

Canton de Simpson to the southeast line of lot 19C of range 12 of the cadastre of the Canton de Simpson; in reference to that cadastre, the said southeast line of lot 19C, that southeast line extended across the public roads and rivière à Pat that it meets; the southeast line of lot 19 of range 11; part of the line dividing ranges 10 and 11 to the apex of the eastern angle of lot 19D of range 10; the southeast line of lot 19D of range 10; part of the line dividing ranges 9 and 10 to the apex of the eastern angle of lot 19 of range 9; the southeast line of the said lot, that southeast line extended across rivière Nicolet Sud-Ouest that it meets; northwesterly, part of the line dividing ranges 8 and 9, to the northwest line of lot 13 of range 9; the said northwest line of lot 13; northwesterly, part of the line dividing ranges 9 and 10 to the northwest line of lot 7 of range 10; the said northwest line of lot 7; southeasterly, part of the line dividing ranges 10 and 11 to the northwest line of lot 7A of range 11; the said northwest line of lot 7A, that northwest line extended across rivière Nicolet Sud-Ouest that it meets; the northwest line of lot 7A of range 12, that northwest line extended across the public road and route number 122 that it meets; northwesterly, part of the line dividing the Canton de Simpson and the Canton de Horton to the northwest line of lot 35 of the latter cadastre; in reference to the cadastre of the Canton de Horton, part of the said northwest line of lot 35 to the southeasterly extension of the southwest line of lot 3; northwesterly, the said extension, the southwest line of lot 3 and its extension to the apex of the southern angle of lot 4; the southwest line of lots 4 and 5; finally, northeasterly, part of the line dividing the Canton de Horton and the Canton de Wendover to the starting point, that line extended across the public road that it meets; the said limits define the territory of the Municipalité de Sainte-Clothilde-de-Horton.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 29 October 1996

Prepared by: PIERRE BÉGIN,
Land Surveyor

C-269/1

1303

Gouvernement du Québec

O.C. 300-97, 12 March 1997

Amalgamation of the Village d'Aston-Jonction and the Partie sud de la Paroisse de Saint-Raphaël

WHEREAS each of the municipal councils of the Village d'Aston-Jonction and the Partie sud de la Paroisse de Saint-Raphaël has adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application has been sent to the Minister of Municipal Affairs;

WHEREAS no objections have been sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Village d'Aston-Jonction and the Partie sud de la Paroisse de Saint-Raphaël, under the following conditions:

(1) The name of the new municipality is "Municipalité d'Aston-Jonction".

(2) The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 10 January 1997; that description is attached as a schedule to this Order in Council.

(3) The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

(4) The new municipality will be part of the municipalité régionale de comté de Nicolet-Yamaska.

(5) A provisional council will remain in office until the first general election. It will be composed of all the members of the two councils existing at the time of the

coming into force of this Order in Council. The quorum will be one-half of the council members in office plus one. The current mayors will alternate as mayor and acting mayor of the provisional council for two equal periods. The mayor of the former Village d'Aston-Jonction will serve as mayor of the provisional council for the first period, and the mayor of the former Partie sud de la Paroisse de Saint-Raphaël will serve as mayor of the provisional council for the second period.

Should the mayor of a former municipality be unable to sit on the provisional council, he will be replaced by the acting mayor of that former municipality.

(6) The first general election will be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date falls on the first Sunday in January, the first general election will be postponed until the first Sunday in February. The second general election will be held on the first Sunday in November 2001.

The council of the new municipality will be composed of seven members, that is, a mayor and six councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

(7) For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Partie sud de la Paroisse de Saint-Raphaël, may be eligible for seats 1, 3 and 5; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Village d'Aston-Jonction, may be eligible for seats 2, 4 and 6.

(8) Ms. Jacqueline Laplante, the secretary-treasurer of the former Partie sud de la Paroisse de Saint-Raphaël, will be the assistant secretary-treasurer of the new municipality until the council made up of the persons elected at the first general election decides otherwise, according to law.

(9) Any budgets adopted by the former municipalities for the fiscal year during which this Order in Council comes into force will continue to be applied by the council of the new municipality, and the expenditures and revenues must be accounted for separately as if those former municipalities continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budget of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92

dated 22 July 1992, amended by Orders in Council 719-94 dated 18 May 1994 and 502-95 dated 12 April 1995), as appearing in the financial reports of those former municipalities for the fiscal year ending prior to the coming into force of this Order in Council.

(10) The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force prior to the coming into force of this Order in Council will continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

(11) Any surplus accumulated in the name of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets will be deposited in the general fund of the new municipality.

Notwithstanding the foregoing, the amount of the surplus accumulated in the name of the former Partie sud de la Paroisse de Saint-Raphaël deposited in the general fund of the new municipality may not exceed 122 % of the amount of the surplus accumulated in the name of the former Village d'Aston-Jonction so deposited.

(12) If, after the operation provided for in section 11, there remain amounts in the surplus accumulated in the name of the former Partie sud de la Paroisse de Saint-Raphaël, those amounts will be used, in first order of priority, for improving the route de la Voie ferrée.

(13) Any deficit accumulated in the name of a former municipality at the end of the last fiscal year for which the municipalities adopted separate budgets will continue to be charged to all the taxable immovables located in the sector made up of the territory of that former municipality.

(14) A proportion of 6/7 of the amounts allotted for expenditures made by the new municipality during the first eight complete fiscal years following the coming into force of this Order in Council for work on the road network must be allotted to work carried out in the sector made up of the territory of the former Partie sud de la Paroisse de Saint-Raphaël.

Notwithstanding the foregoing, this section will cease to apply before that term if the Government ceases to pay subsidies in respect of the sector made up of the territory of the former Partie sud de la Paroisse de Saint-Raphaël for taking charge of the local road network.

(15) Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the

taxable immovables in the sector made up of the territory of that municipality.

(16) The new municipality will succeed to the rights, obligations and responsibilities of the former municipalities. It will become, without continuance of suit, a party to any proceeding in place of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities will remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

(17) All the movable and immovable property belonging to each of the former municipalities becomes the property of the new municipality.

(18) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

OFFICIAL DESCRIPTION OF THE LIMITS
OF THE TERRITORY OF THE MUNICIPALITÉ
D'ASTON-JONCTION, IN THE MUNICIPALITÉ
RÉGIONALE DE COMTÉ DE NICOLET-
YAMASKA

The current territory of the Paroisse de Saint-Raphaël-Partie-Sud and the Village d'Aston-Jonction, in the municipalité régionale de comté de Nicolet-Yamaska, comprising, in reference to the cadastres of the Paroisse de Saint-Wenceslas and the Paroisse de Sainte-Eulalie and the enlargement of the Canton de Bulstrode, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, railroad right of way, water-courses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the extension of the east line of lot 257 of the cadastre of the Paroisse de Saint-Wenceslas and of the centre line of rivière Bécancour; thence, successively, the following lines and demarcations: southerly, the said extension and part of the line dividing the cadastres of the Paroisse de Saint-Wenceslas and the enlargement of the Canton de Bulstrode, that dividing line crossing two public roads and the railroad that it meets, up to its meeting with the northwest line of lot 32 of the cadastre of the enlargement of the Canton de Bulstrode; the northwest line of lots 32 down to 21 of the said cadastre; the line of the said lot 21 and its southerly extension to its meeting with the line dividing the cadastres of the enlargement of the Canton de Bulstrode and the Paroisse de Sainte-Eulalie; southwesterly, the line dividing the said cadastres to its meeting with the east line of lot 63 of the cadastre of the Paroisse de Sainte-Eulalie, that

line crossing the railroad and the public road that it meets; northerly, the east line of lot 63 of the said cadastre to its meeting with the southeast line of lot 2 of the cadastre of the Paroisse de Sainte-Eulalie, that line crossing the public road that it meets; the southeast line of lot 2 of the said cadastre, that line crossing the public road that it meets; the southeast line of lots 3 to 11 of the said cadastre; the southwest line of the said lot 11 and its northwesterly extension to its meeting with the northwest side of the right of way of the road of Rang 11; northeasterly, the northwest side of the right of way of the said road to its meeting with the southwest line of lot 219 of the cadastre of the Paroisse de Saint-Wenceslas; in reference to that cadastre, the southwest line of lot 219, that line crossing the railroad and the public road that it meets; the northwest line of lots 219 down to 214 to its meeting with the southwest line of lot 199; the southwest line of the said lot 199 and its northwesterly extension to its meeting with the northwest side of the right of way of the public road of Rang 9, that line crossing the railroad and the public road that it meets; northeasterly, the said northwest side of the right of way of the road of Rang 9 dividing lots 120 down to 113 and lots 199 to 208 and the line separating lots 112 and 209 and its extension to the centre line of rivière Bécancour; the centre line of the said river upstream to the starting point; the said limits define the territory of the Municipalité d'Aston-Jonction.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 10 January 1997

Prepared by: PIERRE BÉGIN,
Land Surveyor

A-232/1

1321