

**Alberta Land Surveyors' Association
Professional Examinations
Fall 2006**

**Statute Law
(Closed Book Exam)**

Time Limit: 3 hours

Note: This exam consists of 31 questions on 4 pages.

Marks

OIL AND GAS CONSERVATION ACT AND REGULATIONS

- 4 1. A well license application shall include a plan of survey containing a number of requirements as per the Oil and Gas Conservation Regulations. List four (4) of these five (5) plan requirements.

CONDOMINIUM PROPERTY ACT

- 4 2. Is there a strict method for determining the unit factors of a condominium building and does the methodology need to be registered at Land Titles? What is the total number of the unit factors in a unit factor table equal to?
- 2 3. Does a Condominium Plan require approval from the Subdivision Approving Authority? Explain.
- 2 4. What must the Registrar of Land Titles do before registering a condominium plan of redivision?
- 4 5. If a condominium developer decides to develop a phased condominium, a disclosure must be registered as part of the condominium plan. List eight (8) of the requirements that must be included.
- 4 6. “Every plan presented for registration as a condominium plan shall...”. List any four (4) of these fourteen (14) requirements of a condominium plan.

MUNICIPAL GOVERNMENT ACT

- 3 7. Describe the process for closing a road in a municipality.
- 2 8. What four (4) requirements must be met before a subdivision authority can approve an application for subdivision?
- 2 9. John Smith own Lots 3 and 4, Block 1, as shown on subdivision plan 982 0159. His Certificate of Title reads Lots 3 and 4, Block 1, Plan 982 0159. He wants to obtain two Certificates of Title (one for each lot) so he can sell Lot 3. Does he need approval from the subdivision authority? Explain.
- 4 10. Give a brief definition of
- a) land use by-law
 - b) development authority
 - c) non-conforming use
 - d) statutory plan
- 3 11. 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.
- 2 12. Other than the applicant, who may appeal a subdivision application? List at least two.
- 4 13. When making a decision on a subdivision application a Subdivision Authority may require that part of the lands be designated as environmental reserve. List three distinct types of land which may be candidates as environmental reserve. What is the maximum amount of land that may be required as environmental reserve?

LAND TITLES ACT

- 4 14. What signatures are required with the following plans that are to be registered at Land Titles
- a) Subdivision Plan
 - b) Strata Plan
 - c) Right of Way Plan
 - d) Monument Plan
- 4 15. Define
- a) Encumbrance
 - b) Restrictive Covenant
 - c) Lis Pendens
 - d) Dominant Tenement
- 2 16. What land can not be included in one certificate of title?
- 2 17. When submitting an application and survey plan for a change in position of a natural boundary, what consents are required?
- 2 18. Who may prepare a Descriptive Plan?
- 6 19. 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 subdivision plan with 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 20. Describe the process for dealing with survey errors under the Surveys Act.
- 3 21. 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
- 2 22. What two (2) significant dates must be considered when re-establishing lost corners in a subdivision?
- 3 23. Define
- a) Legal Subdivision
 - b) Official Plan
 - c) Bed and Shore
- 1 24. Which correction line, if any, separates Townships 39 and 40?
- 3 25. Name three (3) duties of the Director of Surveys under the Act.
- 4 26. 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?

LAND SURVEYORS ACT

- 4 27. Practice of land surveying means.... Define and give 4 examples.
- 4 28. Council can make “regulations” and by-laws”. Explain the difference and provide 2 examples of each.
- 4 29. What are the statutory bodies appointed by Council? Give a brief description of each of their mandates.
- 4 30. 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 31. The Code of Ethics contains nine (9) specific elements. List and briefly explain four (4) of these elements.

100 Marks