

**Alberta Land Surveyors Association
Professional Examinations**

Statute Law

CLOSED BOOK 3 HOURS

Note: This exam consists of 25 questions contained on four (4) pages.

Mark

LAND TITLES ACT

- 6 1. Listed below are a number of encumbrances, liens and interests that one would see registered on a title. Describe how you as a Land Surveyor would deal with each of the issues below.
- (a) Builders Lien when registering a subdivision plan with road dedication.
 - (b) Restrictive Covenant on a Real Property Report.
 - (c) Mortgage against a quarter section - you are registering a subdivision plan and your client does not want the mortgage on the newly created subdivision.
 - (d) Utility Right of Way that crosses through a proposed subdivision plan you are registering.
 - (e) A Party Wall agreement on a Real Property Report.
 - (f) Caveat supporting an easement for some type of right-of-way - you are registering a descriptive plan.
- 4 2. In an application to vary a plan, upon receipt of an application or upon hearing of the person(s) by the court, the court can consider doing two things.
- (a) List the two considerations, and state the conditions attached thereto.
 - (b) List four persons who can make an application for plan correction.
- 5 3. Land defined in any certificate of title granted under the Land Titles Act is subject to certain implied conditions. List five (5) of these implied conditions.
- 1 4. What line is the boundary dividing the two land registration districts in Alberta?

- 6 5. Define the following terms as they pertain to the Land Titles Act:
- (a) certificate of title
 - (b) encumbrance
 - (c) grant
 - (d) transfer
 - (e) memorandum
 - (f) registration

MUNICIPAL GOVERNMENT ACT

- 2 6. What is the purpose of the Planning & Development Section (Part 17) of the Municipal Government Act?
- 2 7. Name four (4) common types of municipalities found in Alberta.
- 5 8. Define the following:
- (a) development permit
 - (b) plan of subdivision
 - (c) redevelopment area
 - (d) non-conforming use
 - (e) statutory plan

SURVEYS ACT

- 3 9. (a) What is the standard of measure in use for land surveying in Alberta?
(b) What does an Alberta Land Surveyor have to do in order that the standard of measure is complied with?
(c) List the appropriate means by which a land surveyor can verify the GPS instruments in use today.
- 2 10. Give two significant dates that must be considered when re-establishing lost corners under Part 3 of the Surveys Act. Describe the significance of each.
- 5 11. Section 9 of the Surveys Act provides for a Survey Error Investigation.
- (a) Four bodies or individuals may make written notification to start the Section 9 process. List two of these.
 - (b) Who performs the initial investigation prior to appointment of the Board?
 - (c) Who decides whether a Board should be appointed to investigate an alleged error?

(d) Who sits on the Board?

- 3 12. Under the Act what powers are granted to a surveyor in regards to
- (a) Right of Entry
 - (b) Evidence Under Oath
 - (c) Compelling Attendance of a Witness
- 5 13. 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?

OIL & GAS CONSERVATION ACT & REGULATIONS

- 5 14. Under Part 2 of the Oil & Gas Conservation Regulations, a well license application shall include a plan of survey containing a number of requirements. List 5 of these requirements.

LAND SURVEYORS ACT

- 6 15. The Code of Ethics contains eight (8) specific elements. Briefly explain six (6) of these elements.
- 7 16. (a) Name four (4) Statutory ALSA committees and their function within the ALSA.
- (b) Which statutory bodies must include a public member?
 - (c) What are the names of the public members?
- 3 17. Describe the main functions of the following bodies.
- (a) The ALSA council.
 - (b) The Practice Review Board.
 - (c) The Registrar.
- 5 18. The Act contains eight (8) definitions to define the “practice of land surveying. List five (5) of these definitions.
- 4 19. Define the following:
- (a) Minister
 - (b) Court
 - (c) Surveyor’s Partnership
 - (d) Practitioner
- 6 20. The Act grants Council the right to make bylaws.
- (a) List five (5) issues on which Council may make bylaws.
 - (b) How do these bylaws come into force?

CONDOMINIUM PROPERTY ACT

- 3 21. A plan presented for registration as a condominium plan A must be accompanied by a certificate from a land surveyor.
Describe the three (3) things the surveyor certifies.
- 2 22. Does a Condominium Plan require approval from the Subdivision Approving Authority? Explain.
- 3 23. What must the Registrar of Land Titles do before registering a condominium plan of redivision?
- 2 24. When registering an amendment to a condominium plan, Part 5 of the Condominium Regulations states requirements to change a unit.
Who can certify that the amendments have taken place?
- 5 25. “Every plan presented for registration as a condominium plan shall...”.
List ten (10) of the fourteen (14) requirements that are required for the registration of a condominium plan.

100 Marks