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# NATIONAL ASSEMBLY

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FIFTH SESSION

THIRTY-SECOND LEGISLATURE

**Bill 248**

(Private)

## **An Act respecting the will of Armand Marcotte**

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### **Introduction**



**Introduced by  
Madam Huguette Lachapelle  
Member for Dorion**

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# Bill 248

(Private)

## **An Act respecting the will of Armand Marcotte**

WHEREAS Armand Marcotte, died on 17 February 1978, by his will made on 16 December 1977 before Maurice Crépeau, notary, under number 9663 of his minutes, constituted “les Soeurs Carmélites et les Pères Carmes des Monastères les plus pauvres répartis dans le monde entier”, (the Carmélites Nuns and Carmelite Fathers in the poorest monasteries anywhere in the world), the universal legatees of his property;

Whereas the property bequeathed consists, among other property, of immovables located at Ste-Anne du Lac;

Whereas the will contains a clause prohibiting sale or alienation for a period of 75 years from the date of death;

Whereas the lands were valued at \$13 000 by certified appraisers;

Whereas administration expenses and public charges respecting the immovables are exorbitant in consideration of their actual value;

Whereas, under the will, the Société de fiducie du Québec was appointed testamentary executor and trustee, and whereas it refused to accept or to exercise the functions conferred by the will;

Whereas, by a judgment rendered by the Superior Court on 24 October 1983, the Corporation called Les Moniales Carmélites Deschaussées was appointed testamentary executor and trustee under the will of the late Armand Marcotte;

Whereas the trustee, Les Carmélites Moniales Deschaussées, has received an offer for the purchase of the immovables at the price of \$15 000;

Whereas the sale price is fair and reasonable;

Whereas the removal of the prohibition to alienate for a period of 75 years would be to the advantage of the universal legatees and no prejudice would result to any one;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Notwithstanding any prohibition to alienate, restrictions or conditions stipulated in the will of Armand Marcotte, made and executed on 16 December 1977 before Maurice Crépeau, notary, at Ferme Neuve, county of Labelle, under number 9663 of his minutes and registered under number 151901 at the registry office of the registration division of Labelle, the trustee, Les Moniales Carmélites Deschaussées, is authorized to alienate the immovables contemplated in the will.

The registration of the prohibition to alienate contemplated in the will is cancelled on the filing of a true copy of the purview of this Act.

**2.** This Act comes into force on (*insert here the date of assent to this Act*).