

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.

Building a Fence and Survey Pins

Don't throw away the marker!

A homeowner may wish to find exact boundary locations to build a fence or construct a building. In addition to the difficulty of finding pins, there is often more than one in an area or none at all. Some pins may not relate to the homeowner's property boundary at all, but to roads, rights-of-way or other land related measurements. It is recommended that the homeowner ask an Alberta Land Surveyor to identify the correct boundaries so that mistakes are not made.

Unsuspecting landowners may find a pin and thinking it just a piece of metal left over from construction — dig it out and throw it away. They do not recognize their mistake until some future date when they are charged or have to pay the considerable cost of re-measuring boundaries and inserting a new pin.

If the pin is in the way — don't move it!

If the survey pin is just where that fence post should be — please build around it. The cost of replacing a survey marker could be as much as the cost of the fence, driveway or landscaping in the first place.

Machinery easily destroys survey evidence

Contouring, grading, fencing, road building and other work with heavy equipment is a common cause of destroyed survey evidence. Grading along the boundaries of a lot, road, subdivision or pipeline right-of-way can result in hundreds of survey pins being moved or destroyed.



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.

In order to replace the destroyed markers, an Alberta Land Surveyor has to be retained to re-measure and re-establish their position. It adds to the cost of construction and, in the end, to the amount the consumer must pay.

The easiest way to avoid the problem is to ensure that the metal pins are clearly identified prior to any earth moving activity so that machinery can avoid them. Check with the Alberta Land Surveyor working on the site and ask for markers to be "referenced" so that they can easily be replaced after construction.

Easement Agreements

Question: I have built a large shed in my yard and the shed is right on the property line of my neighbour's lot. The side of the shed on the property line is used as his fence. He fully agreed to this before we shared the cost and time to build the fence. My question is: Do I have to register some type of easement or right-of-way document on our titles? We both are in agreement to do this and have talked about selling in the future and what kind of trouble this may cause if there is no registration of any such document. Can you please advise? I am able to do the documents on my own and register them I just want another opinion. Thank you so much for your time.

Reply: Thank you for your inquiry to the Alberta Land Surveyors' Association.

As you have described it, you would be looking for an

encroachment agreement. An encroachment agreement is a document that lets both parties acknowledge that there is an encroachment but that both parties will allow it to remain in place.

I would recommend that you seek the advice of someone familiar with preparing encroachment agreements so that if either party sells their lot, then the other party remains protected. Your Alberta Land Surveyor or lawyer should be able to provide advice on this matter.

Definitions

Question: Does the Alberta Land Surveyors' Association have a list of definitions? My neighbour has put up a retaining wall along our common property line. I think it is actually a fence and not a retaining wall. How will the land surveyor show it on a real property report?



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Reply: The Alberta Land Surveyors' Association does not have a list of definitions in its Manual of Standard Practice for these types of terms. The definitions section of the Manual of Standard Practice covers survey-specific terms.

Alberta Land Surveyors will normally define improvements such as decks, sheds, porches, as

the local municipality does in their land use bylaw.

If there is a concern or a question about any improvement on your lot of any of the adjacent lots, discuss it with the Alberta Land Surveyor you when you retain them to do the work for you.

In the News around the World

[David Thompson Bicentennials](#)

[Surveyors & Law: A Prescriptive Easement - A Family Affair](#), May 20 - USA

[Boundary dispute case](#), May 18 – Lincolnshire

[Easement dispute points to value of survey](#), May 5 - Toronto



Article Archive

Past issues of Boundaries (available online at www.alsa.ab.ca) have included articles on:

- My Fence is on my Property Line, Isn't It?
- How Far back is My Property Line?
- What is an Easement or Right-of-Way
- How can I get a Real Property Report updated?

Free Brochures

“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” are free brochures available from the ALSA.

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