

1987

c Pr15 Town of Lindsay Act, 1987

Ontario

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CHAPTER Pr15

An Act respecting the Town of Lindsay*Assented to June 29th, 1987*

Whereas The Corporation of the Town of Lindsay, herein called the Corporation, hereby represents that by deed dated the 25th day of September, 1925 and registered as instrument number 29355 in the land registry office for the Registry Division of the County of Victoria, William J. Carlisle and Alfred Johnson as trustees conveyed to the Corporation the lands described in the Schedule; that it was a term of the deed that the lands conveyed be held and maintained by the Corporation as a public park and horticultural garden; that the Corporation desires to use or lease the said lands for athletic purposes and there is some doubt as to whether the Corporation may do so under the terms of the deed; and whereas the Corporation applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, 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,

Definitions

“Park” means Kawartha Park in the Town of Lindsay as described in the Schedule hereto;

“trust deed” means the instrument registered as instrument number 29355 in the land registry office for the Registry Division of the County of Victoria.

2. Notwithstanding subsection 13 (5) of the *Public Parks Act* or any term or condition set out in the trust deed, the Park may be used for general public park purposes including athletic activities and sports.

Use of park
R.S.O. 1980,
c. 417

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

Commence-
ment

4. The short title of this Act is the *Town of Lindsay Act, 1987*.

Short title

SCHEDULE

The land and premises in the Town of Lindsay in the County of Victoria composed of,

- (a) the whole of Park Lots Numbers 9 and 10 west of Albert Street in the said Town of Lindsay, except the following parts:

Firstly: that portion of land conveyed to William Wendt by Edward Murphy by instrument number 1806, dated the 3rd day of April, 1873 and registered in the Registry Office for the County of Victoria on the 22nd day of April, 1873.

Secondly: that portion of land conveyed by Edward Murphy to James Frampton by instrument number 1805, dated the 3rd day of April, 1873 and registered as aforesaid on the 22nd day of April, 1873.

Thirdly: that portion of land conveyed by Edward Murphy to Thomas Wickham by instrument number 1807, dated the 3rd day of April, 1873 and registered as aforesaid on the 22nd day of April, 1873.

Fourthly: that portion of land conveyed by Terence Murphy and Patrick Murphy executors of Edward Murphy to Ann Leddy by instrument number 17453, dated the 31st day of January, 1913 and registered as aforesaid on the 5th day of March, 1913.

Fifthly: that portion of land conveyed by Terence Murphy to Annie Smitheram by instrument number 19338, dated the 29th day of December, 1916 and registered as aforesaid on the 28th day of February, 1917.

Sixthly: that portion of land conveyed by William J. Carlisle and Alfred Johnson to the Board of Education for the Town of Lindsay by instrument number 23462, dated the 7th day of April, 1925 and registered as aforesaid on the 6th day of August, 1925 in Book 63 for the Town of Lindsay; and

- (b) part of Park Lot 10 west of Albert Street in the said Town of Lindsay described as follows:

Commencing at a point on the northerly limit of the said Lot 10 distant 283 feet 6 inches measured westerly along the said northern limit from the northeast angle of the said Lot; thence westerly along the northerly limit of the said Lot 140 feet, more or less, to a point equidistant from the easterly and westerly limits of the said Lot; thence southerly and parallel with the easterly limit of the said Lot 78 links, more or less, one-fifth of the whole breadth of said Park Lot; thence easterly and parallel with the northerly boundary of the said Lot 140 feet, more or less, to a point distant 283 feet 6 inches from the easterly limit of the said Lot; thence northerly and parallel to the easterly limit of the said Lot 78 links, more or less, to the point of commencement.