

**ASSOCIATION OF CANADA LANDS SURVEYORS - BOARD OF EXAMINERS  
WESTERN CANADIAN BOARD OF EXAMINERS FOR LAND SURVEYORS  
ATLANTIC PROVINCES BOARD OF EXAMINERS FOR LAND SURVEYORS**

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**SCHEDULE II / ITEM 3**

**October 2004**

**SURVEY LAW**

**Note: This examination consists of 8 questions on 1 page.**

**Marks**

**Q. No**

Time: 3 hours

Value   Earned

<u>Q. No</u>		<u>Value</u>	<u>Earned</u>
1	Discuss the common law doctrines of accretion and erosion. Describe the criteria for each. Describe the way in which lawful accretion might be apportioned as between owners in various circumstances.	20	
2	The nature and limits of jurisdictions and property rights related to water depend on how the law classifies the water concerned. Give five examples of such legal categories and describe how property rights might be affected by them.	15	
3	How is navigability of a body of water determined? How does navigability affect the rights of an owner of land? Does it make a difference whether the parcel fronts upon the body of water or if the body of water is contained within or passes through the parcel?	10	
4	A 1914 Crown grant of land excepts a one-chain strip along the White River upon which the surveyed parcel fronts. Over the years, erosion has occurred over part of the one-chain strip's frontage and accretion has occurred adjacent to other parts of the strip's frontage. How do these changes affect the boundaries of the grantee's parcel?	10	
5	Describe "opinion evidence as an exclusionary rule" and discuss why it is admitted when tendered by an expert witness.	10	
6	An Act of the British Parliament gave the Crown in right of Canada ownership of lands for certain purposes. Name the statute, give the year of enactment and name three of those purposes	10	
7	What statute applies to the removal, damage or destruction of survey monuments? Describe the provisions of the statute.	5	
8	Give brief definitions of the following terms: 1. Boundary 2. Allodial title 3. Dominant tenement 4. Estoppel 5. Ordinary high water mark 6. Ad medium filum aquae 7. Prescription 8. Adverse possession 9. Bornage 10. Escheat	20	
<b>Total Marks:</b>		100	