



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 216

(Private)

**An Act respecting the sale of an
immovable situated on the Bois-Franc
Ouest range in Notre-Dame-du-Sacré-
Cœur-d'Issoudun**

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Passed in principle 4 December 2015

Passed 4 December 2015

Assented to 4 December 2015

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(Private)

AN ACT RESPECTING THE SALE OF AN IMMOVABLE SITUATED ON THE BOIS-FRANC OUEST RANGE IN NOTRE- DAME-DU-SACRÉ-CŒUR-D'ISSOUDUN

AS, on 1 September 1963, Émile Demers acquired from the school commissioners of the parish municipality of Notre-Dame-du-Sacré-Cœur-d'Issoudun an immovable known and designated as part of lot 443 of the cadastre of the parish of Sainte-Croix, registration division of Lotbinière, including the building erected on it;

AS, on 17 September 1963, the deed of sale was registered at the registry office of the registration division of Lotbinière under number 92 605;

AS, on 17 February 1969, Fernand Demers acquired from Émile Demers an immovable known and designated as part of lot 443 of the cadastre of the parish of Sainte-Croix, registration division of Lotbinière, including the building erected on it;

AS, on 26 February 1969, the deed of sale was registered at the registry office of the registration division of Lotbinière under number 102 533;

AS, as a result of the cadastral renewal plan deposited on 6 November 2007, the immovable designated as part of lot 443 of the cadastre of the parish of Sainte-Croix became lot 3 591 074 of the cadastre of Québec, registration division of Lotbinière;

AS the immovable is situated at 201 rang du Bois-Franc Ouest in Notre-Dame-du-Sacré-Cœur-d'Issoudun;

AS Fernand Demers died on 10 June 2012 and, according to his will, executed before notary Jules Pouliot on 31 January 1994, his wife, Colette Castonguay, is his sole universal legatee in full ownership, as evidenced by the declaration of transmission executed before notary Christine Bergeron on 4 September 2012 and registered at the registry office of the registration division of Lotbinière on 5 September 2012 under number 19 387 960;

AS, at the time of the sale made on 1 September 1963 and registered at the registry office of the registration division of Lotbinière under number 92 605, the seller, the school commissioners of the parish municipality of Notre-Dame-du-Sacré-Cœur-d'Issoudun, designated their chair, Joseph Kirouac, to sign the

deed of sale in accordance with a resolution of the school corporation dated 30 July 1963;

AS, on 1 September 1963, section 240 of the Education Act (R.S.Q., 1941, chapter 59) prescribed that no school corporation could sell property belonging to it without the approval of the Superintendent;

AS the Superintendent's approval was not obtained for the sale made on 1 September 1963;

AS an alienation made without such approval is absolutely null;

AS, on 13 May 1964, section 240 of the Education Act was amended and "Superintendent" was replaced by "Minister of Education";

AS it is important for Colette Castonguay that the want of approval by the Superintendent affecting the immovable designated as lot 3 591 074 of the cadastre of Québec, registration division of Lotbinière, be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite section 240 of the Education Act (R.S.Q., 1941, chapter 59), the alienation by the school commissioners of the parish municipality of Notre-Dame-du-Sacré-Cœur-d'Issoudun in favour of Émile Demers and arising from the deed a copy of which was registered at the registry office of the registration division of Lotbinière on 17 September 1963 under number 92 605 may not be annulled on the ground that the approval required by that Act was not obtained.
- 2.** This Act must be registered at the registry office, in the index of immovables, under lot number 3 591 074 of the cadastre of Québec, registration division of Lotbinière.
- 3.** This Act comes into force on 4 December 2015.