

ORDERED AMOUNT AS BELOW.

NOV-28-69

32871

A. CARO

8.00

REGISTRAR OF DEEDS

HALIFAX, N.S.

Resolution  
#2023

RECORDED AMOUNT AS BELOW

NOV-20-69

32872

A CARD

2.00

REGISTRAR OF DEEDS

HALIFAX, N.S.

Plan # 2022

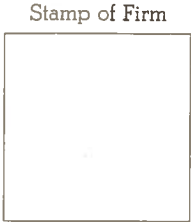
POSTES CANADA POST

POST OFFICE REGISTRATION RECEIPT — RÉCÉPISSÉ DE RECOMMANDATION POSTALE

(THIS RECEIPT IS NECESSARY IF ENQUIRY IS DESIRED — À PRODUIRE EN CAS DE RÉCLAMATION)

Mailed by **CITY OF HALIFAX**  
 Déposé par

(Name or Firm) (Nom ou Raison sociale)



Timbre de la raison sociale

Fragile and perishable articles are not registered against damage.  
 Les objets fragiles ou périssables ne sont pas recommandés contre l'avarie.

MAXIMUM INDEMNITY — INDEMNITÉ MAXIMUM  
 CANADA and UNITED STATES: 20c fee \$25; 30c fee \$50; 35c fee \$75; 40c fee \$100;  
 CANADA et ÉTATS-UNIS: Droit de 20c, \$25; droit de 30c, \$50; droit de 35c, \$75; droit de 40c, \$100;  
 OTHER COUNTRIES: Enquire at Post Office — AUTRES PAYS: S'informer au bureau de poste.

FEE MUST BE INDICATED, IF MORE THAN 20c. — INDIQUER LE DROIT S'IL DÉPASSE 20c.

Timbre à date du bureau de poste

NUMBER — NUMÉRO	NAME — NOM	FEE DROIT	ADDRESS — ADRESSE
586	Estate of Wm. Carvery, c/o Mr. Arron Carvery, Africville (Near Incinerator) Halifax, N. S.	1	Africville (Near Incinerator) Halifax, N. S.
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*John Patten*

SHEET No. FEUILLE N°

Number of Articles  
 Nombre d'objets.....

Accepted by  
 Accepté par.....

REGISTERED MAIL

December 2, 1969

Estate of William Carvery,  
c/o Mr. Arron Carvery,  
Africville (Near Incinerator)  
Halifax, Nova Scotia.

Dear Sir:

I enclose herewith copy of the Expropriation Resolution which was approved by the Halifax City Council at a meeting held on November 26, 1969, at which time the City of Halifax expropriated your property at:

Africville

This is to notify you that the Plan and a copy of the Resolution were filed in the Registrar of Deeds for the County of Halifax on November 28, 1969. You will note from the Resolution that \$14,387.76 was determined by the Council as payment for your property.

In accordance with Section 413, of the Halifax City Charter, 1963, you are also advised that, if you deem the compensation insufficient, you are to notify the City Clerk in writing ninety (90) days from receipt of this notice that you are dissatisfied and that you require it to be determined in accordance with the Halifax City Charter, 1963.

This expropriation will be advertised in the Halifax-Chronicle-Herald and Mail-Star.

Yours very truly,

R. H. STODDARD  
CITY CLERK

RHS/gf

cc: City Solicitor &  
Supervisor of Real Estate

*Official copy*

W H E R E A S under the authority of Section 6 of Chapter 74 of the Acts of 1964, the City of Halifax acquired certain lands in the Africville Area, so called, in the City of Halifax;

AND WHEREAS part of the lands hereinbefore referred to were acquired by the City of Halifax by Quit Claim Deeds;

AND WHEREAS the City Council of the City of Halifax deems it necessary that title to all the lands in the Africville Area, so-called, shall be absolutely vested in the City of Halifax in fee simple free from any encumbrances or lien of any description whatsoever;

AND WHEREAS the City Council has caused to be prepared a plan and description of the said lands and a list of the owners of such lands as required by Section 409 of the Halifax City Charter, 1963.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Halifax that pursuant to the provisions of the Halifax City Charter, 1963, as amended, the said lands and any and all estates or interests therein, be expropriated for social purposes;

AND BE IT FURTHER RESOLVED by the City Council that pursuant to the provisions of the said City Charter, the City Clerk do file with the Registrar of Deeds a copy of the said Plan of Expropriation, bearing Number TT-8-17186, and a copy of this Resolution under the Seal of the City of Halifax.

AND BE IT FURTHER RESOLVED that the lands to be expropriated, the assessed owners and the compensation to be paid therefor, are as follows:

<u>LANDS TO BE EXPROPRIATED</u>	<u>ASSESSED OWNERS</u>	<u>COMPENSATION</u>
As hereinafter described	City of Halifax	\$1.00
As hereinafter described	Unknown	\$1.00
Interest of Aaron Carvery In lands of the Estate of William Carvery, included in Lot "A" as hereinafter described	Estate of William Carvery	\$14,387.76

the said lands being more particularly described as follows:

ALL those certain lots, pieces or parcels of land and land covered by water in the northern portion of the City of Halifax at Africville, so-called, being Lots "A", "B", "C", and "D", as shown bordered in red on a plan entitled "Expropriation Plan of Certain Lands and Lands covered by Water Required by the City of Halifax for Social Purposes", dated February 14, 1968, and being on file in the Office of the Development Officer of the City of Halifax at City Hall as Plan No. TT-8-17186, the said lands being more particularly described as follows:

LOT "A"

Beginning at the point where the southwestern official street line of Robie Street is intersected by the western boundary line of the Canadian Government Railways Willow Park Branch and the southeastern boundary line of other land now or formerly owned by the City of Halifax;

Thence southwestwardly along the said southeastern boundary line of other land now or formerly owned by the City of Halifax for a distance of five hundred and fifty feet and forty-seven hundredths of a foot (550.47') to the southwestern boundary line of said other land now or formerly owned by the City of Halifax;

Thence northwestwardly along the said southwestern boundary line of other land now or formerly owned by the City of Halifax for a distance of one hundred and ninety-five feet (195') to the southern boundary line of the Canadian Government Railway's Deep Water Branch, Bedford Subdivision;

Thence southwestwardly along the said Canadian Government Railway's southern boundary line for a distance of one hundred and ninety-one feet (191') more or less to the eastern boundary line of other lands now or formerly owned by the City of Halifax;

Thence southerly along the said eastern boundary line of other lands now or formerly owned by the City of Halifax for a distance of one thousand four hundred and eighty-four feet (1,484') more or less to the official northeastern street line of Mackintosh Street;

Thence southeastwardly along the said northeastern official street line of Mackintosh Street for a distance of fourteen feet (14') more or less to the northwestern official street line of Forrester Street;

Thence northeastwardly along the said northwestern official street line of Forrester Street for a distance of three hundred and fifty-eight feet and two tenths of a foot (358.2') to the northeastern boundary line of lands now or formerly of the Mackintosh Subdivision;

Thence southeastwardly along the said northeastern boundary line of land now or formerly of Mackintosh Subdivision for a distance of three hundred and fifty feet (350') more or less to the northwestern boundary line of lands now or formerly owned by Standard Paving Maritime Limited;



Thence northwardly along the said northwestern boundary line of lands now or formerly owned by Standard Paving Maritime Limited for a distance of nine hundred and forty-one feet (941') more or less to the northwestern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch;

Thence northwardly along the various courses of the said northwestern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch for a distance of nine hundred and twenty-nine feet and five tenths of a foot (929.5') more or less to the place of beginning.

Lot "B"

Beginning at the point where the southwestern official street line of Robie Street is intersected by the western boundary line of the Canadian Government Railway's Willow Park Branch and the northeastern boundary line of lands now or formerly owned by the City of Halifax;

Thence northwestwardly along the said northeastern boundary line of lands now or formerly owned by the City of Halifax for a distance of four hundred and eighty feet (480') to the southeastern boundary line of lands now or formerly owned by Canadian Government Railway's Deep Water Branch Subdivision;

Thence northeastwardly along the various courses of the said southeastern boundary line of lands now or formerly owned by Canadian Government Railway's Deep Water Branch for a distance of one thousand four hundred and twenty-two feet (1,422') to the northeastern official street line of Gottingen Street;

Thence southeastwardly along the said northeastern official street line of Gottingen Street for a distance of one hundred and thirty-eight feet (138') to the northwestern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch;

Thence southwestwardly along the various courses of the said northwestern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch for a distance of one thousand five hundred and thirteen feet (1,513') more or less to the place of beginning.

Lot "C"

Beginning at the point where the northeastern official street line of Gottingen Street is intersected by the southeastern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch;

Thence southwestwardly along the various courses of the said southeastern boundary line of lands now or formerly owned by Canadian Government Railway's Willow Park Branch, for a distance of five hundred and forty-nine feet (549') to the northeastern boundary line of land now or formerly owned by the City of Halifax;

4.

Thence southeastwardly along the said northeastern boundary line of said lands now or formerly owned by the City of Halifax for a distance of one hundred and eleven feet (111') to the northwestern boundary line of said lands now or formerly owned by the City of Halifax;

Thence northeastwardly along the northwestern boundary line of said lands now or formerly owned by the City of Halifax for a distance of five hundred and seventy-eight feet (578') to the said northeastern official street line of Gottingen Street;

Thence northwestwardly along the northeastern official street line of Gottingen Street for a distance of one hundred and seventeen feet (117') to the place of beginning.

Lot "D"

Beginning at the point where the southern boundary line of lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited is intersected by the western boundary line of lands now or formerly owned by Canadian Government Railway's Deep Water Branch, Bedford Subdivision;

Thence southwestwardly along the said western boundary line of lands now or formerly owned by Canadian Government Railway's Deep Water Branch for a distance of three hundred and seventy-six feet and nine tenths of a foot (376.9') to the northeastern boundary line of lands now or formerly owned by Fairview Development Limited;

Thence northwestwardly along the northeastern boundary line of lands now or formerly owned by Fairview Development Limited for a distance of eighty-four feet and one tenth of a foot (84.1') to the eastern boundary line of lands now or formerly owned by the National Harbours Board;

Thence northwardly along the eastern boundary line of lands now or formerly owned by the National Harbours Board for a distance of seven hundred and eighty feet (780') more or less;

Thence northwestwardly along the northeastern boundary line of lands and lands covered by water, now or formerly owned by the National Harbours Board for a distance of two hundred feet (200') more or less;

Thence northeastwardly along the southeastern boundary line of land and lands covered by water now or formerly owned by the National Harbours Board for a distance of seven hundred and fifty feet (750') more or less;

Thence northwestwardly along the northeastern boundary line of lands and lands covered by water now or formerly owned by the National Harbours Board for a distance of four hundred and ninety feet (490') more or less;

Thence northeastwardly along the southeastern boundary line of said lands covered by water now or formerly owned by the National Harbours Board for a distance of one hundred and fifty feet (150') to the southwestern boundary line of lands now or formerly owned by the National Harbours Board;

Thence southeastwardly along the southwestern boundary line of lands and lands covered by water now or formerly owned by the National Harbours Board for a distance of one hundred and fifty feet (150') more or less;

Thence northeastwardly along the southeastern boundary line of lands and lands covered by water now or formerly owned by the National Harbours Board for a distance of eight hundred and forty feet (840');

Thence southeastwardly along the said southwestern boundary line of said lands and lands covered by water now or formerly owned by the National Harbours Board for a distance of two hundred feet (200');

Thence northeastwardly along the said southeastern boundary line of said lands and lands covered by water now or formerly owned by the National Harbours Board for a distance of fifty-five feet (55');

Thence northwestwardly along the northeastern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of four hundred feet (400') more or less;

Thence northeastwardly along the southeastern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of three hundred and fifty feet (350') more or less;

Thence southeastwardly along the southwestern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of two hundred and sixty feet (260') more or less to high water mark on the shore of Bedford Basin;

Thence northeastwardly along the said high water mark on the shore of Bedford Basin being the southeastern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of one thousand and seventy feet (1,070');

Thence northwestwardly along the northeastern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of four hundred and fifteen feet (415');

Thence northeastwardly along the southeastern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of three hundred feet (300');

Thence southeastwardly along the southwestern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of five hundred and ten feet (510') to high water mark on the shore of Bedford Basin;

Thence eastwardly along the said high water mark on the shore of Bedford Basin being the southern boundary line of lands covered by water now or formerly owned by the National Harbours Board for a distance of seven hundred and fifty feet (750') to the northwestern boundary line of lands now or formerly owned by the National Harbours Board;

Thence southwestwardly along the northwestern boundary line of lands now or formerly owned by the National Harbours Board for a distance of one hundred and eighty-five feet (185') to the northern boundary line of lands now or formerly owned by the Canadian Government Railway's Deep Water Branch;

Thence westwardly and southwestwardly along the various courses of the northern and northwestern boundary line of lands now or formerly owned by the Canadian Government Railway's Deep Water Branch for a distance of three thousand four hundred and seventy-three feet (3,473') to the northern boundary line of lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited;

Thence westwardly along the northern boundary line of lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited for a distance of two hundred feet (200') to the western boundary line of said Abattoir property;

Thence southwardly along the western boundary line of lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited for a distance of nine hundred and ten feet (910') to the southern boundary line of said lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited;

Thence eastwardly along the southern boundary line of said lands now or formerly owned by Nova Scotia Co-operative Abattoir Limited for a distance of two hundred and twelve feet (212') more or less, to the place of beginning.

I HEREBY CERTIFY THAT THE FOREGOING RESOLUTION  
WAS PASSED BY THE CITY COUNCIL OF THE CITY OF HALIFAX AT A  
MEETING HELD ON THE 26TH DAY OF NOVEMBER, A.D., 1969.

  
CITY CLERK

Province of Nova Scotia  
County of Halifax

I hereby certify that the within instrument  
was recorded in the Registry of Deeds Office  
at Halifax, in the County of Halifax, N. S.  
at 3:45 o'clock P. M., of  
the 28th day of November  
A. D. 1969 in Book Number 2352  
at Pages 338-343

Registrar of Deeds for the Registration District  
of the County of Halifax

DON'T GO HOME TO LUNCH  
UNTIL LEGAL DEPARTMENT HAVE  
PHONED AND HAD YOU SIGN AN  
AFFIDAVIT WITH RESPECT TO THE  
COURT CASE THIS AFTERNOON.

SOMETHING ABOUT THE CITY HAVING TO  
PROVE OWNERSHIP OF THE DUMP SITE.

VERY IMPORTANT  
TAKE THIS FILE WITH  
YOU

(CITY CREST)

Office of the City Clerk,  
City Hall,  
Halifax, N. S.  
December 8, 1969

N O T I C E

EXPROPRIATION OF LANDS

NOTICE IS HEREBY GIVEN that the City Council of the City of Halifax, at a meeting held on November 26, 1969, expropriated the following lands for social purposes:

Interest of Aaron Carvery,  
In Lands of the Estate of Wm. Carvery,  
included in Lot "A" as shown on Plan  
Number TT-8-17186

The Expropriation Resolution and Plan have been deposited in the Office of the Registrar of Deeds at the Law Courts in Halifax, on November 28, 1969.

The Lands, described in detail in the Expropriation Resolution as well as the Plan, may be inspected at the Office of the City Clerk at City Hall at any time during office hours from 9:00 a.m. to 5:00 p.m., for a period of ninety (90) days.

R. H. STODDARD  
CITY CLERK

1 column by 6 inches  
Insertion: December 8, 1969  
Chronicle-Herald and Mail-Star

*mail*  
~~to~~  
→ Dec. 9 → Chronicle Herald

(CITY CREST)

Office of the City Clerk,  
City Hall,  
Halifax, N. S.  
December 8, 1969

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R. H. STODDARD  
CITY CLERK

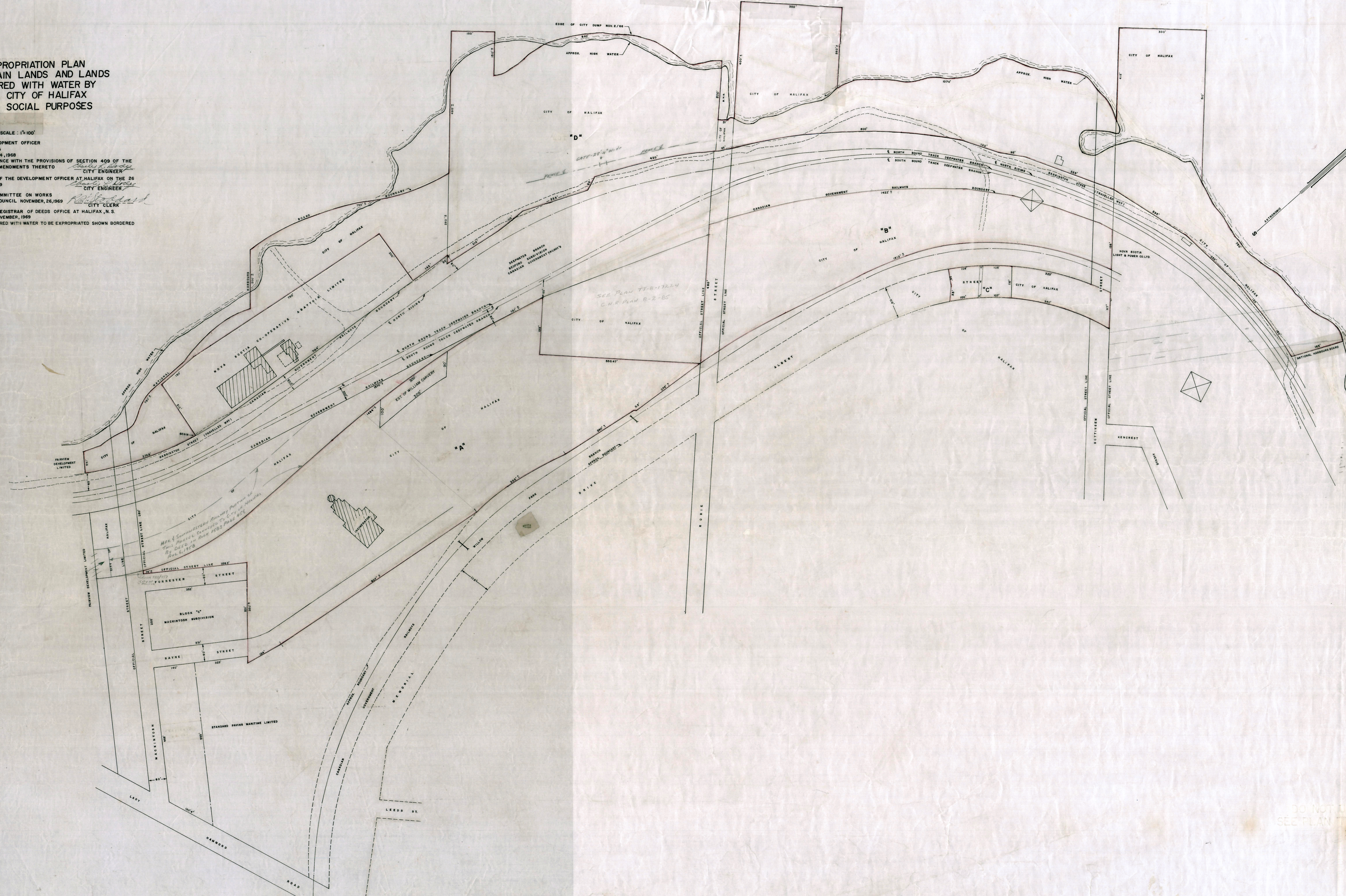
1 column by 6 inches  
Insertion: December 8, 1969  
Chronicle-Herald and Mail-Star

*mail -*  
*sec. 9 Chronicle Herald.*

# EXPROPRIATION PLAN OF CERTAIN LANDS AND LANDS COVERED WITH WATER BY THE CITY OF HALIFAX FOR SOCIAL PURPOSES

SCALE: 1"=100'

OFFICE OF THE DEVELOPMENT OFFICER  
HALIFAX, NOVA SCOTIA  
DATE OF PLAN: FEB 14, 1969  
PREPARED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 409 OF THE  
CITY CHARTER AND AMENDMENTS THERETO  
FILED IN THE OFFICE OF THE DEVELOPMENT OFFICER AT HALIFAX ON THE 26  
DAY OF NOVEMBER, 1969  
APPROVED BY THE COMMITTEE ON WORKS  
APPROVED BY CITY COUNCIL NOVEMBER, 26, 1969  
COPY FILED IN THE REGISTRAR OF DEEDS OFFICE AT HALIFAX, N.S.  
ON THE 26 DAY OF NOVEMBER, 1969  
LANDS AND LANDS COVERED WITH WATER TO BE EXPROPRIATED SHOWN BORDERED  
IN RED  
PLAN NO. TT-8-17186



DO NOT USE  
SEE PLAN TT-8-17587

MACKINTOSH STREET - GOTTINGEN STREET

BARRINGTON STREET  
ALBION EXPROPRIATION



To: His Worship the Mayor  
and Members of City Council

From: S. A. Ward, City Manager

Date: November 26, 1969

Subject: Expropriation - Carvery Property - Africville

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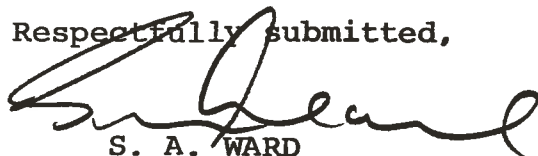
Further to the instructions of City Council of October 15th, 1969, staff have conveyed the approved offer of the City to Mr. Arron Carvery respecting his interest in the Estate of William Carvery. The offer has been rejected and pursuant to Council's resolution, staff have prepared a plan of expropriation, and expropriation resolution, formal approval of which is respectfully requested.

The obtaining of vacant possession of the property occupied by Mr. Carvery has become a critical necessity with respect to the construction of Narrows Bridge approaches. The building is situated within the street lines of one of the ramps and construction on both sides of it has been stalled. Further delay will probably result in financial penalties by the contractor against the Bridge Commission.

Council members should perhaps be aware that Mr. Carvery has been offered alternative accommodation on two occasions. He has rejected these and will presumably re-locate through his own efforts. Both the Social Planning Department and the Real Estate Division have been actively involved in the re-location efforts.

In the event that Mr. Carvery fails to give the City vacant possession of the property, under the provisions of Section 424 of the City Charter, the City may obtain an order of a Judge of the Supreme Court directing the sheriff to put down such resistance or opposition so as to put the City in possession of the property. Such a step would be taken only on a "last resort" basis. Council is, however, informed of the possibility of such action having to be taken, so as to avoid further delay of the bridge approach construction.

Respectfully submitted,



S. A. WARD  
City Manager

AWC/H.

C of W. OCT 8/69

TO: His Worship the Mayor  
and Members of the Finance and Executive Committee  
FROM: S. A. WARD, City Manager  
DATE: October 2, 1969  
SUBJECT: Settlement for Last Remaining Africville Resident  
Arron Carvery

-----  
In December, 1966, City Council passed a motion that the City purchase the estate of William Carvery for the sum of \$30,000, plus relocation expenses. Four of the five heirs of that estate agreed to the approved terms of settlement. The fifth heir, Arron Carvery, has refused to accept those terms as well as subsequent terms of settlement offered by the City, and continues to reside in one of the four remaining dwellings on the property in Africville. In recent months, urgent representations have been received from Mr. Leo Burke of the Bridge Commission and from the contractors constructing the Narrows Bridge approach. Both have indicated that serious problems have now arisen with regard to completion of the approach roads due to the fact that the remaining dwellings on the William Carvery Estate are impeding both surveying operations and actual construction. Mr. Burke has recently stated that Dineen Construction will be unable to proceed further with the work scheduled for completion this Fall unless they receive assurance by October 15th that the four dwellings in question will be demolished.

The Estate of William Carvery contained 22,500 square feet of land and was purchased by the late William Carvery from His Majesty King George VI in 1945. Mr. Carvery died intestate and the basis of settlement was that under law all his descendents shared equally in his assets.

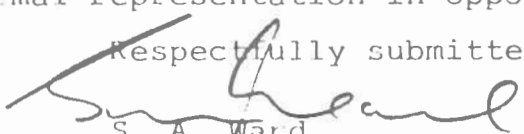
Mr. Arron Carvery, the eldest of the five heirs, who is now 71, has kept the deed in safe keeping since his father's death, has paid the Property Taxes over the years, and erected dwellings. Because of this, he feels that the property is his and he has indicated that he will only sell it to the City for \$35,000.

On September 29, 1969, the Africville Sub-Committee was asked to reconvene under the chairmanship of Alderman James Connolly to discuss the foregoing and convey a recommendation in regard to settlement, which would be consistent with the spirit and intent of the total Africville relocation program.

On the basis of recommendations made by the Sub-Committee members in attendance, City Staff wish to recommend to Council that a total settlement of \$14,387.76 be offered to Arron Carvery, to include compensation for his interest in the William Carvery Estate, his dwellings remaining on the property, his interest in the Estate of Maizie Carvery, furniture and moving allowances, and refund of an amount equal to property taxes paid by him subsequent to the (1953) death of William Carvery, Senior.

In the event that Arron Carvery should be unwilling to accept the above offer of settlement, it is further recommended that the City proceed immediately with expropriation, ensuring that construction of the Narrows Bridge be delayed no further, but that City Staff make every effort to facilitate Mr. Carvery's relocation by offering suitable accommodations, presently being held in reserve for this purpose. Staff support the recommendation of the Sub-Committee that Mr. Carvery should be assured a settlement from the City of an amount at least equal to the \$14,387.76 being offered, regardless of any decision reached in the law courts.

It is further recommended that City Staff be directed to interpret to Mr. Carvery his right to legal counsel of his own choice, at the expense of the City, should he wish formal representation in opposing the terms of relocation offered him.

Respectfully submitted,  
  
S. A. Ward  
City Manager.