

NATIONAL ASSEMBLY
Thirty-fourth Legislature, third session

1994, chapter 73

AN ACT RESPECTING CERTAIN IMMOVABLES OF THE REGISTRATION DIVISIONS OF ARTHABASKA, BÉCANCOUR AND NICOLET

Bill 272

Introduced by Mr Maurice Richard, Member for Nicolet-Yamaska

Introduced 11 November 1993

Passage in principle 16 June 1994

Passage 16 June 1994

Assented to 17 June 1994

Coming into force: 17 June 1994

Act amended: None





CHAPTER 73

An Act respecting certain immovables of the registration divisions of Arthabaska, Bécancour and Nicolet

[Assented to 17 June 1994]

Preamble

WHEREAS between 2 October 1928 and 13 June 1967, the school boards of Princeville, of Sainte-Anne-du-Sault, of the parish of Saint-Célestin, of Sainte-Eulalie, of the parish of Sainte-Gertrude, of Saint-Raphael-d'Aston, of Saint-Samuel-de-Horton, of Saint-Valère-de-Bulstrode and of Saint-Wenceslas alienated certain immovables by the deeds registered in the registry office of the registration division of Arthabaska under the numbers listed in Schedule A, in the registry office of the registration division of Bécancour under the number listed in Schedule B and in the registry office of the registration division of Nicolet under the numbers listed in Schedule C;

Whereas the legislative provisions respecting education that were in force on the date of the alienations provided that any alienations of immovables by school boards were required to be authorized by the Lieutenant-Governor in Council, the Superintendent of Education or the Minister of Education, to be made by auction unless the Superintendent or the Minister had authorized the sale to be made by private agreement for a fixed sum and to be preceded by a public notice;

Whereas it is not certain that the alienations of immovables evidenced by the deeds registered under the numbers listed in Schedules A, B and C were made in accordance with such provisions;

Whereas it appears that the sale price corresponded to the fair market value of the immovables concerned and whereas it was paid;

Whereas in certain of the deeds evidencing the alienation and, where applicable, in the public notices preceding the sale, the school board is designated by a name other than its official name;

Whereas the school boards have left the acquirers of the immovables concerned and their assigns in peaceable possession of the immovables;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Deeds

1. The deeds registered in the registry office of the registration division of Arthabaska under the numbers listed in Schedule A, the deed registered in the registry office of the registration division of Bécancour under the number listed in Schedule B and the deeds registered in the registry office of the registration division of Nicolet under the numbers listed in Schedule C may not be challenged on the grounds that they are deeds by which a school board alienated one or more immovables, that there is no mention in the deeds that the school board gave public notice or obtained the authorization of the Lieutenant-Governor in Council, of the Superintendent of Education or of the Minister of Education, and that such public notice or such authorization was not given.

Deeds

Moreover, the deeds may not be challenged on the ground that the school board is referred to by a name other than its official name in the deeds or, where applicable, in the public notices preceding the sale.

Deeds

Furthermore, the deeds may not be challenged on the ground that the sale was not made by auction.

Notice

2. Any interested person may, in complying with the second paragraph of article 2995 of the Civil Code of Québec, publish a notice relating to this Act in each registration division concerned.

Notice

The notice shall contain the same list of deeds as the schedule pertaining to the registration division in which it must be published, and shall state that the deed or deeds are confirmed to the extent provided for in the Act respecting certain immovables of the registration divisions of Arthabaska, Bécancour and Nicolet, Bill 272, assented to on 17 June 1994.

Coming into
force

3. This Act comes into force on 17 June 1994.

SCHEDULE A
(Sections 1 and 2)

Deeds registered in the registry office of the registration division of Arthabaska under the numbers 114 921, 128 104, 131 641, 131 883, 131 971, 135 810, 135 884, 135 885, 136 011, 136 911, 133 726

SCHEDULE B
(Sections 1 and 2)

Deed registered in the registry office of the registration division of Bécancour under the number 66 477

SCHEDULE C
(Sections 1 and 2)

Deeds registered in the registry office of the registration division of Nicolet under the numbers 21 120, 21 452, 40 201, 42 100, 45 798, 45 799, 46 357, 47 817, 49 678, 51 990, 58 237