

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2436	Subject: ATR Mission Land - Signing Authority	Originated by:
The Council of the Listuguj Mi'gmaq Government	District Gespe'gewa'gi	
Date of duly convened meeting	D M Y 1 3 0 3 1 9	Province Gepeg

Whereas the Roman Catholic Bishop of Gaspé sold an immovable to the Restigouche Band Council under a deed of sale received before Mtr Jean Landry, notary, on August 1, 1991 and published at the Registry office for the registration division of Bonaventure no. 2 on August 2, 1991, under 63 034(hereafter referred to as "Immovable")

Whereas the said Restigouche Band Council did not have the legal capacity to acquire such immovable (Cardin c. Nation Huronne-Wendat (1990) J.Q. no. 1119, no. 200-05-001982-870).

Whereas the said Restigouche Band Council has possession and occupancy of the said immovable since the sale received before Mtr Jean Landry, notary, on August 1, 1991 and published at the Registry office for the registration division of Bonaventure no. 2, at Carleton, on August 2, 1991, under 63 034.

Whereas the said Restigouche Band Council has requested that the said Immovable be set apart as Reserve Land (Order in Council #1853, 21-04-2010).

Whereas Her Majesty, the Restigouche Band Council and the Roman Catholic Bishop of Gaspé are willing to regularize the said situation

Whereas Her Majesty never had or will not have the occupancy of the Immovable.

Whereas the Restigouche Band Council will continue the occupation of the Immovable until "Additions to Reserve" (ATR) process is complete.

Whereas At time of purchase the existing deed is in name of "Restigouche Band Council" and that in January 13, 1993, The Restigouche Band Council changed its name to "Listuguj Mi'gmaq First nation Government", and in April 25, 2001, the Listuguj Mi'gmaq First Nation Government changed its name officially to "Listuguj Mi'gmaq Government".

Moved: Gary Metallic
 Seconded: Calvin Barnaby
 Abstain: -
 Opposed: -
 Status: Passed Defeated Tabled

Quorum 7

Councillor Lloyd Alcon

Councillor Chad Gedeon

Councillor Scott Martin

Councillor Wendell Metallic

Darcy Gray
Chief Darcy Gray

Calvin Barnaby
Councillor Calvin Barnaby

Gordon Isaac Jr.
Councillor Gordon Isaac Jr.

Gary Metallic Sr.
Councillor Gary Metallic Sr.

Sheila Swanson
Councillor Sheila Swanson

Dolly Barnaby
Councillor Dolly Barnaby

Georne Martin
Councillor Georne Martin

Gary Metallic
Councillor Gary Metallic

Marsha Vicaire
Councillor Marsha Vicaire

Mi'gmaq Nation

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Therefore be it resolved:

That The Listuguj Mi'gmaq Government (Restigouche Band Council) accepts the final draft of deed of transfer as prepared by Me Guyllaume Laperle, notary; and

Therefore be it hereby Resolved:

That the Listuguj Mi'gmaq Government (Restigouche Band Council) releases Her Majesty of all responsibilities whatsoever with respect to any environmental problems of any nature, whether or not its cause finds its source in events prior to the date of the signature of the deed of transfer prepared by Me Guyllaume Laperle, notary. For greater certainty, Her Majesty shall in no way be held responsible for losses, costs or damages which may be incurred by the Listuguj Mi'gmaq Government (Restigouche Band Council) or any other person, directly or indirectly in relation to any environmental problem; and

That the Listuguj Mi'gmaq Government (Restigouche Band Council) will continue to maintain and insure the Immovable at his own fees; and

That the Listuguj Mi'gmaq Government will not use the land for residential purposes but only for commercial used; and

That Chief Darcy Gray and Councillor Chad Gedeon will be authorized to sign any document to effect said transfer including the deed of transfer prepared by Me Guyllaume Laperle, notary