



CHAPTER 122

An Act respecting the Joseph L. Greenspon estate

[Assented to 21 December 1979]

Preamble. WHEREAS by his will made in 1957 and the codicil made in 1960, Joseph L. Greenspon, deceased in 1962, bequeathed, *inter alia*, a property to his grandchildren, subject to a usufruct on that property in favour of Norman, his son and testamentary executor, for 1/5 and in favour of the two sisters of the latter, Anita and Marjorie, for 4/5;

Whereas that will contains a provision whereby that property may not be sold or hypothecated in the lifetime of Anita and Marjorie;

Whereas that property was built many years ago, requires constant repairs and yields insufficient revenue;

Whereas in the interest of the heirs and of those who might be interested in the estate, it is expedient that the testamentary executor be authorized to sell that immoveable;

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

Sale of
immove-
able
authorized.

1. Notwithstanding the will of Joseph L. Greenspon made on 23 August 1957 before Isaac Kert and Rémi Lamarche, notaries, under number 22 590 of their minutes, and the holograph codicil thereto dated 12 May 1960 and probated at Montreal on 30 July 1962, Norman Greenspon, in his capacity of testamentary executor and trustee of Joseph L. Greenspon, and his successors in office, are authorized to sell an emplacement fronting on Crescent street in Montreal comprising lots 1578-A and B of the cadastre of the city of Montréal (Saint-Antoine ward), at such price and on such conditions as they deem expedient, but not less than \$225 000, on the sole condition of obtaining the unanimous consent

of the children, of the grandchildren and of the tutor to the minor child, the consent of the tutor to be obtained upon the advice of the family council; if that consent is given only by a majority, the testamentary executor and his successors must address the Superior Court by way of a motion to obtain that authorization after notice is given to the persons hereinabove mentioned.

Proceeds
of sale.

2. The testamentary executor and his successors shall distribute the proceeds of the sale in accordance with the will or use them, up to the amount necessary, to pay the current expenses of the estate of Joseph L. Greenspon until the death of the last surviving usufructuary legatee of the property described in section 1.

Costs.

3. The costs incurred in the passing of this act shall be paid out of the capital of the estate of Joseph L. Greenspon.

Coming
into force.

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