



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 207

(Private)

**An Act respecting 75D rue Sainte-Ursule,
Québec**

Introduced 29 April 2009

Passed in principle 18 June 2009

Passed 18 June 2009

Assented to 19 June 2009

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(Private)

AN ACT RESPECTING 75D RUE SAINTE-URSULE, QUÉBEC

AS, on 11 December 1975, Georges Amyot acquired from Cécile Belisle an immovable known and designated as comprising lots 2575-A and 2575-B-1 of the official cadastre of the city of Québec (Saint-Louis Ward), registration division of Québec, including the buildings erected on it, bearing civic number 75D rue Sainte-Ursule, in Québec;

AS the deed of sale was registered at the registry office of the registration division of Québec on 19 December 1975 under number 826 512;

AS, on 11 May 1981, Carmelle Bernier acquired from Georges Amyot an immovable known and designated as comprising lot 2575-B-1, part of lot 2575 and part of lot 2575-A of the official cadastre of the city of Québec (Saint-Louis Ward), registration division of Québec, including the buildings erected on it, bearing civic number 75D rue Sainte-Ursule, in Québec;

AS the deed of sale was registered at the registry office of the registration division of Québec on 14 May 1981 under number 1 014 752;

AS, on 30 November 1982, Guy Lamontagne acquired the immovable from Carmelle Bernier and the deed of sale was registered at the registry office of the registration division of Québec on 1 December 1982 under number 1 059 705;

AS the immovable underwent cadastral renewal on 1 September 1998 and has since been known as lot 1 213 215 of the cadastre of Québec, registration division of Québec;

AS lot 1 213 215 underwent cadastral replacement on 29 August 2008 and is now known as lot 4 045 227 of the cadastre of Québec, registration division of Québec;

AS the immovable was classified as a historic monument and historic site and was registered as such at the registry office of the registration division of Québec on 8 January 1965 under number 559 535;

AS the immovable is situated in the historic district of Vieux-Québec;

AS, under sections 20, 23 and 34 of the Cultural Property Act (R.S.Q., chapter B-4), no person may alienate classified cultural property without giving the Minister of Culture, Communications and the Status of Women at least 60 days' previous written notice;

AS, under section 48 of the Cultural Property Act, no person may, in a historic district, divide or subdivide, redivide or parcel out a lot without the authorization of the Minister of Culture, Communications and the Status of Women;

AS, at the time of the sale registered under number 1 014 752 and the parcelling out arising from it, the notices required under sections 20 and 23 of the Cultural Property Act were not given nor was the authorization of the Minister required under section 48 of that Act obtained;

AS, at the time of the sales registered under number 826 512 and number 1 059 705, the notices required under sections 20 and 23 of the Cultural Property Act were not given;

AS section 56 of the Cultural Property Act prescribes that any alienation of cultural property made contrary to that Act is absolutely null;

AS section 57 of the Cultural Property Act prescribes that the Minister of Culture, Communications and the Status of Women may obtain an order of the Superior Court for the cessation of any act or operation undertaken or continued without the authorization required under section 48 of that Act;

AS a right of way on foot and a parking servitude affecting the immovable were registered at the registry office of the registration division of Québec on 29 October 1981 under number 1 028 332;

AS an access right of way affecting the immovable was registered at the registry office of the registration division of Québec on 7 August 1992 under number 1 477 991;

AS minutes of boundary determination affecting the immovable were registered at the registry office of the registration division of Québec on 21 July 1998 under number 1 680 689;

AS a deed involving the transfer of a parcel of land, a servitude of view and an abandonment of common ownership was registered in the Land Register of Québec, registration division of Québec, on 8 October 2008 under number 15 652 582;

AS it is important for Guy Lamontagne that the absence of notices and authorization affecting the immovable of which he is today the owner be remedied;

AS the Minister of Culture, Communications and the Status of Women has been informed of the introduction of this Act and has not objected to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite sections 56, 57 and 57.1 of the Cultural Property Act (R.S.Q., chapter B-4), the alienation arising from the deed a copy of which was registered at the registry office of the registration division of Québec on 19 December 1975 under number 826 512, the alienation and the parcelling out arising from the deed a copy of which was registered at the registry office of the registration division of Québec on 14 May 1981 under number 1 014 752 and the alienation arising from the deed a copy of which was registered at the registry office of the registration division of Québec on 1 December 1982 under number 1 059 705 may not be cancelled on the ground that the notices were not sent to the Minister of Cultural Affairs as required under sections 20, 23 and 34 of the Cultural Property Act or that the authorization of the Minister was not obtained as required under section 48 of that Act.

2. Moreover, the following deeds, registered after the alienation and the parcelling out referred to in section 1, may not be cancelled on the ground that notice was not given or that they were not authorized under sections 20, 23, 34 and 48 of the Cultural Property Act: the right of way on foot and the parking servitude registered under number 1 028 332; the access right of way registered under number 1 477 991; the minutes of boundary determination registered under number 1 680 689; and the deed involving a transfer, a servitude of view and an abandonment of common ownership registered under number 15 652 582.

3. This Act must be registered at the registry office, in the index of immovables, under lot number 4 045 227 of the cadastre of Québec, registration division of Québec.

4. This Act comes into force on 19 June 2009.