

BOUNDARIES

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The Alberta Land Surveyors' Association (ALSA), established in 1910, is a self-governing professional association legislated under the *Land Surveyors Act*.

The Association regulates the practice of land surveying for the protection of the public and administration of the profession.

Real Property Reports and Title Insurance

Real Property Reports are legal documents prepared by registered Alberta Land Surveyors. A Real Property Report is a legal graphic representation of a piece of property and the improvements upon it. In preparing a Real Property Report, an Alberta Land Surveyor locates the legal boundaries of a property and then measures the locations of the buildings or other improvements (garages, fences, decks, swimming pools, etc.) relative to the boundaries. The boundaries and improvements are then plotted on a document. The document also identifies easements, utility rights of way, and other legal features that may affect the property. In certifying the Real Property Report, the land surveyor expresses a professional opinion about the location of the improvements.

On the other hand, title insurance doesn't identify problems at all. If there are problems they are merely kept hidden until some later date. At that time, if the insurance policy is still in force, the land owner must deal with an insurance company and make a claim, if the policy is still in force. It is also important to know that two policies are necessary—one for the financial institution and one for the landowner. Some policies have expiry dates so it is buyer beware.

Title insurance was developed in the United States where a different system of title registration is in place. In Alberta we are fortunate. We have the Torrens system of land registration. Unlike the situation in the United States, the Torrens land titles system guarantees the title and processes are in place to rectify problems when they do occur. In the United States Real Property Reports are usually required as a condition of title insurance.



Often major issues are identified through the Real Property Report process. Garages have been built on property lines, garages have been built over gas lines, fences have been located on neighboring property or a neighbor's fence is built on the subject property, and even houses have been improperly located.

Identifying these kinds of issues is critical. A purchaser will want to know if there are problems so they can be rectified prior to the purchase proceeding or they may choose not to purchase.

The cost of having a Real Property Report prepared varies according to the amount of work involved. In many cases, it is possible to update an

Remember!

The Real Property Report is an important legal document.

Make sure you keep it in a safe location with your other important legal papers in case you need to refer to it in the future.

old report by identifying changes. Updates reports are usually prepared at lower cost than a completely new report.

The time to arrange a Real Property Report is as soon as a property is listed for sale. Having a prepared Report is an advantage for a seller and will make a real estate transaction easier and likely faster. If a Real Property Report is ordered near the closing date for a sale, there can be delays. In most cases, Alberta Land Surveyors respond quickly and do their best to meet a client's needs.

Everyone will agree that knowing about problems ahead of time is preferable to getting surprises later. A dream home should be a dream home—not a house of horrors full of legal problems and insurance claims!

More information about Real Property Reports, easements, fences and other land and real estate related issues is available at www.alsa.ab.ca

Helping Land Owners Identify Legitimate Land Surveyors

In North Carolina this summer, an elderly lady was duped by individuals claiming to be “surveyors” while actor Gene Hackman pretended to be a surveyor in the movie *Heist* while preparing to commit another jewelry robbery.

The Alberta Land Surveyors' Association suggests the following if you have any questions about someone purporting to be a land surveyor.



- Ask for identification.
- Call the number on the business card to confirm with the company that the person is a legitimate representative of that company, and is authorized to be at the site to perform a survey.
- Contact the Alberta Land Surveyors' Association at 1-800-665-2572 to confirm whether the individual or company is authorized to practice land surveying.
- Look at the vehicle. Is it marked with a company signage or appropriately equipped?
- Are the individuals equipped to survey, do they possess maps, other documents, metal detectors, measuring tapes and the like?
- Call the police if you are uncomfortable.
- Never walk away from your house until you are certain that the person is legitimate.

For More Information

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Boundaries is also online at www.alsa.ab.ca/boundaries-news

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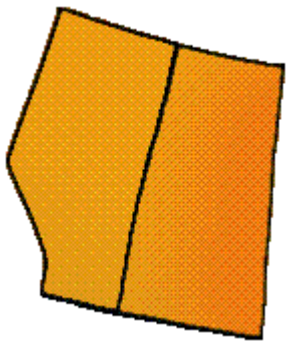
- Land surveying is an outside activity, be alert to individuals who claim to be “surveyors” who ask to enter your home.

Remember: Alberta Land Surveyors and their field personnel will never be upset to have you ask these questions.

The Alberta-Saskatchewan Border

In 2003, retired Alberta Land Surveyor Doug Barnett wrote, *The Demarcation of Alberta's Boundaries*. In chapter 9, he states:

The Alberta/Saskatchewan boundary is a unique interprovincial boundary. It is one of



the oldest dividing lines in Western Canada. Initially surveyed in the southern part as one of the main initial meridians (the fourth meridian) west of Winnipeg, it did not become an interprovincial

boundary until 1905 when the western provinces as we know them today were formed. It is the longest straight line boundary in Canada, an astronomic meridian stretching from the international to the 60th parallel north or Lake Athabasca. This 761 mile (1,125 kilometre) boundary was surveyed and monumented on the ground over 59 years from 1879 to 1938. Today the invisible line of the boundary which we all take for granted as we pass from province to province, is of strategic importance as a major division line in the west. It is the result of many years of dedicated, skilled and difficult work by

surveyors. It is an important part of our national heritage.

The Alberta/Saskatchewan boundary is defined as “the fourth meridian in the system of dominion land surveys” in the Alberta Act and the Saskatchewan Act, both enacted in 1905. The initial meridians in Western Canada, including the fourth meridian, were first provided for in the Dominion Lands Act of 1872.

Fortunately, the position (longitude) of the initial meridians were not rigidly defined by statute. The Dominion Lands Act of 1883 specified the principal (Winnipeg) meridian “drawn northerly from the 49th parallel of latitude at a point 10 miles or thereabouts westerly from Pembina), and such other initial meridians as the Minister orders to be established...style the second, the third, the fourth, and so on, according to their number in order westward from the principal meridian.” Under that authority it was decided that the “other initial meridians” should be established as nearly as possible 4 degrees in longitude apart, commencing with the second meridian in longitude 102 degrees. It was therefore not requisite that the fourth meridian should coincide with the line of longitude 110 degrees, but only that it should be as close as possible to within the limits of locational accuracy feasible at the time. The “locational accuracy” at the

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time turned out to be that provided by the special survey between 1874 and 1880. The best that could be done in this period was to position the initial meridians "by account," that is by chaining westward along the specific baselines...This was due to the impracticability of extending the survey control westerly by triangulation, and failure of the telegraph line which could have provided more accurate longitudes. The position of the initial meridians as established by the special survey, once approved by the Department of the Interior, fixed for all time their location on the

ground for purposes of the Dominion Land Survey system. This wise policy prevented different positions for the meridians over time, depending on the technology and use – once the positions were verified and marked on the ground, these positions (marked by monuments) governed absolutely. For example, the position of the fourth meridian obtained today by Global Positioning Systems (GPS) is somewhat different than 100 degrees longitude, but this is immaterial. The monuments as shown on approved township and provincial boundary plans mark the boundary to this day.

In the News around the World

[Exhibit marks history of land surveying](#)

Alberta Daily Herald Tribune

The survey was important to the development of the area since it allowed families to legally occupy their land. To mark this, the Grande Prairie Museum's Heritage Discovery Centre at Centre 2000 is hosting a travelling exhibit on the subject called "Making their Mark."

[Hayward man creates 3D web based race simulator](#)

FOX 21 Online

"I have a passion for maps, it's not just www.RaceMYRace.com, its mapping is what the passion is that drives it," said Todd Goold. Goold owns a land surveying and mapping company in Hayward.

[Surveyor's Department to seek private sector help](#)

Ceylon Daily News

The Surveyor's department will seek private sector assistance if the surveyor cadre shortage affects the fulfillment of the Department's task in the development drive launched by the Government, Surveyor General S.M.W.Fernando told the Daily news yesterday.

[County surveyor will remain elected position](#)

Curry County Reporter

The Oregon State Legislature passed a bill this year that would give counties the option to appoint a surveyor instead of having that person elected.



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