



CHAPTER 90

An Act to do away with certain servitudes in the town of Hampstead

[Assented to, the 1st of April, 1927]

WHEREAS the town of Hampstead, the Hampstead Preamble.

Land Construction Company, being with the following persons, to wit: F. J. Shaw, Leslie B. Jones F. A. Combe, R. Scully, Gladys R. Lighthall, Gordon Tansley, E. G. Montgomery, L. Bonnell and Eric A. Millar proprietors of real estate in the said town of Hampstead, have, by their petition, represented:

That the real estate in the town of Hampstead is made up of the following emplacements, to wit: lots numbers 69, 72, 73, 74, 80 and 81 of the parish of Montreal, and the subdivisions thereof;

That the various deeds of sale and promises of sale of the immoveable property in the town of Hampstead being the property above set forth which have from time to time been made, contain the following conditions, to wit:

"5th. No buildings shall be erected on the said property except detached or semi-detached dwellings and accessories, on stone or concrete foundations. Any frame house shall be of the value of not less than three thousand dollars, and any brick, stone or concrete house shall be of the value of not less than four thousand dollars, and no saloon, restaurant, shop or livery stable, slaughter house, tannery, factory, hospital, medical school, soap or oil factory or buildings for the purpose of carrying on any trade or manufacture which may be deemed a nuisance by the vendor, shall be erected, established or carried on upon any part of the said sold property.

6th. Any building which may be erected on any of the said lots shall be placed at least fifteen feet back from the line of the street bordering the same, and seven feet from either one of the side lines of the same lot, and any stables

or outhouses which may be built shall be placed at least seventy feet from the line of the street.

The restrictions and prohibitions contained in the preceding fifth and sixth conditions hereof are hereby created and shall remain servitudes on the property hereby sold in favour of the other subdivisions of said official lot number sixty-nine.”;

That on account of the servitudes above recited, it is impossible within the area of the town of Hampstead to erect, among other things, any town hall, fire-stations, church, school-house, shop, or any building other than detached or semi-detached buildings and accessories;

That these servitudes, restrictions and prohibitions constitute a grave detriment to the town of Hampstead and its inhabitants, and are against the best interests thereof;

Whereas it is expedient to extinguish the said servitudes, restrictions and prohibitions;

Whereas none of the interested proprietors has made any objection to the present act; and

Whereas it is expedient to grant the prayer to that effect contained in the said petition;

Therefore His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Servitudes,
etc., extin-
guished.

1. The aforesaid servitudes, restrictions and prohibitions affecting immovable property in the town of Hampstead are hereby extinguished, and all personal obligations arising from such stipulations are hereby terminated.

Coming into
force.

2. This act shall come into force on the day of its sanction.