

BOUNDARIES

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TO:



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.

Injunction Against Non-Land Surveyor Granted

Justice Dennis Thomas of the Alberta Court of Queen's Bench granted the Alberta Land Surveyors' Association a permanent injunction prohibiting Peter Lynne and Greentree Technologies Ltd. from engaging in the practice of land surveying or from representing expressly or by implication that they are entitled to engage in the practice of land surveying. The injunction was granted June 28, 2007.

Peter Lynne and Greentree Technologies Ltd. were also permanently prohibited from producing any form of plan or document that certifies the location of improvements such as houses, fences, and decks on a property relative to the legal boundaries of a property.

The Alberta Land Surveyors' Association commenced proceedings against Mr. Lynne and his company Greentree Technologies Ltd. because of ongoing complaints from landowners who were led to believe that Mr. Lynne and his company could provide land surveying services.

Mr. Lynne and his company tried to offer a product called a "title plan" as an alternative to the Real Property Report prepared by Alberta Land Surveyors when landowners buy and sell their property. Although their "title plan" might look like a Real Property Report to an unsuspecting consumer, the Alberta

Land Surveyors' Association argued that it was not a Real Property Report done to the same standards required by the Association's Manual of Standard Practice.

In his decision, Justice Thomas emphasized the importance of protecting the public when it comes to land and boundary matters.

Mr. Lynne and Greentree Technologies Ltd. did not appear in court to argue against the injunction. He was not represented by legal counsel.

Landowners are strongly encouraged to ensure that they ensure anyone representing himself or herself as an Alberta Land Surveyor is indeed a land surveyor, licensed with the Alberta Land Surveyors' Association. Landowners can call 1-800-665-2572 or go online to www.alsa.ab.ca/find.asp.

Becoming a Land Surveyor



Only Alberta Land Surveyors are authorized to define boundaries or improvements (such as houses, fences, decks, sheds) relative to boundaries.

Alberta Land Surveyors must be licensed by the Alberta Land Surveyors' Association, a professional regulatory organization.

In order to obtain their professional commission, a person must have a university degree in geomatics engineering or the equivalent. The person must then complete two years of articles under an Alberta Land Surveyor in order to gain a broad range of field and office experience. During the articling period, the person must complete three project reports and pass four professional exams: the Surveying Profession, Statute Law, Practical Surveying and the final qualifying examination.

Such a rigorous process is required because Albertans rely on properly-defined boundaries when building a fence in an urban subdivision or a wellsite in a remote part of the province.

How Did I Gain/Lose Land?

Question: I am the neighbour of the people who had survey work done since they are or have sold their house. The problem is that my neighbour has discovered that he has gained 6-8 inches of property that he didn't know he had. This is not correct since the surveyor's coloured flag in the boulevard was even with the house line instead of the fence line.

Reply: No one has gained or lost any land. There is only a question of where the property line begins and where it ends. Property lines are defined by posts (sometimes called pins or markers) that an Alberta Land Surveyor has put in the ground. A surveyor will register a plan at Alberta Land Titles (which is publicly available to anyone) showing where the posts were placed.



Sometimes, landowners will think that their property is 30 feet wide because that is what it states on their title or on their property tax assessment. But the Alberta Land Surveyor will show the property as being a little more or a little less than 30 feet. The reason for the difference is that the actual width of the property is determined by the posts in the ground.

At other times, landowners might think that a fence is the property line between two neighbours but are surprised when the Alberta Land Surveyor says that it is not. Fences may or may not be on the property line but building a fence does not change the property line. Neighbours should always retain the services of an Alberta Land Surveyor when thinking about building a fence.

David Thompson Bicentennials

The David Thompson Brigade

Four Provinces - Three Drainages - Two Centuries of History - All for One Big Event

The David Thompson Brigade Society has as one prime project, the commemoration of David Thompson as one of the great Canadian explorers, and re-creation of David Thompson's journeys east to Fort William (now Thunder Bay) from Rocky Mountain House in 2008.

For more information, visit www.2008thompsonbrigade.com



Grey Coat School Honours David Thompson

On June 26, 2007, a Westminster green plaque was unveiled at the St Andrews building of The Grey Coat Hospital, in honour of David Thompson who attended school at Grey Coat in the 1700s.

The event was attended by the Lord Mayor, Councillor Carolyn Keen and the Deputy High Commissioner for Canada Mr. Guy Saint Jacques, among governors, staff and contacts of the school. It was a wonderful occasion that highlighted the significance of Thompson in his exploration and mapping of Canada.

<http://www.gch.org.uk/history-davidthompson.aspx>

Land Surveyor to run in next provincial election

Ken Allred, a past president of the Alberta Land Surveyors' Association, won the provincial Progressive Conservative nomination in St. Albert.

In the News around the World

[Britain who charted Canada honoured at home](#)

[Surveyors & Law: Boundaries--A Dispute Between Dueling Neighbors](#)

[230 people are proud landowners in San Pedro](#)

[Property-line disputes best settled through talking](#)



Article Archive

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

- Building a Fence and Survey Pins
- How Far back is My Property Line?
- What is an Easement or Right-of-Way
- How can I get a Real Property Report updated?

Check out our revamped website at www.alsa.ab.ca for information about the ALSA, real property reports and easements. Just click on the “general information” tab.

“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.

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 1-800-665-ALSA.

Boundaries is also online at www.alsa.ab.ca/GeneralInfo/Boundaries.htm

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