
NATIONAL ASSEMBLY

THIRTY-SECOND LEGISLATURE

FOURTH SESSION

Bill 238

(PRIVATE)

An Act respecting an immovable situated in the municipality of the parish of Saint-Télesphore

First reading

Introduced by
Mr Daniel Johnson
Member for Vaudreuil-Soulanges

Bill 238

(PRIVATE)

An Act respecting an immovable situated
in the municipality of the parish of Saint-Télesphore

WHEREAS a parcel of land now described as being lot No. 206 of the cadastre of the parish of Saint-Télesphore has been the subject of two successive gifts, a first time in 1875 and a second time in 1878, and whereas the two gifts have been registered at the registry office of the registration division of Soulanges, under numbers 7144 and 8236, respectively;

Whereas, by the first deed of gift, the donee, the Roman Catholic Archiepiscopal Corporation of Montréal, agreed with the donor, Michel Glaude, that the gift was made on the condition that the parcel of land be used “...solely to erect thereon a chapel or church for Roman Catholic worship, and a rectory, cemetery, school or convent for the said new parish of St-Télesphore and for no other purpose, under pain of seeing the donor, his heirs and successors resume possession of the said parcel of land” [translation];

Whereas, by the second deed of gift, the Roman Catholic Archiepiscopal Corporation of Montréal transferred to the corporation, now designated under the name of “La Fabrique de la paroisse de Saint-Télesphore”, the immovable given to it in 1875, and whereas the fabrique has undertaken to execute all the obligations then imposed on the episcopal corporation so the latter would never be troubled or disturbed thereby;

Whereas the fabrique has caused a church and a rectory to be erected on lot No. 206 and has established a cemetery thereon;

Whereas, by a deed registered at the registry office of the registration division of Soulanges under number 74 547, the fabrique sold to the municipal corporation of the parish of Saint-Télesphore that

part of lot No. 206 described in the schedule to this Act together with a contiguous parcel of land;

Whereas, however, the fabrique has retained the residue of lot No. 206, on which the church is erected and the cemetery is established, and whereas the church continues to be used for worship;

Whereas, owing to the clauses of exclusive use of lot No. 206 for purposes related to Roman Catholic worship stipulated in the deeds of gift mentioned in the first paragraph, the municipal corporation fears that its title on that part of the lot described in schedule to this Act may be contestable;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Every obligation, charge or condition affecting the use of that part of lot No. 206 of the cadastre of the parish of Saint-Télesphore described in schedule to this Act “solely to erect thereon a chapel or church for Roman Catholic worship, and a rectory, cemetery, school or convent for the said new parish of St-Télesphore and for no other purpose, under pain of seeing the donor, his heirs and successors resume possession of the said parcel of land” [translation], which may arise from the deeds registered at the registry office of the registration division of Soulanges, under numbers 7144 and 8236, respectively, is hereby cancelled.

2. The registration of any obligation, charge or condition stipulated in the deeds registered at the registration office of the registration division of Soulanges, under numbers 7144 and 8236, respectively, is cancelled upon the deposit of a certified true copy of this Act, but only in respect of that part of lot No. 206 of the cadastre of the parish of Saint-Télesphore described in schedule to this Act.

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

SCHEDULE

(Sections 1 and 2)

Description of part of lot No. 206 of the cadastre of the parish of Saint-Télesphore.

Part of lot No. 206 of the cadastre of the parish of Saint-Télesphore, belonging to the municipal corporation of the parish of Saint-Télesphore, of irregular shape, bounded on the northeast, on a distance of one hundred and seventy-seven metres (177 m), by lots Nos 208 and 208-5; on the southeast, on a distance of sixty-three metres and ninety-three centimetres (63.93 m), by a public road having no cadastral designation, called route 340 or chemin Sainte-Catherine; on the southwest, on a distance of eighty-two metres and thirty centimetres (82.30 m), by the residue of lot No. 206; on the northwest, on a distance of seven metres and twenty-seven centimetres (7.27 m), by the residue of lot No. 206; on the southwest, on a distance of ninety-two metres and sixty-five centimetres (92.65 m), by the residue of lot No. 206; and on the northwest, on a distance of forty-three metres and seventy-two centimetres (43.72 m), by lot No. 208; containing, in area, nine thousand and five square metres and thirty-three square centimetres (9 005.33 m²).