

# Listuguj Mi'gmaq Government Order-In-Council



<b>Chronological no.:</b> 3058	<b>Subject:</b> WYSOTE, Philippe (Estate) and METALLIC, Donna	<b>Originated by:</b>
<b>The Council of the</b> Listuguj Mi'gmaq Government		<b>District</b> Gespe'gewa'gi
<b>Date of duly convened meeting</b>	<b>D</b> 0   <b>M</b> 9   <b>Y</b> 06   26	<b>Province</b> Gepeg

**WHEREAS:** Philippe Roy Gerry Wysote and Mary Dona Metallic, both band members, have fulfilled their obligations and repaid in full the \$ [REDACTED] loan guaranteed by the Minister of Indian Affairs and contracted in 1997 with League Savings and Mortgage for the construction of a housing unit on Lot [REDACTED] Block [REDACTED] as shown on Plan CLSR [REDACTED];

**WHEREAS:** Philippe Wysote transferred the same lot to the Listuguj Mi'gmaq Government (LMG) for [REDACTED] on January 20, 1997, as required;

**WHEREAS:** the above-mentioned land transfer was not registered in the Indian Lands Registry System (ILRS);

**WHEREAS:** pursuant to Order-in-Council #1046, upon completion of the final loan payment, the LMG is required to transfer the lot described above to the said band members;

**WHEREAS:** Philippe Wysote died in 2005;

**WHEREAS:** Mary Dona Metallic has continued to reside in the housing unit since the death of Philippe Wysote;

**WHEREAS:** the beneficiaries of the late Philippe Wysote have recently consulted the Land Registry and consider themselves to be the lawful holders of the rights pertaining to the above-described property;

**WHEREAS:** the Listuguj Mi'gmaq Government has obtained legal advice from Me Jules Grenier;

**WHEREAS:** counsel Grenier is of the opinion that the rights arising from the 1997 land transfer from Philippe Wysote to the LMG remain effective between the parties, notwithstanding that they were not registered;

**WHEREAS:** counsel Grenier advised the LMG that registration serves only to render rights opposable to third parties;

- Moved:** Tanner Isaac
- Seconded:** Sky Metallic
- Abstain:** -
- Opposed:** -
- Absent:** Chris Wysote, George Martin, Christie Caplin
- Status:**  Passed  Defeated  Tabled

**Quorum** 7

 Councillor Annette Barnaby	 Chief Scott Martin	 Councillor Sheila Swasson
 Councillor Erwin Peter Molley	 Councillor Dr. Cathy Martin	 Councillor Christie Caplin
 Councillor Wendell Metallic	 Councillor Macy Metallic	 Councillor George Martin
 Councillor Gordon Isaac Jr.	 Councillor Tanner Isaac	 Councillor Chris Wysote

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**WHEREAS:** counsel Grenier recommended that the LMG cause the 1997 land transfer of Lot [REDACTED], Block [REDACTED] as shown on Plan CLSR [REDACTED], to be registered in the Indian Lands Registry System (ILRS);

**WHEREAS:** the LMG has since filed an application to register the 1997 land transfer;

**BE THEREFORE RESOLVED THAT:**

Upon registration of the 1997 land transfer in the ILRS, the Listuguj Mi'gmaq Government shall allot the entirety of Lot [REDACTED], Block [REDACTED] as shown on Plan CLSR [REDACTED], to the estate of the late Philippe Roy Gerry Wysote [REDACTED] and Mary Dona Metallic [REDACTED]