

**CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS
ATLANTIC PROVINCES BOARD OF EXAMINERS FOR LAND SURVEYORS**

SCHEDULE I / ITEM 7

March 2007

CADASTRAL STUDIES

Notes: This examination consists of 10 questions on 1 page.

<u>Q. No</u>		<u>Marks</u>	
		<u>Value</u>	<u>Earned</u>
1	Substantiate or refute the proposition that cadastral surveyors make boundaries.	10	
2	Justice Cooley of the Michigan Supreme Court asserted in the late-1800's that "the farthest [that a surveyor] has a right to go, as an officer of the law, is to express his opinion where the monument should be." How is a cadastral surveyor an officer of the law?	10	
3	In the provincial land title systems, there is no guarantee that the area and the boundaries of the parcel are as they are described. What is the rationale for this exception to the principle that land titles offers proof of title to the land described?	10	
4	Discuss the merits of having a parcel description refer to a registered plan of survey (such as Lot 1, Block 2, Plan 070101), as opposed to using a metes and bounds description.	10	
5	Identify any ambiguities in the following parcel description: Commencing at the source of the main branch of the Gnu River in the province of New Caledonia, thence due east to the central range of the Borth Mountains, thence southeasterly along the said range to the point where it intersects the 55 th parallel of latitude, thence due west to the place of commencement.	10	
6	Why do most provinces require that a plan that subdivides land be signed by all instrument holders?	10	
7	Explain how cadastral surveyors are affected by legislation, court decisions, surveying association rules and client demands.	10	
8	Analyze any judgment of the Canadian courts that has examined the conduct of cadastral surveyors (either in establishing or re-establishing boundaries). Focus on the role and competence of the surveyor, not on boundary law principles.	10	
9	Cadastral surveyors are exposed to two types of professional liability – that imposed by their association's standards and that imposed by the law of negligence. What are the fundamental differences between the two types?	10	
10	Justice Cote of the Alberta Court of Appeal asserted in 2006 that cadastral surveying is allowed to be "independent, monopolistic, self-governing, self-regulating" because "the public interest is best served that way." Discuss.	10	
	Total Marks:	100	