

NATIONAL ASSEMBLY
Thirty-third Legislature, first session

1987, chapter 152
**AN ACT RESPECTING THE
ALEXANDRE BLOUIN ESTATE**

Bill 261

Introduced by Madam Madeleine Bélanger, Member for Mégantic-Compton

Introduced 21 May 1987

Passage in principle 23 June 1987

Passage 23 June 1987

Assented to 23 June 1987

Coming into force: 23 June 1987

Act amended: None



Éditeur officiel
Québec



CHAPTER 152

An Act respecting the Alexandre Blouin estate

[Assented to 23 June 1987]

Preamble

WHEREAS Alexandre Blouin, who died on 4 March 1963, settled the disposition of his property upon his death by a will made in the form derived from the laws of England and registered at the registry office of the registration division of Québec under number 727 622;

Whereas the will creates a trust and whereas Rachel Fortin, the testator's spouse, is entitled to a portion of the income of the trust, that is, approximately \$ 400 every month, until she remarries or dies;

Whereas the will provides that, should Rachel Fortin remarry or die, the capital shall be partitioned equally among the children of Alexandre Blouin and Rachel Fortin but with the restriction that none of the children will be entitled to receive the full amount of his share before he attains 30 years of age;

Whereas Alexandre Blouin and Rachel Fortin had three children, Mona, Claude and Line, all alive at present and, whereas the youngest, although of full age, has not yet attained 30 years of age;

Whereas the capital of the trust greatly exceeds the sum necessary to purchase a monthly annuity of \$ 400 for a period of 16 years, redeemable at will by the grantee of the annuity;

Whereas Rachel Fortin, and Mona Blouin, Claude Blouin and Line Blouin, have entered into an agreement, reproduced in a schedule hereto, providing for the purchase, by the trustees, of a monthly annuity of \$ 400 payable to Rachel Fortin for at least 16 years;

Whereas Rachel Fortin undertook that, in the case of her remarriage before the termination of the annuity purchased by the trustees, she would avail herself of the redemption clause under the annuity and would remit to her children the cash surrender value of the annuity;

Whereas Mona Blouin, Claude Blouin and Line Blouin have jointly and severally undertaken to pay to their mother a sum of \$ 400 every month on termination of the annuity purchased by the trustees, that obligation becoming void in case of the remarriage of their mother;

Whereas Rachel Fortin and Claude Blouin are two of the three trustees and whereas the third trustee has been advised of the introduction of this Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Purchase of
monthly
annuity

1. The trustees of the trust constituted under the will of Alexandre Blouin, registered at the registry office of the registration division of Québec under number 727 622, are authorized to purchase out of the capital of the trust, in accordance with the agreement reproduced in a schedule hereto, a monthly annuity of \$ 400 payable to Rachel Fortin for a period of at least 16 years and to partition equally the residue among Mona Blouin, Claude Blouin and Line Blouin.

Share of
capital

2. The trustees are also authorized to remit to Line Blouin the full amount of her share of the capital despite the fact that she has not attained 30 years of age.

Coming into
force

3. This Act comes into force on 23 June 1987.

SCHEDULE

TRANSLATION

(Section 1)

AGREEMENT made at Québec City, on this 13th day of April 1987,

BETWEEN RACHEL FORTIN, domiciled and residing
at 2533 Chemin St-Louis, Sillery (Québec)

Hereinafter called: "Mrs. Fortin"

AND CLAUDE BLOUIN, domiciled and residing
at 1259 de la Sapinière, Cap-Rouge (Québec)

and

MONA BLOUIN, domiciled and residing at
1452 Du Monet, Sainte-Foy (Québec)

and

LINE BLOUIN, domiciled and residing at
2533 Chemin St-Louis, Sillery (Québec)

Hereinafter collectively called: "The children"

WHEREAS the parties have petitioned for a private legislative bill the object of which is to authorize the trustees of the Alexandre Blouin estate to effect the definitive partition of the property making up the trust created by the will of Alexandre Blouin;

Whereas the trust deed provides for a monthly allowance of approximately FOUR HUNDRED DOLLARS (\$400.00) for the benefit of Mrs. Fortin for as long as she lives, except in the event of her remarriage;

THE PARTIES AGREE AS FOLLOWS:

1. The preamble forms part of this agreement.

2. If the private bill referred to in the preamble is passed, the children consent to the trustees' purchasing, out of the capital of the trust, a monthly allowance of FOUR HUNDRED DOLLARS (\$400.00) for the benefit of Mrs. Fortin for a period of not less than sixteen (16) years.

3. Mrs. Fortin undertakes to redeem the annuity if she remarries and to remit the sum received therefor to the children.

4. If Mrs. Fortin should live beyond the term of the annuity, the children shall pay to her, for as long as she lives, a monthly annuity of FOUR HUNDRED DOLLARS (\$400.00) and are jointly and severally liable therefor. However, the allowance shall cease to be paid in the event of Mrs. Fortin's remarriage.

IN WITNESS WHEREOF, the parties have signed:

RACHEL FORTIN

CLAUDE BLOUIN

MONA BLOUIN

LINE BLOUIN

CLAUDE PARÉ, witness