

**CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS**

**C9 - SURVEY LAW**

**March 2014**

**Note: This examination consists of 9 questions on 1 page.**

**Marks**

**Q. No**

**Time: 3 hours**

**Value   Earned**

1.	In Canada, some mineral interests are held by the Crown and some are privately held, sometimes by the owner of the land and sometimes by others. Describe how mineral interests are held by the various parties both within and outside of the Torrens system of land titles.	15	
2.	There are several old court cases that have, over many years, given guidance to the courts with respect to natural boundaries. Some, for example, are: Clarke v. The City of Edmonton; Howard v. Ingersoll; British Columbia v. Neilson; Esson v. Mayberry; Lee v. Arthur; Rotter v. Canadian Exploration Ltd. There are several others. Outline the substance of one of these cases or another case (provide case citing) and discuss what effect it has had on the way land surveyors treat water boundaries.	15	
3.	A number of jurisdictions have provisions in their statutes for “special surveys”. Describe their purpose and give a brief methodology.	10	
4.	How is navigability of a body of water determined? How does navigability affect the rights of an owner of land?	10	
5.	Discuss the characteristics of and criteria for adverse possession and prescription. What are the differences between them?	10	
6.	Describe the general principles of typical condominium or strata title legislation.	10	
7.	What are the ways in which a road or highway may be dedicated?	5	
8.	What federal statute applies to the removal, damage or destruction of survey monuments throughout Canada? Describe the provisions of the statute.	5	
9.	Provide brief definitions for the following terms: a) Allodial Title b) Quit claim c) Caveat d) Hearsay Evidence e) Escheat f) Bornage g) Right of reverter h) Profit à prendre i) Estoppel j) Conventional Line	20	
<b>Total Marks:</b>		100	