

BOUNDARIES

ISSUE 2 SEPTEMBER 2006



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.

My fence is on my property line, isn't it?

A fence is the most visible and most common way that we mark our territory. It says to everyone that what is on this side is mine and what is on that side is yours.

When you look at a piece of property that you are interested in buying, it is common to assume that you will own the land right up to the fence.

However, the fence might not be on the property line. It happens more often than many people realize.

When the fence was originally built, the landowner may have decided to build the fence inside the property line. Or the landowner may not have had the boundary accurately located and built the fence off the property line.

A property line has no width to it but a fence certainly does. A wooden fence post can be many inches or centimetres wide. For this reason, an Alberta Land Surveyor, when preparing a real property report can show a fence that is within 0.2 metres of the property line as being on the line.

Fences more than 0.2 metres from the property line shall be dimensioned but are not indicated as encroaching unless the encroachment is onto public lands. In rural real property reports, fences are shown at the Alberta Land Surveyor's discretion.

More on fences in the next issue...



For More Information

This newsletter is published by the Alberta Land Surveyors' Association as a public service. If you would like to receive a copy of *Boundaries*, please contact us at info@alsa.ab.ca or 780-429-8805.

Boundaries is also online at www.alsa.ab.ca. Some back issues are also available.

Readers may reprint an ALSA original article as long as credit is given to the *Boundaries* newsletter and the Alberta Land Surveyors' Association.

What is Subdivision by Descriptive Plan?

In 1988 a provision within the Land Titles Act allowed the use of a Descriptive Plan to subdivide a parcel of land. The process of using a Descriptive Plan replaced the use of a metes and bound description. The metes and bounds description used words to describe a parcel of land and often proved difficult to follow. The Descriptive Plan proved a better method of showing a subdivision of land graphically, on a plan.

The Land Titles Office may give approval for the use of a Descriptive Plan to subdivide a parcel of land.



The subdivision of the parcel of land is described on a plan and only a minimal field survey is conducted. This minimal field survey involves approximate measurements to ensure buildings, fences, trees or other items are contained inside or outside a new property boundary. A field survey would also be required when a new parcel of land has a natural

watercourse (creek, river, lake, etc.) as one of the boundaries. With minimal field surveying, the cost of a subdivision by Descriptive Plan is less than a subdivision by Plan of Survey.

The disadvantage of a subdivision by Descriptive Plan is no legal survey posts are placed to show the location of the property boundaries. If the new parcel of land is to be fenced, an additional field survey may be required in order to construct the fence on the new property boundary.

Excerpted from the Subdivision Brochure produced by the Alberta Land Surveyors' Association. To order free copies, call 1-800-665-2572 or visit www.alsa.ab.ca

Survey Research

The Alberta Land Surveyors' Association has committed \$60,000 over two years for the University of Calgary Department of Geomatics Engineering to Council gave unanimous approval to develop a working system of land records software which incorporates multi-media data and spatial data. The design should be such that data can be migrated to or integrated with a Geographic Information System, or GIS. The second part of this research project will be creating, storing and retrieving data that are admissible as evidence in a court of law.

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In the News Around the World

Land dispute on road to Shalom Mountain leads to blocked road, shooting threats, multiple lawsuits

<http://www.waynesvilledailyguide.com/articles/2006/08/23/news/news02.txt>

We purchased a home but did not pay for a survey because...

<http://www.bendweekly.com/Real-Estate/660.html>

Bournemouth losing out on rates in boundary dispute

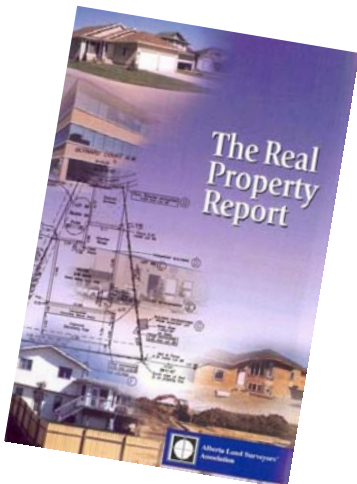
http://www.thisisdorset.net/display.var.894709.0.council_losing_out_on_rates_in_hotel_dispute.php

Land disputes derail fast Saudi market expansion

<http://archive.gulfnews.com/articles/06/08/04/10057371.html>



Free Brochures



All ALSA brochures are free of charge and all include a place for a company stamp.

We have produced four brochures of interest to the general public. These are: "The Real Property Report," "*Understanding Easements and Rights of Way*," "*Alberta's Subdivision Process*," and "*I destroyed survey evidence—a practical guide to survey markers for the homeowner, handyman and contractor*."

The brochure has proven to be incredibly successful. Many Realtors have used these brochures as an information piece for both vendors and purchasers.

Contact the ALSA for your free brochures.

If you have ordered brochures from the ALSA but have not received them yet, please be patient as we are doing our best to fill all orders as soon as possible.

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