

Mailing Address: P.O. Box 1000, North Vancouver, B.C. V7L 4K1, District Municipal Hall, 700 West Queens Road, Tel. 487-1111

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

OFFICE OF THE MAYOR

CERTIFIED MAIL

April 22nd, 1980

RIVERSIDE DRIVE,
NORTH VANCOUVER, B.C. V7H

Re: Geotechnical Survey - East Side of Seymour River

A group of residents in the Riverside/Berkley area east of the Seymour River recently petitioned the Council of the District of North Vancouver to undertake geotechnical studies in this area to provide information and investigate the potential for future earth slides or slippages in this area and recommend reasonable corrective action which could be taken to prevent them. This petition request has been considered favourably by the Council following discussions with our Solicitor and representatives of the Municipality's insurance underwriters.

Subject to certain conditions, the Council of the Corporation of the District of North Vancouver has authorized the commission of a geotechnical study of the lands in and to the west of each property from and including 2425 Berkley Avenue on the north to 1231 Lennox Street on the south and west to Riverside Drive.

The purpose of the survey is to:

1. Determine the nature and location of potential slide hazards.
2. To assess and recommend remedial action, if any, that may be taken or is required to be taken to reasonably assure that a slide will not occur as a result of weather conditions which may be reasonably anticipated in the next fifty years.
3. Provide cost estimates for each property where remedial action is recommended.

At the request of the Municipality's insurers, the following conditions are imposed by Council:

- (i) It is completely understood by each property owner and occupier concerned that any remedial action which may be recommended is the responsibility of the property owner or occupier concerned.

- (ii) It is also completely understood that the purpose of the survey is not to determine responsibility for slides that have occurred but rather to investigate and advise on further potential problems and their probable cure.
- (iii) Each of the owners and occupiers of lands involved in the survey and those below those lands whose property might suffer damages from a future slide agree that the contents of the report will not be used in any claim against the District for damage which has already occurred or occurs in the future.

The intent of the first two conditions has been satisfied by sending this letter to those concerned.

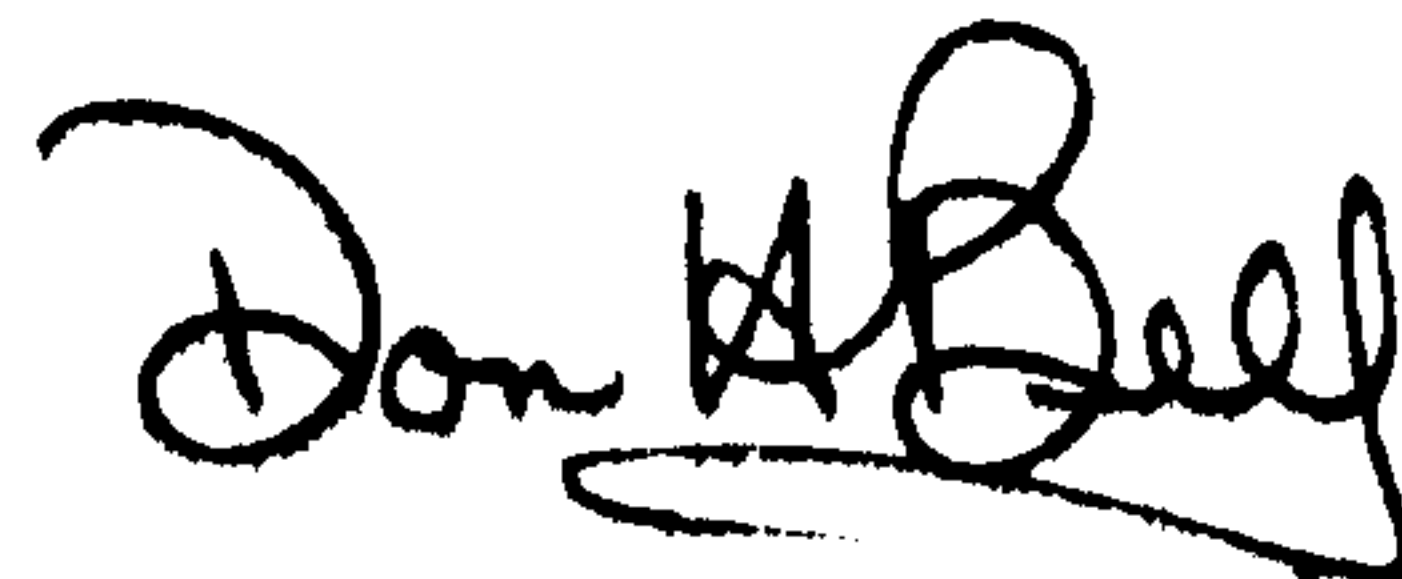
If all owners and occupiers of lands concerned, that is the owners or occupiers of the lands being surveyed and those below those lands, do not agree not to use the contents of the report in any claim against the District, Council reserves the right:

- (a) not to commission the report; or
- (b) not to make the contents of the report public; or
- (c) not to reveal the contents of the report concerning any individual owner or occupier to an owner or occupier who does not give the District the required assurance.

I am sending you two copies of this letter. If you agree to grant the assurance requested, please so indicate by signing the agreement set out below. If by chance the property is in joint tenancy, both parties must sign.

Council has also arranged a meeting at which interested persons such as you would have an opportunity to ask any questions which may arise with respect to this letter. This meeting has been set for 7:30 p.m. Wednesday, May 7th in the auditorium of Seymour Heights Elementary School located at 2640 Carnation Street.

Yours truly,



Don H. Bell
MAYOR

To the Corporation of the District of North Vancouver (the "District"):

In consideration of the District, at its cost, commissioning a geotechnical survey as set out above and in consideration of the District informing me of its contents as it affects me I hereby release and discharge the District and its officers and employees from any claim or action against the District which has already arisen or may arise in the future from hazards set out in the said survey and further agree that I will not use the contents of this report as evidence in any claim or action against the District resulting from damage to my property as a result of land slides, land disturbances, slippages or similar occurrences.

Date _____

Owner, occupier
(delete whichever is inappropriate)