

1986, chapter 124

AN ACT TO ANNEX A TERRITORY TO THE TERRITORY OF THE TOWN OF MONT-JOLI

Bill 268

Introduced by Mr Henri Paradis, Member for Matapédia

Introduced 4 December 1986

Passage in principle 19 December 1986

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Assented to 19 December 1986

Coming into force: 1 January 1987

Act amended: None





CHAPTER 124

An Act to annex a territory to the territory of the town of Mont-Joli

[Assented to 19 December 1986]

Preamble WHEREAS the town of Mont-Joli and the municipality of the parish of Sainte-Flavie have agreed to change the limits of the latter's territory and to that territory being served in drinking water by the municipality of the parish of Sainte-Flavie;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Annexation **1.** The territory described in the schedule is annexed to that of the town of Mont-Joli.

Annexed territory **2.** The annexed territory forms part of ward number 2 of the town of Mont-Joli.

Indemnity **3.** The town of Mont-Joli shall pay annually to the municipality of the parish of Sainte-Flavie an indemnity for an amount equal to the higher of the following amounts:

(1) \$136 948;

(2) an amount equivalent to 30% of the amount paid as a grant to the town of Mont-Joli under the Municipal Grants Act, 1980 (S.C. 1980-81-82-83, chapter 37), in respect of the immovables situated in the territory referred to in section 1.

Payment **4.** The town of Mont-Joli shall pay to the municipality of the parish of Sainte-Flavie, on 1 May of each fiscal year, the amount determined under section 3.

Interest Such payment bears interest from the date it is due at the rate fixed by the municipality of the parish of Sainte-Flavie under article 981 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) and in force on the date each payment is due.

Presumption **5.** The territory referred to in section 1 is deemed to form part of the territory of the municipality of the parish of Sainte-Flavie, as if the territory had not been annexed thereto, both for the purposes of the loan by-laws providing for the payment of any expense relating to work done in connection with the waterworks to serve the territory referred to in section 1 and for the compensation exigible for waterworks services in respect of the immovables situated in the said territory.

Repayment of loans The first paragraph also applies in respect of the repayment of the loans ordered by by-laws numbers 1-85, 3-85 and 8-86 of the municipality of the parish of Sainte-Flavie.

Presumption **6.** In no case may the territory referred to in section 1 be taken into consideration for the purpose of carrying out, under the Municipal Code of Québec and the Cities and Towns Act (R.S.Q., chapter C-19), the annexation of another part of the territory of the municipality of the parish of Sainte-Flavie. For that purpose only, the territory referred to in section 1 shall be deemed not to form part of that of the town of Mont-Joli, notwithstanding this Act.

Renunciation Notwithstanding the foregoing, the council of the municipality of the parish of Sainte-Flavie may, by by-law, renounce the application of the provision contained in the first paragraph. Once in force such a by-law may in no case be repealed.

Applicability **7.** Sections 44, 46.2 and 46.3 of the Cities and Towns Act, adapted as required, apply to this annexation.

Coming into force **8.** This Act comes into force on 1 January 1987.

SCHEDULE

Technical description

of the limits of the territory to be detached from the municipality of the parish of Sainte-Flavie and to be annexed to that of the town of Mont-Joli, in the regional municipality of La Mitis.

A territory now forming part of the municipality of the parish of Sainte-Flavie, in the regional municipality of La Mitis, comprising, with reference to the cadastre of the parish of Sainte-Flavie, the lots or parts of lots and their subdivisions, present and future, and the highways, roads, streets, watercourses, strands or parts thereof, the whole enclosed within the limits hereinafter described, to wit:

starting at the point of intersection of the dividing line between lots 2 and 3 and the north limit of lot 458; thence, northwesterly along the dividing line between lots 2 and 3, running $312^{\circ}07'$, for a distance of one thousand, five hundred and sixty-six metres and six hundredths (1 566.06 m) to the starting point; thence, southwesterly, running $232^{\circ}36'$, for a distance of fifty-six metres and ninety-one hundredths (56.91 m), then running $222^{\circ}09'$, for a distance of one hundred and thirteen metres and fifty-four hundredths (113.54 m); thence, northwesterly, along the northeast limit of highway 132, the following directions and distances: running $312^{\circ}13'$, for a distance of three hundred and fifty-two metres and forty-five hundredths (352.45 m), then running $312^{\circ}11'$, for a distance of two hundred and nineteen metres and eleven hundredths (219.11 m), then for a distance of seventy metres and twenty-nine hundredths (70.29 m) along a curve having a radius of two hundred and eight metres and fourteen hundredths (208.14 m); thence, again northwesterly, along the dividing line between lots 3 and 4, running $312^{\circ}05'$, for a distance of one hundred and ninety-one metres and eight tenths (191.8 m) to the south limit of the strands; thence, northwesterly, along the extension of the dividing line between lots 3 and 4, running $312^{\circ}05'$, for a distance of one hundred and fifteen metres and ninety hundredths (115.90 m) to the north limit of the strands; thence, easterly, along the north limit of the strands, the following distances: three hundred and thirteen metres and one tenth (313.1 m), one hundred and fourteen metres and seven tenths (114.7 m), ninety-seven metres and six tenths (97.6 m), one hundred and six metres and eight tenths (106.8 m), three hundred and twenty-six metres (326.0 m), then, for a distance of forty metres and nine tenths (40.9 m); thence, southerly, running $184^{\circ}17'$, for a distance of two hundred and sixty-eight metres and two tenths (268.2 m) to the south limit of the strands; thence, again in the same direction, namely $184^{\circ}17'$, for a distance

of three hundred and seventy-five metres and three tenths (375.3 m); thence, easterly, running $262^{\circ}37'$, for a distance of ninety-five metres and four tenths (95.4 m) to the west limit of the strands; thence, southerly along the west limit of the strands, for a distance of fifty-one metres and nine tenths (51.9 m); thence, southwesterly, running $232^{\circ}36'$, for a distance of two hundred and four metres and twenty-seven hundredths (204.27 m) to the starting point.