

1975

c 113 The Sheridan Place Act, 1975

Ontario

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CHAPTER 113

An Act respecting Sheridan Place*Assented to May 2nd, 1975*

WHEREAS the Trustees of the Widows' Home of Brantford hereby represent that the Trustees own and operate a home for destitute women called "Widows' Home" pursuant to the provisions of an Indenture dated the 6th day of May, 1873, said Indenture being registered in the Registry Office for the Registry Division of Brant on the 8th day of May, 1873, as Instrument Number 6798; and whereas the said Trustees represent that it is desirable to provide for the uninterrupted provision of the service to the public by vesting the assets including the lands subject to the liabilities of the said Trustees in a non-profit, non-share corporation known as Sheridan Place; and whereas the applicants hereby apply for special legislation for such purposes; 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,Interpre-
tation

- (a) "Sheridan Place" means Sheridan Place, a corporation without share capital incorporated under Part III of *The Corporations Act* by letters patent dated the 20th day of February, 1975; R.S.O. 1970,
c. 89
- (b) "Trustees" means the Trustees established by an Indenture dated the 6th day of May, 1873, said Indenture being registered in the Registry Office for the Registry Division of Brant on the 8th day of May, 1873, as Instrument Number 6798;
- (c) "Widows' Home" means and includes the residential home for women owned and operated by the Trustees and all other building ancillary thereto or used in connection therewith.

Vesting
of
assets

2.—(1) All assets of every nature and kind both real and personal and tangible and intangible and employed in respect of the operation of Widows' Home including, but without limiting the generality thereof, the real property described in the Schedule hereto together with all buildings, improvements, fixtures, together with any chattel which may be considered a fixture, and any other appurtenances presently situate in or upon the lands described in the Schedule, the benefit of all provincial grants and loans, and all furniture, equipment, supplies, accounts receivable, cash on hand, endowment funds, rights, privileges and benefits, all of which have heretofore been or are now vested in the Trustees shall on the 1st day of January, 1976, belong to and be vested in Sheridan Place.

Transfer
of
title
R.S.O. 1970,
cc. 409, 234,
45

(2) For the purposes of *The Registry Act*, *The Land Titles Act*, *The Bills of Sale and Chattel Mortgages Act*, or any other Act affecting the title to property, it shall be sufficient to cite this Act as effecting the conveyance, transfer or transmission of title from the Trustees to and the vesting in Sheridan Place of real or personal property or of an interest in real or personal property.

Liability
of
Sheridan
Place

(3) Sheridan Place shall,

(a) assume and be liable for the payment of all liabilities existing on the 31st day of December, 1975, in respect of the general management, operation and maintenance of Widows' Home; and

(b) be bound by the terms of and succeed to the benefit of all contracts, agreements, leases, and all other engagements existing on the 31st day of December, 1975, made by the Trustees in respect of the general management, operation and maintenance of Widows' Home.

Management
and
control

3. The general management, operation, equipment and control of Widows' Home shall on the 1st day of January, 1976, belong to, be vested in and shall be exercised by Sheridan Place.

Charitable
gifts

4. All gifts, trusts, bequests, devises and grants of real or personal property or of the income or proceeds thereof, heretofore or hereafter expressed by any person, body politic or corporation by deed or will, to be made, given or conveyed, or intended to be made, given or conveyed to the Trustees or to Widows' Home shall, in so far as the same shall not have vested in possession or been carried into effect at the date of the coming into force of this Act, in the

absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made to Sheridan Place and the executor, trustee or other person or corporation charged with the duty of carrying into effect or administering such deed or will shall pay over or transfer all such property to Sheridan Place as and when the same became or may become payable, and the receipt of Sheridan Place shall be a sufficient discharge therefor.

5. The powers and duties of the Trustees shall cease on the 31st day of December, 1975, and the terms of office of each Trustee shall terminate on such date. When Trustees powers terminate

6. On and after the 1st day of January, 1976, all claims against and demands arising from or relating to the management, operation or maintenance of Widows' Home or from the exercise of any of the powers of the Trustees shall be continued against or made upon and brought against Sheridan Place and not upon or against the Trustees. Claims

7.—(1) The provisions of this Act are subject to *The Mortmain and Charitable Uses Act*, except that the period within which the lands shall be sold is seven years instead of two years, and that it is not necessary to sell any land now or hereafter acquired that is actually and *bona fide* held, used or occupied for the purposes of Sheridan Place. Subject to R.S.O. 1970, c. 280

(2) Sheridan Place may invest any of its funds in securities and investments in which trustees are by *The Trustee Act* permitted to invest. Investment of funds R.S.O. 1970, c. 470

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

9. This Act may be cited as *The Sheridan Place Act, 1975*. Short title

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land situate, lying and being within the Town of Brantford aforesaid being composed of the south major parts of Lots Numbers one and two on the north side of Sheridan Street in said Town more particularly described as follows, namely:

COMMENCING at the southwest corner of said Lot Number one;

THENCE northeasterly along the East side of West Street to within thirty-eight feet six inches of the centre line of the Block;

THENCE at right angles from West Street thirty feet;

THENCE in an Easterly direction along the Southern boundary of a parcel of the said lots sold to Francis Cox forty-six feet more or less to the division line between Lots Numbers Two and Three;

THENCE southerly along the same division line to the north side of Sheridan Street;

THENCE along the north side of Sheridan Street one hundred and thirty-two feet more or less to the place of beginning.