

CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS

C-9 SURVEY LAW

March 2016

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

Marks

Q. No

Time: 3 hours

Value Earned

1.	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	
2.	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	
3.	Describe the general principles of typical condominium or strata title legislation.	10	
4.	A number of jurisdictions have provisions in their statutes for “special surveys”. Describe their purpose and give a brief methodology.	10	
5.	Give an example of each of the following types of description: a) Metes and bounds b) Centreline c) Parcel with a water boundary d) By exception e) By aliquot parts	15	
6.	If there is an error or a misclosure in a metes and bounds description, how do you proceed to establish the boundaries by survey?	5	
7.	Discuss Limitations of Actions and why and how the courts impose them.	5	
8.	What are the ways in which a road or highway may be dedicated?	5	
9.	Provide definitions for the following terms: a) Servient tenement b) Littoral c) Caveat d) Estoppel e) Equidistant Principle f) Prescription g) Right of reverter h) Ordinary High Water Mark i) Avulsion j) Meander Line	20	
Total Marks:		100	