

**Alberta Land Surveyors Association
Professional Examinations**

Statute Law Fall 2005

CLOSED BOOK 3 HOURS

Note: This exam consists of 30 questions contained on four (4) pages.
Marks total 100

OIL & GAS CONSERVATION ACT & REGULATIONS

- 4 1. 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 four (4) of these five (5) requirements.

CONDOMINIUM PROPERTY ACT

- 2 2. In the context of the Condominium Property Act, define:
a) Parcel
b) Common Property
- 4 3. Lot 7 Block 2 Plan 041 1234 is subdivided into common property and four (4) bare land condominium units each with a unit factor of 2500. The bare land condominium plan is registered as Plan 051 1234.
a) How is the legal description on the title to Unit 1 written?
b) Your client asks that you further divide Unit 1 Plan 051 1234 into three (3) bare land condominium units.
i) What do you use as your plan heading?
ii) What is the total combined unit factor for the three new units?
c) Upon further review your client requests that you divide Unit 1 into three units and common property; is this possible?
- 2 4. What defines the boundaries of the following condominium units:
a) Units within a high rise building?
b) Bare land condominium units?
- 1 5. In a building condominium, who owns doors and windows that are located on exterior walls of the unit?
- 3 6. List at least three ways in which unit factors affect the rights and/or obligations of unit owners.

- 3 7. There are three types of easements implied against and in favour of unit owners in a building condominium plan.
 - a) List at least two of these.
 - b) What is meant by the word "implied".
- 4 8. "Every plan presented for registration as a condominium plan shall...".
List any four (4) of these fourteen (14) requirements of a condominium plan.

SURVEYS ACT

- 4 9. The Surveys Act is divided into four (4) parts. Identify the heading for each part and briefly explain how each part is applied.
- 8 10. In the context of the Surveys Act; Define
 - a) bed and shore of a body of water
 - b) geographical positioning system
 - c) survey control marker
 - d) legal subdivision
- 2 11. 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.
- 2 12. What must be done within 1 year of a plan being registered under section 47?
- 3 13. Name three (3) duties of the Director of Surveys under the Act.
- 2 14. What rights and duties does an Alberta Land Surveyor have with respect to entering private property?
- 1 15. Your client owns Section 4 and wants you to establish the location of the north $\frac{1}{4}$, on the blind line. It has never been posted.
Draw a sketch, including required evidence and measurements, to show how you would determine the location of the north $\frac{1}{4}$.

MUNICIPAL GOVERNMENT ACT

- 4 16. When making a decision on a subdivision application a Subdivision Authority may require that part of the lands be designated as environmental reserve.
 - a) List three distinct types of land which are candidates as environmental reserve.
 - b) What is the maximum amount of land that can be required as environmental reserve?

- 2 17. List all of the types of reserves (other than environmental reserve), that a Subdivision Authority might require from an owner of a parcel of land being subdivided?
- 1 18. Briefly explain how a deferred reserve caveat relates to provision of reserves (or payment of money in lieu).
- 2 19. When closed, title to roads is vested in what body or bodies:
 - a) in a city?
 - b) in a municipality?
- 4 20. List four (4) components of a complete application for subdivision.
- 3 21. In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application...
List any three (3) of these nine (9) considerations.

LAND TITLES ACT

- 10 22. What signatures are required with the following plans which are to be registered at the Land Titles Office.
 - a) Subdivision Plan
 - b) Descriptive Plan with registered irrigation plan as one boundary
 - c) Right of Way Plan
 - d) Monument Plan
 - e) A Road Plan
- 2 23. What type of documentation is required before the registrar can correct a plan of survey?
- 4 24. When a plan of subdivision is registered under section 84, title is vested, free of all encumbrances, to all land that is shown on the plan identified as...
 - a) List three (3) of the five (5) lot types.
 - b) who is the owner listed on the title to each of the three (3) lots identified in part a?

LAND SURVEYORS ACT

- 3 **25.** Based on the definition of the “practice of land surveying” and the “practice of surveying” presented in the Act, who is authorized to undertake and certify the following plans:
- a) A GPS topographic survey plan prepared to determine elevations
 - b) A lease area plan
 - c) A plan showing the location of a river bank
- 7 **26.** There are four (4) statutory bodies of the ALSA.
- a) List the four (4) bodies.
 - b) Identify which two (2) that must include a member of the public.
 - c) Are these public members elected or appointed? If appointed, who appoints them?
- 4 **27.** 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.
- 4 **28.** If the Discipline Committee finds that the conduct of an investigated person constitutes unskilled practice of surveying or unprofessional conduct, or both, the Discipline Committee may make any one or more of the following orders: List four (4) of the eleven (11) possible orders.
- 3 **29.** Can you appeal an order made by the Discipline Committee? If so, who hears the appeal?
- a) Is there a time limit to file an appeal? If so, what is it?
 - b) Who do you file the appeal papers with?
- 2 **30.** Section 8 identifies two (2) specific powers of the Association. List them.