

CANADIAN BOARD OF EXAMINERS FOR PROFESSIONAL SURVEYORS

C8 - CADASTRAL STUDIES

March 2014

Note: This examination consists of ten questions on two pages.

Marks

Q. No

Time: 3 hours

Value Earned

1.	Provide your understanding of the following Cadastral Studies concepts: a) Amortization b) Appurtenant rights c) <i>Bona fide</i> purchaser d) Estate <i>cestui que vie</i> e) Exclusive possession f) <i>Lis pendens</i> g) Misdescription h) <i>Spes successionis</i> i) Standard of care j) Villeinage tenure	10	
2.	The Latin maxim " <i>falsa demonstratio non nocet</i> " represents an important concept in Cadastral Studies. Provide your understanding of this maxim.	10	
3.	It has been asserted that <i>eminent domain</i> and <i>ex proprium</i> are one and the same in terms of principles and statutory rights of the Crown towards abolition of domestic land rights. Support or refute this assertion.	10	
4.	Provide your understanding of what actions constitute actions of nuisance with respect to Cadastral Studies and how these actions could infringe upon a property owner's rights towards quiet enjoyment of land.	10	
5.	The British Columbia supreme court case <i>Flello v. Baird</i> [(1999) 172 D.L.R. (4 th) 741] reveals a claim of land ownership via the Doctrine of Estoppel a) Provide your understanding of the Doctrine of Estoppel. b) Provide your understanding of the four criteria that must be satisfied under a claim of estoppel.	2 8	
6.	Provide your understanding of the following land tenure principles within jurisdictional land titles registration system in Canada: a) Deferred indefeasibility. b) Immediate indefeasibility. c) Exceptions to indefeasibility. d) How does each of the above terms affect your provincial/territorial land registration system within your province/territory?	2.5 2.5 2.5 2.5	
7.	The Quebec Civil Code allows for the resolution of boundary uncertainties through a process different from those in other provinces/territories. Provide the name of and your understanding of this process.	10	

8.	Provide your understanding of Overriding and Minor interests under land registration systems. To what extent have these classifications refuted the principle of legal and equitable interests in land?	10	
9	Provide your understanding of the following land tenure concepts: a) Leases b) Licenses c) Provide your understanding as to how the above concepts relate to Bailments within the context of Cadastral Studies. Cite a court case as per your familiarity, if necessary.	3 3 4	
10.	A learned scholar in Canada once wrote: <p style="padding-left: 40px;">“Few professional organizations in this country are allowed to operate so quietly and unobtrusively, and with such a degree of self-regulation, as the associations, all of which enjoy a statutory monopoly with respect to the right to perform cadastral surveys. This considerable privilege is a measure of the trust that the public has in the accountability of the surveying profession.”</p> Provide five processes (and provide your understanding of each of the five processes) the provincial associations use to ensure their members fully meet society’s cadastral surveying requirements.	10	
Total Marks:		100	