



CHAPTER 93

An Act respecting certain parcels of land
of the cadastre of the city of Montreal, Saint-Antoine ward

[Assented to 15 February 1979]

Preamble. WHEREAS Bell Canada has acquired certain lots of the cadastre of the city of Montreal, Saint-Antoine ward, which form a quadrilateral bounded by Beaver Hall hill and Vitry, University and de La Gauchetière streets;

Whereas Bell Canada, in conjunction with The Provincial Bank of Canada, proposes to erect two office buildings, with their substructure, on the said lots, of an approximate value of one hundred million dollars, one of them being the administrative centre of Bell Canada for its employees in the Québec region, the other being the head office and principal place of business of The Provincial Bank of Canada;

Whereas within this quadrilateral are two parcels of land which have never been declared public lanes, have never belonged to the City of Montreal and do not appear on the special register maintained by the City of Montreal for lanes open to the public;

Whereas deeds evidencing the conveyance of the lots presently owned by Bell Canada, which are contiguous to these parcels of land, refer to, among other things, a "common passage", a "dividing passage" or "a right of way over a lane held in common by the owners of the contiguous lots" [Translation], while, on the other hand, certain other deeds state that the vendors conveyed their right of ownership to these parcels of land, and this right of way as well;

Whereas it is therefore impossible to establish with certainty the nature and extent of the rights which Bell Canada has or might have over these parcels of land as owner of all the lots contiguous to them;

Whereas no one except the owners of property contiguous to these parcels of land has assumed ownership of them;

Whereas, moreover, these parcels of land divide the property of Bell Canada in the very middle, thereby creating an impediment and an obstacle to the rational use of that property, and it is in the interest of Bell Canada that it be declared the owner of these parcels of land so that it might with certainty have full exercise of its rights of ownership over the entire quadrilateral;

Therefore, Her Majesty, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

Declara-
tion of
ownership.

1. Bell Canada is the owner of the parcels of land described in the Schedule.

Rights
exting-
uished and
annulled.

2. Subject to section 1, all rights that affect or that might affect these parcels of land and all rights on or over these parcels at the coming into force of this act are extinguished and cancelled.

Personal
claim.

3. If there is any person, firm or corporation who or which, were it not for section 1, would be entitled to claim at law any right of ownership to the whole or any part of these parcels of land, that claim is converted into a personal claim against Bell Canada for an amount equal to the value of such right of ownership computed as on the date of the sanction of this act. Any such claim shall be prescribed on the same day as the claim of the right of ownership it replaces would be prescribed were it not so converted and it shall not constitute a real right nor a charge or hypothec respecting these parcels of land or any of their parts.

Coming
into force.

4. This act comes into force on the day of its sanction.

SCHEDULE

Cadastral of the city of Montreal (Saint-Antoine ward).
Registration division of Montreal.
Municipality of the City of Montreal.

PART OF ORIGINAL LOT 1090

A parcel of land situated in the said municipality, being part of original lot one thousand and ninety (P. 1090) of the said cadastre, bounded as follows: on the east by Beaver Hall hill (no cadastral designation), on the south by original lot 1079, on the west by part of original lot 1092 and on the north by part of original lot 1092, original lot 1091 and another part of original lot 1090; measuring fifteen feet and sixty hundredths (15.60) along its east line, one hundred and twenty-five feet and seven hundredths along its south line, fourteen feet and ninety hundredths (14.90) along its west line, forty-eight feet and thirty-five hundredths (48.35) along its north line and seventy-six feet and thirty-one hundredths (76.31) along another north line; containing an area of one thousand eight hundred and fifty-six square feet (1 856), English measure, as shown on the plan and technical description prepared on 29 January 1979 by Gilles Legault, land surveyor, under number 15967-4.

A LANE WITHOUT CADASTRAL DESIGNATION

A parcel of land situated in the said municipality, being a lane without cadastral designation, bounded as follows: on the west by part of original lot 1100, on the north by part of lots 1099-2, 1099-1 and 1098-1 and lot 1098-4, on the east by lot 1098-2, on the north by lots 1098-2 and 1098-3, part of original lot 1098 and original lots 1097, 1096, 1095 and 1094, on the east by original lot 1093A, on the south by original lots 1080, 1081, 1082, 1083, 1084 and 1085, on the east by original lot 1085, on the south by Vitry street (no cadastral designation), on the west by part of original lot 1086 and on the south by part of original lots 1086, 1087, 1088 and 1089, as shown on the plan and technical description prepared on 29 January 1979 by Gilles Legault, land surveyor, under number 15967-5.