

**Alberta Land Surveyors' Association
Professional Examinations
Spring 2008**

Time Limit: 3 hours

**Statute Law
(Closed Book Exam)**

This examination contains 29 questions on 3 pages.

CONDOMINIUM PROPERTY ACT

- 2 1. Does a Condominium Plan require approval from the Subdivision Approving Authority? Why or why not. Explain.
- 4 2. Define the following:
 - (a) Redivision
 - (b) Bare Land Unit
 - (c) Common property
 - (d) Parcel
- 3 3. List the information to be included within the Schedule of a Condominium Plan.
- 2 4. Describe how the designation of units are derived within a Condominium Plan.
- 2 5. In a building, what are the differences between a condominium unit and strata space?
- 3 6. Describe how and by whom, and in what manner, the common property shown on a registered condominium plan is held?
- 4 7. How does a Bare Land Condominium differ from a Condominium that is a building? How does it differ from a traditional subdivision?

MUNICIPAL GOVERNMENT ACT

- 4 8. Following the approval of a subdivision application, the decision of the subdivision authority may be appealed. Who has the right of appeal and for what time limit?
- 2 9. What are the time limits allowed to register a subdivision instrument following application approval?
- 4 10. Mr. Andrew Fume own Lots 3 and 4, Block 1, as shown on subdivision plan 1092 JK. His Certificate of Title reads Lots 3 and 4, Block 1, Plan 1092JK. He wants to obtain two Certificates of Title (one for each lot) so he can sell Lot 4. Does he need approval from the subdivision authority? Explain.

- 4 11. Give a brief definition of
 - (a) Reserve land
 - (b) Instrument
 - (c) Public Utility
 - (d) Statutory Plan
- 3 12. Name three survey plans that can be used to create public roads.
- 4 13. When would reserves not be required to land that is the subject of a proposed subdivision?

LAND TITLES ACT

- 2 14. What is the difference between a utility right of way document and an easement document?
- 6 15. What signatures are required with the following plans that are to be registered at Land Titles?
 - (a) Subdivision Plan
 - (b) Condominium Plan
 - (c) Road Plan
- 3 16. Name three solutions used to deal with a building encroaching onto adjacent private property.
- 2 17. What conditions must exist on a new plan of subdivision that would require the consent of the parties holding a registered interest in the subject lands?
- 6 18. Listed below are a number of encumbrances, liens, and interests that one would see on a registered title. Describe how you, as a land surveyor, would deal with each of the issues.
 - (a) Builders Lien when registering a Condominium plan without road dedication.
 - (b) Restrictive Covenant on a Real Property Report.
 - (c) Utility Right of Way that crosses through a proposed subdivision plan you are registering.

SURVEYS ACT

- 4 19. Describe the process for dealing with survey errors under the Surveys Act.
- 3 20. Define
- (a) Aliquot part
 - (b) Registrar
 - (c) Official Plan
- 3 21. A surveyor needs to determine a natural water boundary.
- (a) What defines a natural water boundary?
 - (b) What methods can be used to determine such boundaries?
- 6 22. Show by means of a sketch, the monuments you would expect to locate, and the monuments you would establish, when demarcating the West $\frac{1}{2}$ of LSD 14, Section 31 of a standard township. (An estimate of proposed distances is necessary for the purpose of this question.)
- 2 23. When a surveyor re-establishes a lost corner or establishes a new monument during the course of a survey, what must be done?
- 2 24. What is required on a plan of survey submitted for registration to correctly represent the boundaries of a strata space?

LAND SURVEYORS ACT

- 4 25. Council can make “regulations” and “by-laws”. Explain the difference and provide two (2) examples of each.
- 6 26. Briefly explain the similarities and/or differences between the Practice Review Board (PRB) and the Discipline Committee (DC) with respect to:
- (a) the way in which a review or investigation is initiated;
 - (b) the powers of the PRB and the DC under a finding of unskilled practice or unprofessional conduct.
- 2 27. Under what circumstances shall a surveyor’s corporation or a surveyor’s partnership permit stamp be affixed to a plan or document?
- 6 28. What is the composition of Council, the length of term for each member, and how are the members chosen? What are the main responsibilities of Council?
- 2 29. Name four membership categories and give a brief description of the membership requirements.

Total Marks = 100