



611

APPROVED AND ORDERED M/R -1.1979

[Handwritten Signature]

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA M/R -1.1979 Amn. 651/89

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:

[Handwritten mark]

LETTERS PATENT do issue in the form attached hereto incorporating the tract of land described therein as an improvement district.

[Handwritten Signature]

Acting Minister of Municipal Affairs

[Handwritten Signature]

Presiding Member of the Executive Council

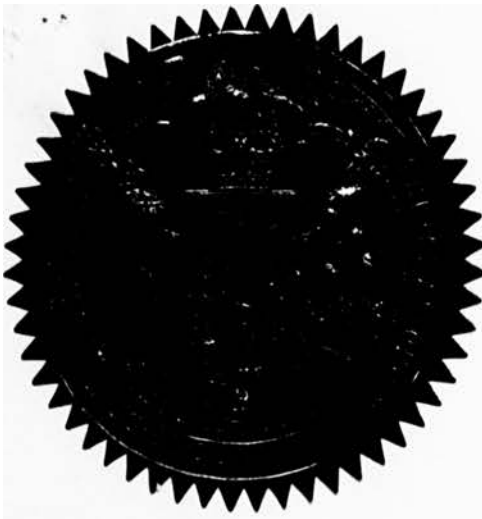
(This part is for administrative purposes and is not part of the Order.)

Authority under which Order is made:

Act and section..... Water Act - Section 53

Other (specify)..... Order in Council No. 3021/78 ✓ Village Point Improvement District

Statutory authority checked by *[Handwritten Signature]* H. R. FORD (Signature and typed or printed name of Legal Officer)



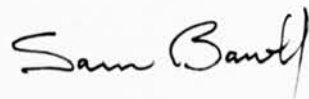

Lieutenant-Governor

C A N A D A
PROVINCE OF BRITISH COLUMBIA

ELIZABETH the SECOND, by the Grace of God, of the United Kingdom, Canada
and Her other Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

To all to whom these presents shall come -

Greeting



Acting Minister of Municipal Affairs

(WHEREAS by section 798G of the
(
(Municipal Act the provisions of
(
(section 44 and sections 53 to 74(1)
(
(inclusive and section 75 of the Water
(
(Act are incorporated into and deemed
(
(to be part of the Municipal Act:

AND WHEREAS by section 53 of the Water Act it is provided that
the Lieutenant-Governor in Council may incorporate a tract of land and the
owners thereof into an improvement district.

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 "Village Point Improvement District".
2. The tract of land located on Mayne Island, Cowichan Land District and Victoria Land Registration District more particularly described as:

Lots 5 to 15 inclusive and 18 to 42 inclusive, Plan 22057;

Parcel A (D.D. D. 12892);

Lots 1, 2, 3, 4 and 5, Plan 22338;

Lots 6 to 42 inclusive, Plan 23006;

Lots 43 to 107 inclusive, Plan 23289;

Area shown dedicated as "Park" on Plan 23289;

Lots 108 to 235 inclusive and Lots 243 and 244, Plan 23981;

Lots 236 to 242 inclusive, Plan 24151;

All of Section 6;

Together with adjacent road allowances;

and all subdivisions thereof and all owners of land therein are incorporated into an improvement district under the "Water Act" and subject to the provisions thereof and to the conditions hereinafter contained.

3. The objects of the improvement district shall be the acquisition, maintenance, and operation of works for waterworks purpose and all matters incidental thereto and the collection and disposal of sewage, the acquisition of land, and the acquisition, maintenance and operation of works for such purpose and all things incidental thereto.
4. There shall be five 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 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. Dola Elanor Jackson, R.R. #1, Mayne Island, B.C. V0N 2J0 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 meeting have three notices posted in the Community and send to each of the said persons by 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 the five candidates. The Returning Officer shall declare the result of the election and shall notify the Inspector of Municipalities of the said result.
7. The candidate elected as Trustee for whom the greatest number of votes is 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 second and third greatest number of votes are cast shall hold office until the annual general meeting of 1981, and the candidates elected for whom the fourth and fifth greatest number of votes are cast shall hold office until the annual general meeting of 1980, but should there be nominated no more than five 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 1, and May 31 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 the one whose term of office expires 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 an auditor for the ensuing year.

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.

At least fourteen days' notice of every general meeting shall be given by notice sent by ordinary first class mail and three notices posted in the Community, setting out the date, time and place of holding the meeting.

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.

9. 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 *1st* day of *March*, in the year of our Lord one thousand, nine hundred and seventy-nine, and in the twenty-eighth year of Our Reign.

By Command.



[Handwritten Signature]
[Handwritten Signature]
Acting Provincial Secretary and
Minister of Government Services