

1986, chapter 128

**AN ACT RESPECTING AN IMMOVABLE OF THE CADASTRE
OF THE PARISH OF SAINT-BARNABÉ
(REGISTRATION DIVISION OF SHAWINIGAN)**

Bill 229

Introduced by Mr Maurice Richard, Member for Nicolet

Introduced 15 May 1986

Passage in principle 19 June 1986

Passage 19 June 1986

Assented to 19 June 1986

Coming into force: 19 June 1986

Act amended: None





CHAPTER 128

An Act respecting an immovable of the cadastre of the parish of Saint-Barnabé (registration division of Shawinigan)

[Assented to 19 June 1986]

Preamble

WHEREAS, by a deed registered in 1880 at the registry office of the registration division of Trois-Rivières under number 26 968, Prudence Emilie Thiboutott gave lot 68 of the cadastre of the parish of Saint-Barnabé to a corporation to which the corporation called "Les Soeurs de l'Assomption de la Sainte Vierge" has succeeded pursuant to chapter 148 of the statutes of 1966-67;

Whereas it is stipulated in the deed of gift that the donee corporation is required to provide education to young girls "in the convent soon to be built by the Oeuvre and Fabrique of the said parish of St-Barnabé, on the abovegiven site in the village of the said parish of St-Barnabé" [translation];

Whereas it is stipulated in the deed of gift that should the donee corporation cease to provide education in the convent built on lot 68, the lot would revert to the donor or her heirs, subject to the obligation to reimburse to the Oeuvre and Fabrique of the parish of Saint-Barnabé the amounts paid for the construction of the convent, up to \$3 000;

Whereas Prudence Emilie Thiboutott died on or before 13 January 1896, was not married and it is almost impossible to locate her heirs;

Whereas Les Soeurs de l'Assomption de la Sainte Vierge, foreseeing no further need of lot 68 for educational or other purposes, intend to sell the lot and whereas it is in their interest that the clause requiring them to use the convent built on lot 68 for educational purposes as well as the right of taking back arising from the inexecution of that clause, be cancelled;

Whereas, with reference to lot 68, the Fabrique of the parish of Saint-Barnabé-Nord has succeeded to the Oeuvre and Fabrique of the parish of Saint-Barnabé and Les Soeurs de l'Assomption de la Sainte Vierge have agreed to pay the Fabrique an amount of \$3 000 upon the passing of this Act, and whereas the Fabrique consents to the passing of this Act;

Whereas, since 2 January 1965, the lots of the cadastre of the parish of Saint-Barnabé are situated in the registration division of Shawinigan;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Cancellation
of condi-
tions

1. All obligations, charges or conditions requiring lot 68 of the cadastre of the parish of Saint-Barnabé to be used to "provide education as soon as possible to young girls in the convent soon to be built by the Oeuvre and Fabrique of the said parish of St-Barnabé, on the abovegiven site in the village of the said parish of St-Barnabé", [translation] which may derive from the deed of gift registered in 1880 at the registry office of the registration division of Trois-Rivières under number 26 968, are hereby cancelled.

Right of
reversion

2. Any right of reversion of lot 68 of the cadastre of the parish of Saint-Barnabé to Prudence Emilie Thiboutott or her heirs, as stipulated in the deed of gift registered in 1880 at the registry office of the registration division of Trois-Rivières under number 26 968 which may arise from the inexecution of an obligation, charge or condition referred to in section 1, is also cancelled.

Registration

3. On the deposit of a certified copy of the purview of this Act, the registrar of the registration division of Trois-Rivières shall cancel

(1) the registration of every obligation, charge or condition affecting lot 68 of the cadastre of the parish of Saint-Barnabé and cancelled under section 1;

(2) the registration of any right of reversion affecting the same lot and cancelled under section 2.

Personal
rights

4. Real rights on lot 68 of the cadastre of the parish of Saint-Barnabé cancelled under sections 1 and 2 shall be replaced by personal rights exercisable against Les Soeurs de l'Assomption de la Sainte Vierge.

1986

Parish of Saint-Barnabé

CHAP. 128

Value

Such personal rights have a value equal to that of the real rights they replace, immediately before 19 June 1986, and are prescribed by 10 years from 19 June 1986.

Coming into
force

5. This Act comes into force on 19 June 1986.