

National Exams May 2016

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 an OPEN BOOK EXAM. Any non-communicating calculator is permitted.
3. FIVE (5) questions constitute a complete exam paper. The first five 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. Are co-ordinates useful in defining the location of a legal boundary in Ontario? In your answer, please discuss their potential relevance in creating a boundary and in retracing a boundary.
- 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 (4 examples in total).

End of examination.