconds (344-37-50) following the western boundary of Brookview Crescent a distance of twenty-one and ninety-two hundredths (21.92) metres to the southern boundary of Lot 9 in Block B as shown on Plan No. 4214 filed in the Kings County Registry Office on August 7th, 1973, "Subdivision Plan, Phase One, Leo Malone Subdivision", the Stephen M. McGrath and Suzanne McGrath property;

thence in a westerly direction on a N. B. Grid Azimuth of two hundred fifty-five degrees, fifty-seven minutes, fifty seconds (255-57-50) following the southern boundary of Lot 9 a distance of thirty-five and fifty-four hundredths (35.54) metres to a point on the eastern boundary of the Leo John Malone property by "document No. 106623 in Book 60 at Page 252;

thence in a southerly direction on a N. B. Grid Azimuth of one hundred sixty-four degrees, forty minutes, ten seconds (164-40-10) a distance of two and seventy-one hundredths (2.71) metres to a point;

thence in a westerly direction along the arc of a curve to the left along the southern boundary of the Leo John Malone and Gertrude Malone property a distance of forty-one and seventy-six hundredths (41.76) metres to a point;

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thence in a southerly direction on a N. B. Grid Azimuth of one hundred sixty-four degrees, thirty-seven minutes, fifty seconds, (164-37-50) following the eastern boundary of the Leo John Malone and Gertrude Malone property a distance of two hundred thirty-one and sixty-two hundredths (231.62) metres to a point;

thence in an easterly direction along the arc of a curve to the left following the northern boundary of the Leo John Malone and Gertrude Malone property a distance of forty-six and eighty-one hundredths (46.81) metres to a point;

thence in an easterly direction on a N. B. Grid Azimuth of seventy-four degrees, thirty-seven minutes, fifty seconds (74-37-50) following the northern boundary of the Leo John Malone and Gertrude Malone property a distance of thirty and forty-eight hundredths (30.48) metres more or less to the point and place of beginning;

being future streets shown as Leo Avenue and Malone Street on Plan No. 5837 and Plan No. 6738 filed in the Kings County Registry Office;

save and except a waterline easement six (6) metres in width in favour of the Town Of Sussex centered over the existing watermain from Church Avenue to Brookview Crescent.

FIRST TIME READ	<u>MARCH 17, 2003</u>
SECOND TIME READ	<u>MARCH 17, 2003</u>
THIRD TIME READ AND ENACTED	<u>APRIL 22, 2003</u>

RALPH A. CARR
MAYOR

PAUL I. MAGUIRE
TOWN CLERK