

**CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS**

**SCHEDULE I / ITEM 7  
CADASTRAL STUDIES**

**October 2009**

**This examination consists of 16 questions on 2 pages.**

<u>Q. No</u>		<u>Marks</u>	
		<u>Value</u>	<u>Earned</u>
1.	Provide your understanding of the following Cadastral Studies concepts:  a) Caveat b) Deeds c) Estate <i>autre vie</i> d) Lateral support e) <i>Le Bornage</i> f) Metes and bounds g) Mines and minerals h) Restrictive Covenants i) Riparian rights j) Strata space	10	
2.	The Latin maxim " <i>sic utere tuo ut alienum non laedas</i> " relates to an important concept with respect to property ownership in Canada. Provide your understanding of this maxim within the context of Cadastral Studies.	5	
3.	Compare and contrast Colour of Title and Adverse Possession.	5	
4.	Compare and contrast Chattels and Fixtures.	5	
5.	Provide your understanding of Licenses and Easements. Explain how they are different from one another.	5	
6.	What are the priorities for weighting evidence in a Retracement Survey?	5	
7.	What are the criteria that must be satisfied under a claim of Estoppel?	5	
8.	Describe two methods which are used to delimit maritime boundaries between nations.	5	
9.	Describe and explain the difference between Ordinary High Water Mark (OHWM) surveys and Mean High Water Line (MHWL) surveys.	5	
10.	Discuss how malpractice can be distinguished from professional negligence.	5	

11.	What characteristics must an agreement have in order for it to be recognized as a leasehold arrangement?	5	
12.	Define positive easement and negative easement. Give two examples of each.	5	
13.	What presumptions do the courts-of-law consider in order to determine the boundaries of land?	5	
14.	The Estates in land which are capable of being conveyed or created at law are: a) an estate in “fee simple absolute”; b) a “term of years absolute” Discuss this statement, with particular reference to the words/phrases in quotation.	5 5	
15.	Describe and compare the difference between the Third System and the Modified Third System subdivisions of land in the Dominion Land Survey (DLS) System, in terms of size, shape, area of the settlement, and location of monumentation. Explain your understanding by means of a sketch, if necessary. Illustrate where, in Canada, one might find these two different settlement patterns.	10	
16.	Define what is meant by Overriding and Minor interests under land registration systems. To what extent have these classifications refuted the philosophy of legal and equitable rights?	10	
<b>Total Marks:</b>		100	