

1984, chapter 85

AN ACT RESPECTING THE WILL OF ARMAND MARCOTTE

Bill 248

Introduced by Madam Huguette Lachapelle, Member for Dorion

Introduced: 21 November 1984

Passage in principle: 20 December 1984

Passage: 20 December 1984

Assented to: 21 December 1984

Coming into force: 21 December 1984

Act amended: None



CHAPTER 85

An Act respecting the will of Armand Marcotte

[Assented to 21 December 1984]

Preamble

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 the immovables are subject to real estate taxes and produce no revenue;

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 Déchaussées was appointed testamentary executor and trustee under the will of the late Armand Marcotte;

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

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:

Authoriza-
tion to alie-
nate
immovables

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 Déchaussées, is authorized to alienate the immovables contemplated in the schedule.

Cancellation
of regis-
tration

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

Coming into
force

2. This Act comes into force on 21 December 1984.

SCHEDULE

DESIGNATION OF THE IMMOVABLES BEQUEATHED UNDER THE WILL
OF ARMAND MARCOTTE

— Lots 42, 43 and 44 of range VI of the cadastre of the township of Décarie.

— Part of lot 49*b* of range VII of the cadastre of the township of Décarie, owned by the Maison Généralice des Carmes, represented for the purposes of the administration of that parcel of land by Les Moniales Carmélites Déchaussées, and described as follows: of irregular shape, bounded on the northeast by lot 50*b*; on the southeast by Hamel lake or Petit lac Brochet; on the southwest by part of lot 49*b* and on the northwest by a public road.

— Part of lot 50*b* of range VII of the cadastre of the township of Décarie, owned by the Maison Généralice des Carmes, represented for the purposes of the administration of that parcel of land by Les Moniales Carmélites Déchaussées, and described as follows: lot 50*b* of range VII of the cadastre of the township of Décarie, excluding the part of that lot sold to Fernand Lebel by a deed registered under number 97 440 in the registry office of the registration division of Labelle, at Mont-Laurier.