

1982

c 35 Rideau Centre Mortgage Financing Act, 1982

Ontario

© Queen's Printer for Ontario, 1982

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation

Rideau Centre Mortgage Financing Act, 1982, SO 1982, c 35

Repository Citation

Ontario (1982) "c 35 Rideau Centre Mortgage Financing Act, 1982," *Ontario: Annual Statutes*: Vol. 1982, Article 37.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1982/iss1/37

CHAPTER 35

An Act respecting the Mortgage Financing of Rideau Centre in the City of Ottawa

Assented to July 7th, 1982

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

(a) "development" means,

- (i) the lands and premises described in the Schedule,
- (ii) all buildings, fixtures and improvements now or hereafter erected or located on or under the lands and premises referred to in subclause (i), and
- (iii) all rights-of-way, easements, franchises and privileges now or hereafter benefiting the lands and premises referred to in subclause (i);

(b) "Rideau Centre" means the development and all present and future right, title and interest therein and all present and future benefit and advantage to be derived therefrom, including all leases of, or agreements relating to, all or part of the development and all rentals and other moneys payable under the leases and agreements and all benefit and advantage to be derived therefrom.

2. An option to acquire a legal or beneficial interest in Rideau Centre, granted as part of a mortgage financing of Rideau Centre, is not invalid, unenforceable or void by reason only that the option is inconsistent with or repugnant to, or a fetter or clog on, the mortgageor's legal or equitable right of redemption. Option
authorized

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

Short title 4. The short title of this Act is the *Rideau Centre Mortgage Financing Act, 1982*.

SCHEDULE

All and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Ottawa in the Regional Municipality of Ottawa-Carleton, Province of Ontario, and

Being composed of lands and air space described as follows:

Firstly - All of Lots 4, 5, 6 and 7 on the south side of Rideau Street, all of Lots 4, 5, 6 and 7 on the north side of Besserer Street (formerly St. Paul Street), according to a plan of subdivision registered on the Registry Office for the Registry Division of Ottawa-Carleton (No. 5) as No. 3922, together with those portions of the Ordnance Lands, being parts of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, known as part of Lot 7 and part of Lot 8 on the north side of Besserer Street (formerly St. Paul Street), according to said registered plan No. 3922, and designated as PARTS 1, 2, 3 and 4 on a reference plan deposited in the said Registry Office as No. 5R-5671;

Secondly - Part of Freiman Street (formerly Mosgrove Street), closed by By-Law No. 172-80, registered in the said Registry Office as Inst. No. NS89593, together with part of Besserer Street (formerly St. Paul Street), and those lands taken for the widening thereof (namely, part of Little Sussex Street, part of Lots 4 and 5, also known as Forgie's Lot, and 13 and 14 on the south side of Besserer Street (formerly St. Paul Street), part of the Tannery and Ashery Lots, part of Mosgrove Street, part of Lot 1 on the east side of Mosgrove Street, part of Turgeon Lane (formerly Mill Lane), all according to said registered plan No. 3922, together with part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, lying between the Tannery Lot and the Ashery Lot), now closed by By-Law No. 173-80 registered in the said Registry Office as Inst. No. NS86385, and designated as PARTS 5, 6, 7, 8, 9 and 10 on said reference plan No. 5R-5671;

Subject to a public utilities easement in favour of the Corporation of the City of Ottawa in, along and under that portion of the said lands designated as PARTS 18 to 25, both inclusive, on a reference plan deposited in the said Registry Office as No. 5R-5106, and as described in an instrument registered in the said Registry Office as No. NS115590;

Thirdly - Part of Lots 4 and 5 (also known as Forgie's Lot), and 13 and 14 on the south side of Besserer Street (formerly St. Paul Street), part of the Tannery and Ashery Lots, part of Mosgrove Street (closed by By-Law Nos. 328-59 and 7469, registered in the said Registry Office as Inst. Nos. 395967 and 207861 (Firstly) respectively), part of Lot 1, all of Lot 2 and part of Lots 3 and 4 on the east side of Mosgrove Street, all of Lot 2 and part of Lot 3 on the west side of Turgeon Lane (formerly Mill Lane), part of Turgeon Lane (formerly Mill Lane) closed by By-Law No. 6583 registered in the said Registry Office as No. 196026, all of Lot 10 and part of Lot 9 on the east side of Turgeon Lane (formerly Mill Lane), all of Lot 1 and part of Lot 2 on the west side of Nicholas Street, part of Little Sussex Street and part of Currier Lane (both closed by By-Law No. 7946 registered in the said Registry Office as Inst. No. 213433), all of Lots 1, 2, 3 and 4 and part of the unnumbered triangular lot lying to the west of Lot 1 and part of the unnumbered triangular lot lying to the rear of Lot 1 and part of the unnumbered lots lying to the rear of Lots 2, 3 and 4, all on the south side of Currier Lane, all according to the said registered plan No. 3922, together with parts of the Ordnance Lands, being parts of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PARTS 12, 13, 14, 15, 16 and 34 on said reference plan No. 5R-5671;

Reserving thereout and therefrom a sewer tunnel easement in, along and under part of Lot 4 on the south side of Besserer Street (formerly St. Paul Street), also known as Forgie's Lot, part of Currier Lane and part of Little Sussex Street (both closed by By-Law No. 7946), part of Lot 1 and part of the unnumbered triangular lot lying to the west of Lot 1 and part of the unnumbered triangular lot lying to the rear of Lot 1 on the south side of Currier Lane, all according to said registered plan No. 3922, together with part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PART 28 on a reference plan deposited in the said Registry Office as No. 5R-5557.

Reserving thereout and therefrom a watermain easement, in, along and under part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PART 30 on a reference plan deposited in the said Registry Office as No. 5R-5557.

Fourthly - Part of the Ashery Lot, part of Mosgrove Street (closed by By-Law No. 7469 registered in the said Registry Office as Inst. No. 207861 (Firstly)), parts of Lot 4 on the east side of Mosgrove Street, part of Turgeon Lane (formerly Mill Lane closed by By-Law No. 6583, registered in the said Registry Office as Inst. No. 196026), part of Lots 7 and 8 on the east side of Turgeon Lane (formerly Mill Lane), all of Lots 6 and 7 and part of Lots 3, 4 and 8 on the west side of Nicholas Street, part of Lot 6 on the north side of Court Street (formerly Albert Street), part of Court Street (formerly Albert Street closed by By-Law Nos. 2254 and 2264, registered in the said Registry Office as Inst. No. 69370, and by By-Law No. 30-69, registered in the said Registry Office as Inst. No. 555007), all of Lots 67 to 72, both inclusive, on the south side of Court Street (formerly Albert Street), part of Lots 67 to 72, both inclusive, on the north side of Wilbrod Street (formerly Slater Street), all according to said registered plan No. 3922, together with part of the Ordnance Lands being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PARTS 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 37, 38, 39 and 40 on said reference plan No. 5R-5671;

Reserving thereout and therefrom a sewer tunnel easement in, along and under part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PARTS 41, 42, 44, 59, 60, 62, 63, 64 and 79 on said reference plan No. 5R-5557.

Reserving thereout and therefrom a watermain easement in, along and under part of Lot 8 on the west side of Nicholas Street, part of Lots 67 to 72, both inclusive, on the north side of Wilbrod Street (formerly Slater Street), part of Lots 69, 70 and 71 on the south side of Court Street (formerly Albert Street), according to said registered plan No. 3922, together with part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and designated as PARTS 42, 43, 47, 48, 49,

52, 55, 60, 61, 62, 64 and 68 on said reference plan No. 5R-5557.

Subject to a Bell Canada easement registered in the said Registry Office as Inst. No. 589377 over those portions of the said lands designated as PARTS 49, 50, 53 and 75 on said reference plan No. 5R-5557.

Fifthly - The air space and all rights therein, over and above those portions of the unnumbered triangular lot lying to the rear of Lot 1 and the unnumbered lots lying to the rear of Lots 2, 3 and 4, all on the south side of Currier Lane, part of the Tannery Lot, part of the Ashery Lot, part of Mosgrove Street (closed by By-Law No. 7469 registered in the said Registry Office as Inst. No. 20786 (Firstly)), part of Lots 3 and 4 on the east side of Mosgrove Street, part of Lot 3 on the west side of Turgeon Lane (formerly Mill Lane), part of Turgeon Lane (formerly Mill Lane, closed by By-Law No. 6583, registered in the said Registry Office as Inst. No. 196026), part of Lots 8 and 9 on the east side of Turgeon Lane (formerly Mill Lane), all according to said registered plan No. 3922, together with parts of the Ordnance Lands being parts of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, and which air space is designated as PARTS 17, 18, 19, 20, 21, 22 and 35 on said reference plan No. 5R-5671.

Sixthly - Part of the Ordnance Lands, being part of Lot 'C', Concession 'C', Rideau Front, Township of Nepean, now in the said City of Ottawa, lying on the north side of Besserer Street (formerly St. Paul Street), according to said registered plan No. 3922, and designated as PARTS 1 and 2 on a reference plan deposited in the said Registry Office as No. 5R-5725.

Seventhly - All of Lot 9 and the west half of Lot 10 on the south side of Rideau Street, all of Lot 9 and the west half of Lot 10 on the north side of Besserer Street (formerly St. Paul Street), according to a plan of subdivision registered in the Registry Office for the Registry Division of Ottawa-Carleton (No. 5) as No. 3922, and designated as PART 11 on a reference plan deposited in the said Registry Office as No. 5R-5671;

Subject to a right-of-way at all times, for all persons entitled thereto, over, along and upon that portion of the said west half of Lot 10, south Rideau Street and the said

west half of Lot 10, north Besserer Street (formerly St. Paul Street), designated as PART 67 on a reference plan deposited in the said Registry Office as No. 5R-5557.

Together with a right-of-way at all times in common with others entitled thereto, over, along and upon a strip of land being part of the east half of said Lot 10, south Rideau Street and part of the east half of said Lot 10, north Besserer Street (formerly St. Paul Street), described as follows:

Commencing at the southwesterly angle of the east half of said Lot 10, north Besserer Street (formerly St. Paul Street),

Thence northerly along the division line between the east and west halves of the said lot and along the division line between the east and west halves of said Lot 10, south Rideau Street, in all a distance of 37.29 metres;

Thence easterly and parallel with the southerly limit of said Lot 10, north Besserer Street (formerly St. Paul Street), a distance of 1.37 metres;

Thence southerly in a straight line, a distance of 37.29 metres to a point in the southerly limit of said Lot 10, north Besserer Street (formerly St. Paul Street), distant 1.37 metres measured easterly thereon from the said south-westerly angle of the east half thereof;

Thence westerly along the southerly limit of said Lot 10, a distance of 1.37 metres to the said point of commencement.

Subject to the conditions of a party wall agreement as set out in an instrument registered in the said Registry Office as No.172503.