
May 2017 Professional (Cadastral) Examination

PROFESSIONAL WRITTEN (CADASTRAL) EXAMINATION

Friday, May 26th, 2017

9:00 A.M. – 1:00 P.M.

TIME ALLOWED: Four (4) hours

OF QUESTIONS: Nine (9)

TOTAL MARKS: 106

PASS: 65%

INSTRUCTIONS

Note: This is a closed book examination. No aids are allowed.

1. There are nine (9) questions. Please ensure that you have a complete copy of the examination, including the plan.
2. Note the number of marks for each question before compiling your answers and allocate your time accordingly.
3. Place your exam registration number at the top right-hand corner of **each page** of your answers, on the front of each booklet and on the plan. **DO NOT** write your name on or in the book(s) or the plan.
4. Each answer must begin on a new page, however questions may be answered in any order.
5. Reference each response to its question number, including subsection.
6. Write only on the right hand side of the examination book. You may wish to use the left (unruled) side for calculations, etc., however anything written on the unruled side will not be considered during marking.
7. Do not write in pencil.
8. This examination must be returned to the invigilator with your answer book(s) and plan.

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Question 1

12 marks

- a) Where a tier of Lots has been laid out on an old plan of subdivision, and it is later discovered that there is a surplus or deficiency, it is fair and reasonable to apportion the difference between the affected Lots. Proportioning is one of the methods outlined in the *Surveys Act* for re-establishing a lost corner of a township lot or a lost corner shown on a plan of subdivision. Explain how proportioning applies within the rules of Best Evidence. (4 marks)
- b) Does the rule of proportioning also apply to the width of streets (for example 2 lots, 66' street, 2 lots)? Explain. (2 marks)
- c) Block 119 on a Plan of Subdivision was subdivided into three parcels by metes and bounds descriptions. Explain how the location of the boundaries would be determined when a surplus or deficiency is found within the Block. (4 marks)
- d) Explain proportioning as it relates to a Land Registrar's Compiled Plan. (2 marks)

Question 2

12 marks

A navigable lake was flooded by the construction of a dam at the outlet two years after the original survey of the Township. Four years later the whole of the Township lot is patented. It is now 100 years later.

- a) Briefly explain two opposing views regarding the ownership of the portion of the Township lot covered by the flood waters. (6 marks)
- b) What, in your opinion, is the correct view? Substantiate your view. (6 marks)

Question 3

10 marks

Name five (5) types of plans for which the limits may be un-dimensioned. (5 marks)

Name five (5) types of plans that create geographic fabric. (5 marks)

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Question 4

10 marks

In April of 2000 you perform a survey of a parcel in a small town. You locate the original iron pipes (buried one foot below grade) from the 1948 survey which created this parcel. You determine the pipes to be undisturbed, and also find sufficient pipes on limits of adjoining parcels from the same 1948 survey, to be satisfied as to their authenticity. The fence on the west sideline is parallel to, and three feet westerly from the sideline you have re-established. Both owners are treating the fence as their boundary. From interviewing previous owners, you learn that the fence was built jointly by both owners in 1986. They built the fence where they thought the boundary should be, by splitting the side yards between their respective dwellings. The county in which the town is located was converted to Polaris in 1995. The parcels in this town were formerly registered under The Registry Act, and are now under qualified Land Titles.

Write a letter to your client, the prospective purchaser of the property, advising him of your findings, and their possible consequences. Use appropriate case and statute law to support your views.

NOTE: Do not sign the letter.

Question 5

20 marks

- a) The attached Surveyor's Real Property Report has numerous errors and deficiencies. Please review this plan and in your answer booklet list the errors or deficiencies found. (1 mark for each error/deficiency identified, to a maximum of 13 marks)
- b) Prepare a Summary Report, (Part 2 of the Surveyor's Real Property Report), that would be attached to this plan. (7 marks)

Note: Do not sign your name to the report.

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Question 6

15 marks

A client calls and advises that they wish to sell the southerly 5 acres of their 25-acre property to the adjacent landowner.

Write a letter to the client explaining:

- the process
- the participants
- the documentation
- the expected time frames
- the costs to be incurred
- any other pertinent or special issues common to your area.

Start each part of your answer with a new paragraph.

Question 7

15 marks

In 1996 you (an OLS) conducted a survey of a large industrial property finding or setting all of the bars and preparing and signing a Plan of Survey showing the improvements on the property.

Now it is June 2000 and your original client calls to say he has agreed to sell the property and he must provide an up to date survey. The client advises the buildings and fences are unchanged and the adjacent lands are still vacant. The client also states that since he has a fixed price for the land he wishes to minimize his expenses and if your price is too high he will call for competitive bids.

- a) Explain what work you would perform and why. (5 marks)
- b) How would you address your client's statement regarding your fee? (4 marks)
- c) List in order of preference, with a brief explanation, six (6) best ways to ensure you will be paid for the survey. (6 marks)

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Question 8

4 marks

You were retained by a client, who happens to be the largest employer in your town, to survey a large manufacturing site. Prior to commencing work you and your staff signed a confidentiality agreement stating you will not divulge any facts about the site or the processes.

As you near completion of the \$20,000 survey, for which you have yet to be paid, you notice drums, labelled as containing hazardous material, (PCBs), leaking into a creek at the back of the property.

- a) Explain your responsibilities under statute. (4 marks)

Question 9

8 marks

The use of sketches rather than plans of survey has become a controversial topic within our Association.

- What are the differences between a sketch and a Plan of Survey?
- When is it acceptable to use a sketch, rather than a Plan of Survey?
- Do you think the widespread use of sketches, rather than a Plan of Survey, is in the best interest of the public? Explain.

Throughout this answer, please provide arguments in support of and against the use of sketches, including allowable uses, content and format. Relate your arguments to current statutes, regulations and AOLS policies.