

National Exams – May 2005

98-Geom-A6, Cadastral Studies

3 hours duration

NOTES:

1. If doubt exists as to the interpretation of any question, the candidate is urged to submit with the answer paper, a clear statement of any assumptions made.
2. This is a closed-book examination, three (3) hours in duration.
3. No calculator is permitted.
4. Each question is of equal value.
5. Sixteen (16) questions comprise a complete examination paper. Answer any 16 questions, and no more than 16 questions.
6. Most questions require an answer in essay format. Clarity and organization of the answer are important.

<u>Q. No</u>		<u>Value</u>	<u>Earned</u>
1	In the context of cadastral surveying, what is the difference between incompetence and negligence?	6.25	
2	Describe any one decision of the courts that illustrates the perils faced by a surveying association in interpreting its statutory power of self-regulation.	6.25	
3	What two roles can the surveyor play as an expert witness in a boundary dispute?	6.25	
4	<p>Sketch the following description of a parcel of land:</p> <p>Commencing at a point in the southerly limit of Blackadder Avenue, which is intersected by the production northerly of the centre line of the partition wall between houses numbered 37 and 39, and which said point is distant 55 feet – 1 inch more or less measured westerly along the said southerly limit of Blackadder Avenue from the westerly limit of Baldrick Street;</p> <p>Thence westerly along the southerly limit of Blackadder Avenue a distance of 14 feet – 11 inches more or less to a point opposite to the production northerly of the centre line of a partition wall between the house last described and that lying immediately to the west thereof, being house numbered 41;</p> <p>Thence southerly along the last production and passing through and along the centre line of the party wall between houses numbered 39 and 41 and continuing southerly along the limit between the premises a distance of 83 feet – 6 inches more or less to a fence line in the rear of said premises;</p> <p>Thence easterly along the fence line a distance of 15 feet – 1 inch more or less to the limit between the premises in rear of houses numbered 37 and 39;</p> <p>Thence northerly along the last limit and passing through and along the centre line of the party wall between the houses numbered 37 and 39 a distance of 83 feet – 6 inches more or less to the place of beginning.</p>	6.25	
5	The Quebec civil code allows for the “resolution of boundary uncertainties through a process different from those in other provinces.” Describe the process.	6.25	
6	What are the differences between defining, demarcating, and delineating boundaries?	6.25	
7	Explain how a provincial land surveyor’s practice is shaped by five forces: provincial legislation, decisions of the courts, municipal bylaws, the code of conduct of the surveyors’ association, and clients’ needs.	6.25	
8	Discuss the proposition that land surveyors create boundaries.	6.25	
9	People have the right to possess, or the right to use, parcels of land. Describe the differences in the two rights.	6.25	
10	Why does the practice of land surveying include the practice of cadastral surveying, but the practice of cadastral surveying does not include the practice of land surveying?	6.25	

11	How might three different people have three different legal interests existing at one time in the same parcel?	6.25	
12	There is a general principle that a certificate of title is proof of title to the land described. An exception to the principle is that of any portion of land included in the certificate by wrong description of boundaries or parcels. What is the reason for such an exception?	6.25	
13	How do the survey markers (pin, bars, or stakes) that are placed in the ground during a residential subdivision become legal monuments of the boundaries?	6.25	
14	What is a parcel of land?	6.25	
15	Discuss this assertion: A surveyor's knowledge of survey law is more important for re-establishing boundaries than for establishing boundaries.	6.26	
16	It has been asserted that the type of survey should depend on environmental considerations, such as location, parcel value, and land use (such as the use of Isolated Boundary Standards in Nunavut). Support or refute this assertion.	6.25	
17	Identify the three faults in the description: Starting on the south bank of the Fluvial River, then northerly 100m more or less, then easterly 100m more or less, then southerly to the north bank of the Fluvial River, then westerly along the bank to the point of commencement.	6.25	
18	First Nations in Yukon have retained aboriginal title to parcels of land as part of their Final Land Claims Agreements, title that is converted to a fee simple title if registered in the Yukon land titles system. They are therefore keen to develop their own land registries. What characteristics should their land registries have?	6.25	
19	Land titles legislation contains various implied conditions, exceptions and reservations to the notion of indefeasibility of title. Describe any three.	6.25	
20	What is the role of any one province in its deed registration system?	6.25	
		Total	