

National Exams May 2017

04-Geom-A6, Cadastral Studies

3 hours duration

NOTES:

1. If doubt exists as to the interpretation of any question, the candidate is urged to submit with the answer paper, a clear statement of any assumptions made.
2. This is a CLOSED BOOK EXAM.
No calculator is permitted.
3. FOUR (4) questions constitute a complete exam paper. There appear 5 questions, but you MUST PICK FOUR (4). ONLY the first four questions as they appear in the answer book will be marked.
4. Each question is of equal value.
5. Most questions require an answer in essay format. Clarity and organization of the answer are important.

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Question:

- 25% 1. In conducting a survey to retrace a boundary, a cadastral surveyor is expected to conduct research and evaluate the evidence in order to arrive at an opinion as to the location of a boundary. If it later turns out that the surveyor's opinion was different from what a court has decided, does this mean that the land surveyor has been negligent? Please explain your answer by referring to all relevant legal principles and case law.
- 25% 2. Does a cadastral boundary have a width? Please answer this question by arguing that it does and then spend equal time arguing that it does not. Please use at least one example to illustrate your positions both in favour and against.
- 25% 3. Do land surveyors "make" boundaries? Please explain your answer and give one example of a "yes" answer to this question and also one example of a "no" answer to this question.
- 25% 4. Please mark True (T) or False (F) in the Answer Book for each one of the following TEN (10) statements:
- (a) An engineer who is not also licensed as an Ontario Land Surveyor may not sign a cadastral plan of survey.
 - (b) A co-ordinate value for the location of a boundary corner is the highest form of evidence.
 - (c) A plot of a metes and bounds description in a deed is an acceptable form of a survey plan.
 - (d) A boundary retracement is the same thing as the first running of a boundary line.
 - (e) A cadastral surveyor must always obtain a copy of the original Crown patent when performing a survey.
 - (f) No survey plan is valid unless it has been registered with the government.
 - (g) The survey of a waterfront boundary can always be done by taking a screen shot of the location from GoogleEarth®.
 - (h) A cadastral boundary is defined by the original posts first set in the ground, if that is how the boundary was first established.
 - (i) Proportioning is a mathematical solution for all boundary problems.
 - (j) An original township survey plan is meaningless today.

- 25% 5. In a book authored by Gerhard Larsson almost 25 years ago called "*Land Registration and Cadastral Systems*" he wrote, at page 11,

"Individuals with land rights and society as a whole derive a number of benefits from large-scale documentation of land units – in maps, records, and so on. Although most of the advantages are beneficial to both private and public interests, it may nevertheless be useful to discuss the benefits according to their particular importance for each of the two sectors."

Please discuss this quoted paragraph in terms of benefits for the *private* and *public* sectors, and describe at least two examples of benefits for each one of these two sectors in Canada (you must give 4 examples in total).

End of examination.