

NATIONAL ASSEMBLY OF QUÉBEC
Thirty-first Legislature, Sixth session

1981, chapter 35

**AN ACT RESPECTING CERTAIN LOTS OF
THE REVISED PART OF THE OFFICIAL CADASTRE OF THE
TOWNSHIP OF YORK,
REGISTRATION DIVISION OF GASPÉ**

Bill No. 222

Introduced by Mr Michel Le Moignan

First reading: 9 December 1980

Second reading: 10 March 1981

Third reading: 10 March 1981

Assented to: 11 March 1981

Coming into force: 11 March 1981

Act amended: None



CHAPTER 35

An Act respecting certain lots of the revised part of the official cadastre of the township of York, registration division of Gaspé

[Assented to 11 March 1981]

Preamble. WHEREAS a part of the official cadastre of the township of York, registration division of Gaspé, revised in accordance with the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11) was deposited in the office of the registration division of Gaspé on 8 June 1961;

Whereas the revised cadastre came into force on 1 December 1964 following a notice of proclamation published in the *Gazette officielle du Québec* on 30 January 1965;

Whereas the notice of proclamation should have been published twice consecutively in the *Gazette officielle du Québec* in accordance with section 5 of the Act respecting land titles in certain electoral districts;

Whereas a notice of proclamation was subsequently published twice consecutively in the *Gazette officielle du Québec*, on 2 December and on 9 December 1967, fixing the date of the coming into force of the revised cadastre at 1 December 1967;

Whereas doubt persists as to the validity of the coming into force of the revised cadastre;

Whereas the official plan and book of reference creating subdivisions C-5-8-1, C-5-8-2 and C-5-8-4 of block C of the revised part of the cadastre were deposited in the office of the registration division of Gaspé on 27 October 1962, that is to say before the date of the coming into force of the revised cadastre;

Whereas the official plan and book of reference cancelling subdivisions C-5-8-2 and C-5-8-4 of block C and creating redivisions

C-5-8-5 and C-5-8-6 of block C of the revised part of the cadastre were deposited in the registry office on 13 March 1964, that is to say before the date of the coming into force of the revised cadastre;

Whereas, furthermore, an authentic copy of a deed of conveyance and partition, dated 20 March 1964, between Hôtel-Dieu de Gaspé, l'Hôtel-Dieu de Gaspé and Les Chanoinesses Hospitalières de Saint-Augustin du Monastère de l'Hôtel-Dieu de Gaspé, concerning, *inter alia*, lots C5-8-1, C5-8-5 and C5-8-6 of Range I of the revised part of the cadastre, was registered in the registry office on 31 March 1964 under number 42724;

Whereas order in council number 1693 dated 4 September 1964, passed in accordance with section 14 of the Act to incorporate l'Hôtel-Dieu de Gaspé (1963, 1st session, chapter 116) and having the effect of dissolving the corporation known as "Hôtel-Dieu de Gaspé" was not published in accordance with that section;

Whereas several erroneous designations of lots C-5-7 and C-5-8, block C, with their subdivisions and redivisions, of the revised part of the cadastre are to be found in most of the deeds registered in the office of the registration division of Gaspé;

Whereas it is expedient to validate the date of the coming into force of the revised cadastre, the deposit in the office of the registration division of Gaspé of certain cadastral operations, the registration of certain deeds in the index to immoveables, the designation of certain lots and the dissolution of the corporation "Hôtel-Dieu de Gaspé";

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

Effect. **1.** The revised part of the official cadastre of the township of York, registration division of Gaspé, deposited in the registry office on 8 June 1961, is deemed to have effect and to be in force from 1 December 1964.

Validation. **2.** The official plan and book of reference of lots numbers C-5-7 and C-5-8, block C, of the revised part of the official cadastre of the township of York are validated and deemed in force from 1 December 1964.

Validation. **3.** The official plan and book of reference creating subdivisions C-5-8-1, C-5-8-2 and C-5-8-4 of block C and redivisions C-5-8-5 and C-5-8-6 of block C of the revised part of the official cadastre of the township of York are validated and deemed in force from 1 December 1964.

Deed of conveyance deemed in force.

4. The deed of conveyance and partition between Hôtel-Dieu de Gaspé, l'Hôtel-Dieu de Gaspé and Les Chanoinesses Hospitalières de Saint-Augustin du Monastère de l'Hôtel-Dieu de Gaspé, executed before A. Duval, notary, on 20 March 1964, an authentic copy of which was registered in the registration division of Gaspé on 31 March 1964 under number 42724, concerning, *inter alia*, lots C5-8-1, C5-8-5 and C5-8-6 of Range I of the revised part of the official cadastre of the township of York is deemed to concern, *inter alia*, lots C-5-8-1, C-5-8-5 and C-5-8-6 of block C of the revised part of the official cadastre of the township of York as if, with regard to the latter lots, the revised part of the official cadastre of the township of York, registration division of Gaspé, had been in force at that time, in accordance with the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11), on the date of the execution of the said deed and as if subdivision C-5-8-1 and redivisions C-5-8-5 and C-5-8-6 of block C of the said cadastre had been in force at the time of the execution of the said deed of conveyance and partition.

Dissolution of the corporation.

5. Order in council number 1693, dated 4 September 1964, passed in accordance with section 14 of the Act to incorporate l'Hôtel-Dieu de Gaspé (1963, 1st session, chapter 116) and having the effect of dissolving the corporation known as "Hôtel-Dieu de Gaspé", is deemed to have been published in the *Gazette officielle du Québec* within the prescribed time.

Corrections.

6. Notwithstanding any general law or special Act to the contrary, any erroneous designation in the registered deeds concerning lots C-5-7 and C-5-8, block C, with their subdivisions and redivisions, of the revised part of the official cadastre of the township of York may be corrected by means of a notice addressed to the registrar in any of the forms prescribed by article 2125*b* of the Civil Code.

Notice.

The notice must mention the erroneous designation of the lot, the correlation between the erroneous designation and the correct designation and an application to have the notice registered in the index to immoveables.

Deposit.

Registration of the notice is made by deposit.

Coming into force.

7. This Act comes into force on the day of its sanction.