

CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS

**SCHEDULE II / ITEM 3
SURVEY LAW**

October 2009

Note: This examination consists of 9 questions on 1 page.

Marks

<u>Q. No</u>	<u>Time: 3 hours</u>	<u>Value</u>	<u>Earned</u>
1.	There are several old court cases that have, over many years, given guidance to the courts with respect to natural boundaries. Some, for example, are: Clarke v. The City of Edmonton; Howard v. Ingersoll; British Columbia v. Neilson; Esson v. Mayberry; Lee v. Arthur; Rotter v. Canadian Exploration Ltd. There are several others. Outline the substance of one of these cases or another case (provide case citing) and discuss what effect it has had on the way land surveyors treat water boundaries.	15	
2.	What are the ways in which a highway or road may be dedicated?	5	
3.	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	
4.	How are boundaries created? Give examples.	10	
5.	What are the guiding principles to be followed when re-establishing lost or obliterated boundaries?	10	
6.	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	
7.	What are the effects on an owner's riparian or littoral rights when fill is placed or excavation occurs along or over a water boundary? Does it make a difference if the work is carried out by or on behalf of the owner or by some other person?	10	
8.	A number of jurisdictions have provisions in their statutes for "special surveys". Describe their purpose and give a brief methodology.	10	
9.	Provide brief definitions for the following terms: a. Littoral b. Quit claim c. Equidistant Principle d. Hearsay Evidence e. Escheat f. Ad medium filum aquae g. Right of reverter h. Allodial Title i. Caveat j. Prescription	20	
Total Marks:		100	