



*A member  
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## R E S E A R C H I N G   T H E E X T E N T   O F   T I T L E

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The Practice Review Board considers it essential that land surveyors research and report all the facts that affect the extent of title when preparing plans and documents.

One of the common principles of real property law is that “property rights extend up to the heavens and down into the earth.” This principle defining the extent of title can be restricted or extended by legislation and encumbrances registered against the title. These can take various forms (e.g., easements, rights-of-way, caveats) and are registered against the title, thereby restricting or extending the extent of that title.

In preparing a plan or document showing the extent of title, the land surveyor must be aware of all facts which affect the extent of title. A minimum prerequisite is to research all the encumbrances registered against the title and to show on the survey plan or document all those that affect the extent of title.

By not searching and showing encumbrances that affect the extent of title, a land surveyor is not providing his client with a complete product. He is, however, assuming unnecessary additional liability.

The foregoing interpretation was approved by the Practice Review Board of the Alberta Land Surveyors' Association at its meeting on April 10, 1996. Feedback from the membership is invited, and should be addressed to the Chairman, Practice Review Board, at the ALSA, #1000, 10020 - 101A AVE Avenue, Edmonton, AB T5J 3G2 (Fax: 1-403-429-3374).