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D.R. (Russell) Barnes (Practice Review Board)

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**ON THE COVER**

Bronze statue of David Thompson and Charlotte Small Thompson—see page 15.

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Brian E. Munday: munday@alsa.ab.ca

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Deadline dates for submission of material to ensure printing are as follows: February 15th, June 1st, September 1st, and December 1st. Opinions expressed by the editor or individual writers are not necessarily endorsed by the Council of the Alberta Land Surveyors’ Association. Original articles may be reprinted with due credit given to the source and with permission of individual writers or where no writer is indicated, with the permission of the Editor. ALS News is published by the Alberta Land Surveyors’ Association for circulation to the Association Membership. Address all correspondence to:

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CANADA POST PUBLICATION #400551474
It’s September. So in this part of the world, that often means that summer is over and we will soon witness the shorter days and change in weather. Hopefully, everyone had a good summer and had a chance for a bit of a break from your day-to-day job. It’s back to work now for Council and committee volunteers conducting Association business.

Many thanks again to all the volunteers, sponsors and participants that made the 39th annual golf tournament the success that it was. The big winner of the day was the J.H. Holloway Scholarship Fund with approximately $2,100 being raised.

I had the privilege of attending the Association of Manitoba Land Surveyors 123rd Annual General Meeting in Gimli during the first week of September. Manitoba is the oldest of the provincial survey associations in Canada and has to be commended for the level of individual participation that they have from their members. This past year saw over 70% of members involved in Council and committee activities. The relatively small size of their Association not only contributes to this, but also places them in the most urgent position of dealing with an aging and declining membership, a concern that is shared with most of the survey associations across Canada.

There is a high level of frustration within the membership with the low number of people entering the profession and the assembly charged their new Council with an action plan to investigate alternatives to the currently available pathways into the articling process.

The origins of the acts that govern us date back to 1910 and, while numerous revisions have taken place to ensure currency, our predecessors had the foresight to write the legislation in a way that it is still relevant today in guiding us as professionals in the service of our clients and in our duties to protect the public interest.

struggling to fill some square holes with round pegs. Their form had been designed to generically cover a whole range of contractor services but was really leaning towards the manufacturing industry. The challenge came in trying to find the appropriate answers to their quality assurance and quality control questions. Terms such as ISO 9004, NQA1 and ASME are typically not familiar to us in the land survey profession. However, as members of the Alberta Land Surveyors’ Association we are fortunate to be conducting our business under the umbrella of several documents and systems that should be more than adequate to ensure quality control and quality assurance.

The origins of the acts that govern us date back to 1910 and, while numerous revisions have taken place to ensure currency, our predecessors had the foresight to write the legislation in a way that it is still relevant today in guiding us as professionals in the service of our clients and in our duties to protect the public interest. In addition to the legislation, we have, over the years, added the Code of Ethics and good practice resolutions that have evolved into our Manual of Standard Practice, and a continuing education program that strives to keep us current in business and technical matters. I would also submit that our Systematic Practice Review Program may be the most valuable quality assurance program that we have today, in that it reviews and educates but also provides the tools that we can build into our individual quality control procedures. The Phase III Framework Document of Systematic Practice Review has been approved by Council and will soon be getting underway. In an effort to strengthen the educational component of the program, Council has also requested the Practice Review Board to communicate areas of recurring deficiency to the Professional Development Committee so that appropriate seminars may be planned and presented to the membership.

So while we may not employ ISO, NQA or ASME standards, we do have the LSA, SA, MSP, PDC and SPR. These are our QA/QC programs. Are they working for you?

Regional Meeting Dates
2003—2004

Edmonton
October 2, 2003
February 3, 2004
March 25, 2004

Calgary
October 7, 2003
January 27, 2004
March 30, 2004
In the summer of 1997, I received a phone call from a long-time friend from Grand Centre—ALSA Councillor Ken Drake. Ken explained that the Council of the Alberta Land Surveyors’ Association was looking for a public member and asked if I would let my name stand. I indicated that I would and was subsequently appointed in November of 1997. I would like to thank Ken for what turned out to be an interesting and enjoyable six-year association with some very dedicated and professional people.

I have had the privilege to serve with seven different presidents. When I was appointed, Stan Longson was president. Alex Hittel, Don Jaques, Larry Pals, Ken Allred, Dave McWilliam and Jim Halliday followed. These men all brought different and distinct leadership styles to the presidency, but they were all similar in their dedication to protect the integrity and promote the professionalism of the Alberta Land Surveyors’ Association.

The first few meetings were something like being in a foreign country. They were talking a different language. By the time you figured out the acronyms, you had lost the gist of the discussion. Try figuring these out as a layman: CAD, LTO, CCLS, ASSMT, GELC, WCBE, RPR, SPR, SDW, S.E. 1-14-26-4. These are just examples. The real world of the land surveyor contains many more.

During my six years as public member, the Council has been served by very personable and professional staff. I would like to thank Brian Munday, Sharon Stecyk and Dawn Phelan for their assistance and support over the years. Their loyalty and dedication to the Association is exhibited by the fact that they were there when I was appointed in 1997 and have survived six presidents. I wish them success in surviving many more. A solid staff makes a solid organization and the ALSA is fortunate to have the staff they do.

The highlight of each year with the ALSA is the Annual General Meeting. I believe the Association probably leads all professional organizations in Alberta in:
1. the percentage of total membership who register for the AGM, and
2. the percentage of those registered who attend the sessions.

I have attended many conventions over the years, but never one where the bell rings, the hallways empty, and the majority of members attend the sessions. The highlight of each year with the ALSA is the Annual General Meeting. I believe the Association probably leads all professional organizations in Alberta in:
1. the percentage of total membership who register for the AGM, and
2. the percentage of those registered who attend the sessions. The ALSA members certainly deserve to be congratulated on their level of professionalism.

Let me close by saying that, in my opinion, the Alberta public is being extremely well served by the members of the Alberta Land Surveyors’ Association.
Should we, as the Association, do something more to education our prospective members about what makes land surveying special?

Again, I ask, where does a land surveyor learn ethics?

There is no doubt, in my mind anyway, that a large part of one’s ethics and morals comes from mom and dad and the family. No matter how much some people may want to play down the role of the family, I believe it is the foundation, for better or worse, of who we are.

In the land surveying profession, an articled student’s principal will go a long way in showing the articled student how he deals with moral and legal questions. They are the role models that forms and affidavits are completed accurately and on time.

However, I cannot help but think that something more could be done to help a prospective Alberta Land Surveyor deal with the ethical questions that will surely arise.

It’s been a number of years now since I earned my MBA. During the first year of my MBA studies, we took a significant portion of our class time to discuss corporate ethics. At the start of this module, we discussed ethics in general. It appeared that all of us, for the most part, had a similar outlook on this really tough-to-define subject. “I know it’s unethical when I see it” was a common refrain. And then the professors put the first chapter of a case study before us. Each of us took on specific roles in this case study. Then came another chapter with a little bit more information. And another one. It soon became apparent that each of us, with a good understanding of business, a good moral grounding and a knowledge that this was an ethics class, would soon end up going to jail if this was a real case and not a case study in a university setting.

Should we be doing more to talk about morals, ethics and values? I don’t pretend to know all the answers. After all, I would have been thrown in jail too in this fictional case study at university. But let me offer two modest suggestions.

First, how about an ethics course or seminar developed by the Professional Development Committee for the members and prospective members of the Association? I understand that there is an ethics component taught within the Department of Geomatics Engineering at the University of Calgary and I suspect there is something similar at the Department of Geodesy and Geomatics Engineering at the University of New Brunswick. We have seen tremendous progress in the relations between the western survey associations and the University of Calgary. There are two new professors at the University of Calgary with cadastral surveying experience; the program seems much stronger now than in recent memory. The time may be right to work with them to develop a powerful ethics module that would benefit not only the students but also the practitioner.
who has been in business for a while. With all of the headlines about scandals and ethics, the time may be right and the desire may be there.  

My second modest suggestion is that the Association itself should spend more time talking with articled students about ethics. All articled student must take the surveying professional exam and most do quite well at it. There is, however, a difference in being able to name the different parts of the Code of Ethics Regulation and knowing how to apply it. Is there any benefit in preparing case studies like the one I took during my MBA studies many years ago?

What makes a land surveyor a professional and not a tradesman? The most common (and I think correct) answer is the sense of greater public duty in the face of tough ambivalent choices. Should we, as the Association, do something more to education our prospective members about what makes land surveying special?

Let me stop for a moment and emphasize that I am not saying that there is a moral crisis within the survey profession. Far from it. After all, remember that the whole idea for this article started with two lawyers. I am frequently impressed with the professionalism of our members and our members’ voluntary willingness to delve into things which are, strictly, above the call of duty. My questions is, really, what should we do to ensure that future members have the same strong set of ethics?

At the Annual General Meeting in Calgary, there was some debate on discussing the future of the Association. I would like to offer my two modest suggestions.
Lost...and Found

**July 6:** I am in need of a brief/basic map or drawing to lead me to my father’s homestead site in the Rocky Mountain House area. The legal land coordinates I have are: SE18-39-6-W5. Can anybody there help me? I am driving to Alberta on July 14th and would like to see where my parents homesteaded for nostalgic reasons.

**July 7:** I can’t thank you enough for your timely and detailed directions to assist me in finding my parents’ old homestead. You don’t know just how excited I am at the prospect of standing on the property and imagining their somewhat primitive existence in the years [1915 to 1929] that they tried to make a living there. My father told me that the property was partially muskeg and, in 1921, when he got clear title, had only cleared 55 acres and built the required log house barn and other out buildings.

Once again, thank you very much. I’ll email you upon my return and let you know how I made out.

**July 26:** As promised, I’m letting you know that I found my dad’s old homestead site near Rocky Mountain House. Although your directions were excellent, there were several possible roads that could have bordered the southern boundary of the property. After a quick look, I went into Rocky and into a Coldwell Banker realtor office. The people there were terrific and brought out a large scale map showing each individual piece of property in the county and who was the registered owner.

They personally knew the lady who presently owns the quarter section and gave me her phone number. After checking into a motel, I called her and she suggested meeting at the property to give us a tour.

Although there was no visible remains of cabin, barn and other out-buildings after some 80 years, she pointed out several locations on high ground with a sense of clearing about them - where trees were somewhat smaller and made sense from the perspective of coming onto the property from the then only existing route from Rocky, which is now designated Hwy 11.
Section 47 Plan Endorsement

Mr. Tim Grusie:
Further to our conversation last week, I am writing to you on behalf of the Council of the Alberta Land Surveyors’ Association to request that the Land Titles Office, upon endorsement of the certificate for Section 47 Plans, include said certificate with all plans ordered thereafter. By endorsement, we are referring to the exceptions list.

This concern arose out of discussions at a recent Practice Review Board meeting and forwarded to Council. As you are aware, similar concerns were raised at the Standards Committee.

In our discussion, it appears that there may be technical reasons why this cannot be done. If that is the case, I would appreciate any suggestions you may have so that our members can obtain complete and accurate information.

We look forward to continuing to work with Land Titles.

BRIAN E. MUNDAY
ALSA EXECUTIVE DIRECTOR

Surveyor in a Crate

I understand that the meeting with your committee this past Tuesday went very well and that everyone was pleased with the activity concepts and the overall direction the crate content is taking.

I don’t know if you are aware but we have a full page picture of Jarl Nome in our annual report this year. We were all quite taken with him when we met him and he is a perfect example of a young hip guy who happens to love math and science. We are always looking for ways to dispel the stereotypical image of a scientist or mathematician being a geek and Jarl does that.

Forgive me (you have to remember we are an office of predominantly women) but we now fondly refer to him as our “pin up guy.”

PAULINE HUGHES
DIRECTOR OF RESOURCE DEVELOPMENT
SCIENCE ALBERTA FOUNDATION

Thank You

Your gift of $1,250 for the ALSA Scholarship is a valued contribution. Your donation ensures SAIT’s scholarship program will continue to directly benefit students in the pursuit of higher learning in their chosen fields.

Your support makes a difference and helps fulfill SAIT’s mission to be an innovative organization equipping people to compete successfully in the changing world of work by providing relevant, skill-oriented education. It is through partnerships with donors such as you that SAIT was able to provide over 1,300 students with a scholarship in 2000, to help them realize their individual education goals. Our strong scholarship program helps SAIT attract top learners, and position them for prime employment opportunities. In 2001, 96% of our students found employment within months of their graduation. Please share our pride.

Again, on behalf of SAIT students, faculty, staff, and Board of Governors, please accept our sincere thanks.

SCOTT DECKSHEIMER
DIRECTOR, FUND DEVELOPMENT

We found some extremely old fence posts which could be original inasmuch as there was no one on the land from the time my dad left it until these people leased it from the county in 1972.

We also went out to Nordegg where my dad mined coal during the winter while improving the land during the summer.

Brian, thanks again for setting me off in the right direction. I have found Alberta people so willing to give a helping hand.

GEORGE AND LINDA TOURNEMILLE
Limitations Act—Adverse Possession and Lasting Improvements
Final Report No. 89

Alberta has an efficient land titles registration system. It also has an efficient survey and zoning system, but these two systems do not guarantee that disputes over land will never arise.

Why do disputes arise? Most people (not being surveyors) look at the land and the fences. Some people make improvements to land mistakenly thinking it to be theirs. Sometimes, the geography and the surveys and plans don’t fit too well with the land’s physical features, and some land has even been known to move. In these and other situations, we need a means to resolve the dispute, and to resolve the dispute in a way that recognizes that both parties often strongly believe they have a valid claim to the land—one based on registration and one based on long-standing use and occupation.

In resolving disputes, most cases will favour the registered owner. One way is through the land titles system, protecting the registered owner’s interest in the property from prior claims by the concept of indefeasibility of title. A second is a limitations system where the owner has ten years to make a claim to recover land if possession has been lost. A third is that the principles which trigger or interrupt the running of the limitation period tend to favour the registered owner.

Only where the registered owner’s actions put him or her outside these considerable protections does the common law concept of adverse possession (sometimes inaccurately called squatters’ rights) come into play. It has evolved over the years to deal with cases where the land titles and limitations system do not resolve the dispute, but even then the concept sets a very high threshold that favours the registered owner over the adverse possessor. The adverse possession must be open and notorious, have lasted for at least ten years (with no intermediate transfer or value). Even if the adverse possessor passes these high tests to the satisfaction of the court, they still have to comply with zoning and planning requirements, which may preclude any change in title.

From our thorough review of the cases, it is clear that Alberta courts look unfavourably on any deliberate encroachment on another person’s land—it is very difficult to characterize adverse possession as land theft. Our analysis clarified how the concept has worked in Alberta and indicates that it is a logical complement to both limitations and land titles. There is no sufficient reason or basis to exempt land owners from the obligation to assert claims on a timely basis—a rule which applies to every other type of claimant in Alberta.

However, the enactment of the Limitations Act which came into force in 1999 raises some issues about adverse possession. We have resolved those issues by minor amendments to the limitations legislation, so that the law operates as it did before, but now much more clearly and effectively.

This report also allows us to clarify the related area of lasting improvements to the land of another under a mistaken belief as to ownership (section 69, Law of Property Act).

Copies of the Institute’s reports may be obtained at no charge by contacting the Institute or by downloading from the Internet.

The Alberta Law Reform Institute will be speaking at the Edmonton regional meeting in October and the Calgary regional meeting on January 27th.
Changes to the Register

Jules Brassard, ALS is now at Challenger Geomatics Ltd. in Edmonton. His e-mail address is: jbrassard@chalgeo.com.

Rick Beaumont, ALS—new e-mail: rick.beaumont@nrcan-rncan.gc.ca.

The Cadastral Group Inc. address was reported incorrectly in the register. It should read: PO Box 2358, 901 - 3 Street NW.

Fred Cheng, ALS—correction to area code reported in last issue of ALS News. The correct contact numbers are: Tel: (780) 422-0043; Fax: (780) 427-1493.

Sandy Davies, ALS—new e-mail: sdavies@midwestsurveys.com.

Cam Foran, ALS—initials in the register should be W.C. instead of C.W.

Can-Am Geomatics Corp. Fort McMurray branch office has been closed. It has reopened as a branch office in Grande Prairie under the supervision and control of Roger Ross, ALS at Suite 106, 11039 - 78 Avenue T8W 2J7. Phone: (780) 814-5909 or (800) 478-6116; Fax: (780) 814-5928.

Rick Gauthier, ALS—e-mail address: rick.gauthier@cadastralgroup.ca.

Stephen Howard, ALS—new e-mail: stephen/howard@nrcan-rncan.gc.ca.

Derrick Lipinski, ALS—new e-mail address: derrick.lipinski@nrcan-rncan.gc.ca.

Barry Nceyk, ALS—new e-mail: bary.necyk@nrcan-rncan.gc.ca.

Purdy Smith, ALS—new e-mail address: purdy.smith@msciences.ca.

David Strachan, ALS—new e-mail: david.strachan@nrcan-rncan.gc.ca.

Peter Sullivan, ALS—new e-mail: peter.sullivan@nrcan-rncan.gc.ca.

Jason Thistle, ALS—cell #: (403) 880-5217.

Dennis Tomkinson’s listing in the register should have been under Sherwood Park, not Spruce Grove.

Kirk White, ALS is now employed with Boundary Technical Group Inc. His personal e-mail address is: kdwight@telusplanet.net.

Blank Pages?

Some of you may have received a copy of the Annual Register of Members for 2003-2004 that has some blank pages in it. If so, please contact the ALSA office and we will send you a new one.

Judgement Against Am-Tech

On June 24, 2003, the Alberta Land Surveyors’ Association received a judgement against Am-Tech Canada Precision Systems Inc. and Zrinko Amerl totalling $2,159.68. The claim was for non-payment of invoices for a booth at the 2002 ALSA AGM and advertising in the March, June and September 2002 issues of ALS News.

A writ of enforcement has been filed with the Clerk of the Court of Queen’s Bench and registered with the personal property registry.
About the Cover

Bronze Statue of David Thompson and Charlotte Small Thompson

David Thompson and Charlotte Small Thompson now stand, for everyone to see, near the Pot Hole Park in Invermere, B.C. The site is near the beginning of the Columbia River, the mapping of which is one of David Thompson’s greatest accomplishments (see page 18).

On Friday, July 18, 2003, we gathered at the Windermere Valley Museum in Invermere (where a copy of David Thompson’s journals reside), to enjoy the day and to participate in a short parade which would kick-off “Valley Days.” Ed Scovill, ALS (Ret.) had an old-time survey instrument set up in the park area, and was more than willing to talk about how to use it. The old equipment was contrasted to the new, with a total station that the Focus Corporation’s local office was demonstrating.

At 4:00 p.m., the group took a short walk to the site where the bronze statue stood covered, awaiting the ceremony to unveil it. The mayor of Invermere, the local MLA, and the local MP were there to participate in the ceremony, along with a few local citizens who represented the larger group that had worked so hard, for so long, to make today a realization. The dignitaries spoke to a crowd in excess of two hundred, who were eagerly awaiting the moment of unveiling.

At 4:30 p.m., the cover was lifted, and the crowd was treated to the sight of a “bigger than life” statue, which stands approximately ten feet tall, and is mounted atop a concrete base. The bronze sculpture depicts surveyor and explorer David Thompson, holding a gleaming brass sextant, and gazing into the sky, with his wife Charlotte Small Thompson by his side.

The concrete base that elevates the bronze, accommodates a number of plaques that give some details of the subjects, and also holds a plaque of donors’ names, one of which is proudly the Alberta Land Surveyors’ Association. Also, quite fittingly, are the names of the BC, Saskatchewan, and Washington survey associations. Representatives from each of the respective associations, were also in attendance.

Surveyors (that I recognized) attending some or all of the festivities, included Gordon Thomson, from Langley, BC; Gordon Webster from Saskatoon, Sask.; John Matthews from Osoyoos, BC; Ken Allred, from Edmonton; Ed Scovill from Calgary (and Invermere); Denny DeMeyer from Lynden, Washington and Wayne Stockton Regina, Sask. There may have been more also, but regretfully, I did not know them. It was certainly a fitting beginning to Valley Days and the celebrations that were about to begin and would fill the weekend.

A group of 150 people, also attended a sold-out unveiling dinner at the Radium Resort Hotel at 7:00 p.m., and were treated to a talk by Jack Nisbet, an expert on David Thompson’s life. After the dinner, Linda and I stopped again at the statue and, even though it was about 11:00 p.m., there were families, with children, admiring and talking about the bronze statue. There seemed to be tremendous community pride in what had been accomplished—rightly so. We took a few pictures, but it is always difficult to do justice to the magnificence of the real life thing. I encourage all surveyors to visit the site for yourself. David Thompson is a cornerstone of our profession.

Dave R. McWilliam, ALS
Past President
On August 15, 2003, 153 golfers participated in an almost perfect day of golf. The only complaint that was heard was how hot it was. The course was good, the food was good and the company even better. What more could you ask for?

Due to the generosity of the participants, the J.H. Holloway Scholarship Foundation is $2,100 richer through the sale of mulligans and draw tickets for Fairmont Jasper Park Lodge prize. Thank you to everyone who bought mulligans and draw tickets.

The Winning Team

Team #30

The draw prize of two nights accommodation and two rounds of golf for two persons at the Fairmont Jasper Park Lodge was won by Dennis Clayton.

Ron Hall was the winner of the early bird prize.

The draw prize of two nights accommodation and two rounds of golf for two persons at the Fairmont Jasper Park Lodge was won by Dennis Clayton.

Hole Prize Winners

Hole #1 -------------- Mike Armstrong
Closest to the Target: Men

Hole #2 -------------- Purdy Smith
Closest to Pin (second shot): Anyone

Hole #3 -------------- Peter Orzeck
Closest to the Pin: Anyone

Hole #4 -------------- Tim Lindberg
Closest to Pin (second shot): Anyone

Hole #5 -------------- Bev Cross
Longest Putt: Ladies

Hole #6 -------------- Chad Taylor
Closest to the Pin: Anyone

Hole #7 -------------- Len Leiman
Closest to the Pin: Anyone

Hole #8 -------------- Ray MacDonald
Closest to Water: Anyone

Hole #9 -------------- Cam Foran
Longest Drive: Men

Hole #10 -------------- Mary Campbell
Longest Putt: Ladies

Hole #11 -------------- Bev Cross
Longest Putt: Ladies

Thank You to the Tournament Sponsors

Sponsors contribute a great deal to the success of the tournament. The Association wishes to extend a special thank you to all the firms that support the golf tournament.

Alberta One Call
AMEC Land Surveys Limited
Bridgeport Printing
Butler Survey Supplies Ltd.
Caltech Surveys Ltd.
Can-Am Geomatics Ltd.
Corporate Express
Crape Geomatics Corporation
Creative Concepts
Crowne Plaza - Chateau Lacombe
D.W. Data Services
Ensign Information Services
Fairmont Jasper Park Lodge
First Order Measurement Solutions Inc.
The Focus Corporation Ltd.
Gemini Positioning Systems Ltd.

Hyatt Regency Calgary
I H S Energy
Land Measurement Systems Inc.
Leica Geosystems Ltd. and Spatial Technologies Inc.
LPP Services Ltd.
Midwest Surveys Inc.
Mountainview Systems Ltd.
Peerless Printers Ltd.
Pro Show Services Ltd.
Russel Metals
Stantec Geomatics Ltd.
Edmonton and Calgary Offices
Stewart, Weir & Co. Ltd.
TAL Private Management Ltd.
Tarin Resource Services Ltd.

Scott Westlund presenting Ray MacDonald with hole prize #8 (closest to the water)

Grant Beach presenting Chad Taylor with hole prize #6 (closest to the pin)
Hole #12  Shari Becker
Longest Putt: Ladies

Hole #13  Wade Heck
Closest to Target From Tee: Anyone

Hole #14  Colleen Smith
Ball In Sand: Draw

Hole-in-One Prizes and Special Trophies

Mountainview Systems Ltd.
3rd Hole—5600 Robotic Total Station valued at $50,000. The annual trophy for closest to the pin was won by Peter Orzeck.

Leica GeoSystems Ltd. and Spatial Technologies Inc.
6th Hole—Pair of SR530 RTK GPS Receivers valued at $55,000

Butler Survey Supplies Ltd.
7th Hole—Boat and Motor valued at $15,000

Land Measurement Systems Inc.
16th Hole—Topcon GTS-8000 Robotic Total Station valued at $55,000

Snapshots

Hole #15  Chris Chiasson
Closest to the Pin: Anyone

Hole #16  Norm Mattson
Closest to the Pin: Anyone

Hole #17  Randy Hudson
Longest Putt: Men

Hole #18  Bruce Winton
Longest Drive: Anyone

Norm Mattson receiving hole prize #16 from Randy Hudson (closest to the pin)

Kevin Petty congratulating Bruce Winton on winning hole prize #18 (longest drive)

Hole #12  Shari Becker
Longest Putt: Ladies

Hole #13  Wade Heck
Closest to Target From Tee: Anyone

Hole #14  Colleen Smith
Ball In Sand: Draw

Peter Orzeck (right) receiving Mountainview Systems trophy

Len Leiman and Fred Hingley
David Thompson—a legend in western Canadian survey circles. *Sources of the River* tells the story of David Thompson’s life and travels across what is now Western Canada and the U.S. Pacific Northwest, from the age of 14 when he was transplanted to Churchill Factory as a clerk to the Hudson’s Bay Company until his death in Montreal at 87 years.

Jack Nisbet was the guest speaker at the banquet commemorating the dedication of a monument to David Thompson and his wife Charlotte, in Invermere, B.C. on July 19, 2003 (see page 15). Jack Nisbet tells the story of David Thompson centred around his search to trace the route of the Columbia River from Invermere to the Pacific Ocean at Astoria in what is now the state of Oregon. Nisbet describes Thompson’s journeys in the early 1800s interspersed with some of his own travels along the same route some 200 years later. This style can occasionally be distracting, but at the same time, gives the reader a more accurate road map of the area as it is now developed with numerous hydroelectric dams and huge reservoirs where Thompson had found an uncharted river flowing through the territory of numerous native bands.

Nisbet uses frequent quotations from Thompson’s journals and his *Narrative*, to add authenticity to the many anecdotes from the early surveyors trials and tribulations in opening up this vast uncharted wilderness to the early fur trade of the North West Company.

The book is well illustrated with well-drawn sketch maps showing the routes travelled with strategic references to modern town names. It is an easy and interesting read of 280 pages, including a chronology and an index. One of the most interesting chapters is the penultimate chapter entitled *The Smell of Camus Root*, which describes Thompson’s later years, preparing his great map of Western Canada (which now hangs in the Provincial Archives of Ontario), working as astronomer on the International Boundary Commission, and as a land surveyor in the Muskoka district of Ontario.

*Sources of the River* is a fitting tribute to the life of a surveyor who made such a major contribution to the development of Western Canada and the northwestern United States. The book is available in paperback for about $22.50 Canadian.

KEN ALRED, ALS

...maps are constructs of social and political power...

about geophysical reality. Perhaps most important of all, maps are constructs of social and political power, making statements about the ownership and control of territory. The history of the development of cartography, both east and west, is indivisible from the history of invasion and conquest. At the same time, cartography is constantly engaged with technological development, from papyrus to the printing press, from the compass to the chronometer.

Written in an accessible style that allows the intelligible presentation of complex ideas, this book opens up the fascinating world of maps to everyone. Sidebars provide a historical guide and background to specific periods, cultures, and important individuals. The insights into the motives and imaginative processes of mapmakers demonstrate how many ways there are of viewing and describing the world.

Such a book can hardly fail to be beautiful to look at: the indigenous Australian “Dreamtime” maps, the extraordinary decorative atlases of the Renaissance, even the “false colour” satellite maps of the computer age, each have their own particular aesthetic. There are representative illustrations from all cultures and from all ages, including ancient clay tablet and rock maps, the gorgeous pictorial maps of the Far East, medi eval mappae mundi, and those monuments to scientific endeavour and hubris, the grand surveys of the colonial period. Examples of propaganda mapping in *The World Through Maps* are a further reminder that the language of cartography demands careful reading.

EXCERPT FROM THE INSIDE FRONT COVER OF THE WORLD THROUGH MAPS
I Want My Bullets Back

Do not, I repeat, do not go into Canada with your hunting truck. Ok stupid. I mean, yeah I know, it’s just that the time is so pressed. All right here is the scoop.

I had one hectic week before leaving for the Alberta conference, with a virus on my computer and just didn’t get packed. People calling wanting jobs started, completed or whatever and, since it was my worse winter yet, I just need to get all the jobs that I could. I was going to leave on Tuesday and found myself setting a benchmark for Les Schwab at 8:30 p.m. Another job I just couldn’t get to and lost it.

I left on Wednesday at 9:00 a.m, and found myself unloading my truck Wednesday morning—equipment, tripods, guns, bullets, books, radios and so on. Then I threw in all my other stuff for the conference: clothes, books, briefcase, toothbrush, Breakfast on the Bighorn print. Of course, I left a few things behind—one being my map. I called the office and asked for the best route, which was so graciously provided, and I was finally on my way. Oh no, no birth certificate, passport. Oh well, no big deal, I’ve been to Canada a 100 times—mostly for silhouette shooting at the Bull River firing range south of Cranbrook. They’ll let me in. Well, I stopped at the border before I went across and walked over to the US Customs. Three guards meet me walking straight at me, “Howdy,” I was all smiles and all and they look at me real funny. Like what the heck are you doing? “What do you want?”

“Well I just wanted to tell you I don’t have a passport and thought if I told you before I went across, you might remember me and save a little hassle.”

They were not pleased or pleasant and were not in the mood. Funny, I was really expecting an overweight guard behind a box of donuts, not three Les Schwab employees running to do business with you. So I went back to my truck and over to the Canada Customs. “Hi there. You know, I left my passport and all I got is my driver’s license and is this really a problem?”

“Hey man, you shouldn’t travel anywhere without a passport. I really shouldn’t let you in because you might not get back out. Oh, are you carrying any weapons, alcohol, stuff to sell?”

“No, just going to a surveyor’s conference in Calgary. Ya, I’m the President of MARLS and the Alberta Land Surveyors’ Association invited me to come up and be part of their celebration. Pretty cool huh.”

So anyway, I get through Customs and now start thinking about everything that just transpired in the last ten minutes. Gee, I hope this isn’t that serious. I mean I’m a pretty clean-cut guy and they would have to turn over rocks that were 25 plus years old to find any reason to detain me—at least in my mind. I should have known that maybe things were not going to turn out quite like I planned.

Well Dave McWilliam, the ALSA president, and all the association presidents from across Canada treated me with the greatest of respect and everyone was really glad to have me up. They were all worried that I was mad at them for not supporting the war and were apologetic and it’s all political and we support you. The Premier of Alberta, Ralph Klein, opened the business session with the Mayor, Dave Bronconnier. When the ambassador from PEI was introduced as SARS, I leaned over and asked the Quebec ambassador “What, did they just say SARS?” “No Serge, not SARS” I tell ya, that was another clue.

Then it started to snow and snow and by Saturday the freeway was closed and the airport and more people were dying of SARS across the country. But man, everyone was really treating me nice. Our Breakfast on the Bighorn print, which we gave as a gift, was a huge success. The ceremonies for their officers were really something else, bagpipes, scotch, music, food and dance. Shadow Productions put on an impressive play about Butch Cassidy and the Sundance Kid, Jebb Fink is a Jay Leno of Calgary and we all had a pretty good laugh.

Their education courses included effective delegation and leadership and time management seminars by Deborah Rothermel. They do it up right north of the border.

To those of you whom I met, Dave, Linda, Bernard, Brian, Ken, Jim, Ross, Dirk, Deborah, Connie, Sharon, Carl, John, Greg, Rick, Hilary, Gary, Serge and so many more—thank you. It was my pleasure.

I called my wife to find my birth certificate and fax it up to the motel
roads dried up. Things were looking pretty good and the border was just coming up. I checked myself out in the mirror. I could have used a shave—where is my comb anyway? Ah, I licked my fingers, matted my hair down a little and tried to straighten the wrinkles out of my shirt. Not quite right, but who would care anyway? I had kicked my shoes and socks in the back because my feet were wet from the snow and rain, so I slipped on my tennis shoes. Well, I’m not going to the prom, just crossing the border in my truck. I shouldn’t even have to get out.

I pulled up to the guard and he signals for me to stop. “Howdy,” he stares at me for the longest time, his eyes were starting to twitch he was staring so long, or was it mine. “Just how long have you been in Canada?” “Four days.”

“Got any weapons, drugs or alcohol?”

“Nope.”

“Unlock your passenger door” he says as another guard comes out. He opens my door and starts going through my side panel. He pauses and his eyes quickly shoot up and he stares right at me.

“What are these?” as a box of 22 longs are exposed in his hands.

“Oh, I guess I left those in from last week when I was gopher hunting.”

He signals to a third guard who comes out. The first guard asks, “I thought you told me, no ammunition or weapons?”

“You said weapons, not ammunition?”

“I said weapon.”

“Ya, only weapons, drugs and alcohol.”

“Get out of the truck.”

Here I thought I looked like a bad date, not a terrorist. So I step out and he says, “up against the wall.” The third guard walks around to the back of my truck and can’t get into my topper. He takes my key and tries again. The second guard pulls the second box of 22 longs out of my door panel. Everyone looks at me again. I feel (their) eyes stare at my

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Occasionally, members will show me or provide me with copies of pictures they have taken during the course of their surveys. Most are photos of survey evidence. I think the expectation is that I add them to the photos we use in Getting it Right and Field Staff Seminars. I appreciate receiving these photos, and hope that you keep sending them. They are added to our photo collection. I thought I would share with everyone a couple of photos from two separate practitioners that stand out.

**Outline of Original Pit**
The photo at the right shows the outline of an old pit and the telltale circle (with flagged spike in it) of where the original standard post (brass cap) was. To the right of this, you can see an iron post at the re-established section corner, the north/south fence line and the remains of an old fence butt just to the left of the existing fence. It is obvious the different soil type over the years filled in the pit. Perhaps the other three pits are there as well, however once the location of the original monument was uncovered, no further excavation took place. While this is a lot of digging to do, the photo clearly shows what you can find if you look long enough for traces of the original monument. Thanks to Jim Berry, ALS for this photo.

**Original Standard Post and Two Spare Statutory Iron Posts**
This photo above shows the original brass cap (standard post) and two re-established statutory iron posts. Naturally, the original is the governing monument, but I cannot help but wonder how two earlier surveys failed to locate the original or even the first re-established monument. Also provided (but not shown here) was a second photo showing the depth of the excavation the monuments were found at. They appear to be about a metre below the surrounding ground. Our field inspections to date have not found three monuments at any corner, so this photo is welcome in our collection. Thanks to Raymac Surveys Ltd. for providing this photo.

**Nine Years of Registered Plans**
In looking at the numbers of plans registered in Alberta over the last nine years (1994 to 2002), I note the following statistics:
- There have been 81,674 plans registered in Alberta in the past nine years.
- Numbers of plans registered each year was generally but not always higher than the previous year.
- Over the last nine years, plan registration numbers have gone up an average of 6.2% per year.
• Should this 6.2% average increase continue for another eight years there would be about 20,000 plans registered in the province in 2010.
• 63% of the plans were registered in the Northern Alberta Land Titles Office and 37% in the Southern Alberta Land Titles Office.
• In four of the past five years, over 10,000 plans have been registered per year in the province with the nine-year average being 9,075 plans per year, and 12,327 being the number registered in 2002.
• 50% (one-half) of all the plans registered in the last nine years have been right-of-way plans.
• 22% of all plans registered in the last nine years have been subdivision survey plans.
• 11% of all plans registered in the last nine years have been descriptive plans.
• 5% of all plans registered in the last nine years have been road plans.
• 3% of all plans registered in the last nine years have been condominium plans.
• There were 266,812 new titles created in the last nine years or an average of 30,532 per year.
• 64% of the titles created in last nine years were for lots within subdivision plans of survey.
• 32% of the titles created in last nine years were for units shown on condominium plans.
• 4% of the titles created in the last nine years were for parcels created by descriptive plans.

**Random Thoughts**

**Property Damage:** Since the adoption of the commitment to Property Damage Mitigation document at our AGM, I have not personally experienced many calls from irate landowners. Perhaps, the document has had the desired effect of making all field staff aware of the public relations impact of minimizing damage to property when excavating survey monuments. Ironically, our most recent field inspections found open holes at most of the sites we visited—many but not all of which were in rural settings. Maybe the phone will start ringing soon. It doesn’t take much to clean up the site when you are finished. Good public relations with landowners is just good business in our profession. If you haven’t spoken to your staff about site cleanup or the Property Damage Mitigation document, consider doing so.

**Dormant Plans:** Everyone is talking about dormant plans these days. Not an issue of *ALS News* goes by without reading something more on the issue. During our practice reviews, we discuss with practitioners their process for seeing that all plans get drafted and registered as well as try to get a handle on how many dormant plans a practice might have. Most of the dormant plans out there seem to be right-of-way plans. There were 7,070 right-of-way plans registered in 2002, but that number has increased each year since.

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Case Study No. 17: Real Property Reports

This is the seventeenth in a series of articles featuring problems or issues commonly encountered in Systematic Practice Review. The purpose of these articles is purely educational, so no names or identifying legal descriptions are included. Opinions expressed are those of the author.

The Issue: A Problem Commonly Encountered

Since the start of Phase 2 of Practice Review, the lowest scoring product examined is consistently the real property report. There may be several reasons for this, but I think the main reason may be that many members somehow treat real property report surveys different in terms of what survey evidence is acceptable to perform the survey. This, in turn, could be because of the competitive pricing of real property report surveys. I hope pricing is not part of the reason, as reducing the quality of professional services to complete a project within an agreed cost is contrary to the Code of Ethics.

While our examinations have found many excellent real property report surveys, the average score for real property report surveys is lower than the five other survey types on which we report. We report scores in three areas for each survey type: plans, field notes and field inspections. Plans for real property reports score reasonably well on average, but still slightly lower than all other plan types. Real property report field notes have improved and are no longer the lowest scoring field notes for all types of surveys, but are still marginally below average. The field inspection score is where the largest difference occurs. To date, our lowest scoring field inspection and the lowest average field inspection as a survey type are real property report field inspections.

When the original monuments that govern the line are lost, it becomes the land surveyor’s duty to re-establish the original monuments from the best evidence available.

As was noted in the June 2001 issue of ALS News, any item on our check list that impacts the boundary established or re-established has a far greater weight in the scoring system than an item that does not impact the boundary. I think I can then logically conclude that the reason for the lower scores in real property report field inspections is that boundary issues are more prevalent in real property report surveys than the other survey types.

Predictably, new construction real property report surveys score better than resale properties. Since 1988, all lot corners are monumented, and most large urban subdivisions make use of the delayed posting provisions of the Surveys Act. Fewer survey monuments are lost early in subdivision construction and often landscaping is not complete at the stage of the initial real property report.

In our field examinations of real property report surveys, particularly resale homes, governing survey evidence is often overlooked. Part D, Section 7.3 of the Manual of Standard Practice is quite clear on what survey evidence is required for a real property report. It says: “a surveyor performing a survey to prepare an Alberta Land Surveyor’s real property report shall locate and confirm sufficient survey monuments to define the boundaries of the parcel in accordance with the Surveys Act excepting thereout the provisions of Sections 44(3) and 46(3).” A boundary is a boundary, and if we are to define that boundary for any purpose, including a real property report survey, we must do so in accordance with the requirements of the Surveys Act. The only difference for real property reports and wellsite surveys is the exceptions to the Surveys Act requirements to monument the re-established corners.

What survey evidence governs a boundary?

Monuments determine nearly all boundaries. Monuments placed are shown on the official plan or the registered plan. Titles are based on the boundaries, which are based on monuments. Subsequent surveys can never alter or change these boundaries. Of course, not all boundaries are monumented. Examples of this include the non-posted limit of a government road allowance or the non-posted limit of a right-of-way. However, the relationship of an unmonumented boundary is shown on the plan in relation to a monumented limit.

The only complete exceptions to monumented boundaries are descriptive plans whose boundaries are determined by the dimensions from an established and perhaps monumented boundary, and delayed posting subdivisions where coordinates govern the boundaries for a short period of time.

For the survey of any boundary, a land surveyor must ask himself, what monuments established and created this boundary? These are then the monuments to be located or re-established to determine the line today. Intersections of that line or additional monuments placed on the line by subsequent surveys may help in relocating the boundary, but only the original monuments govern the line. Look at the line you require, and ask yourself when was this line created? When the original monuments that govern the line are lost, it becomes the land surveyor’s duty to re-establish the original monuments.
from the best evidence available. Only when the original monuments are lost and have to be re-established can the monuments placed along the original boundary by subsequent surveys be considered in the land surveyor’s assessment of best evidence. Our Surveys Act requires that lost governing monuments be re-established. For real property report surveys, our standards require us to re-establish the corners, but we are not required to monument them.

Standards for Real Property Reports
The only standards we have for real property reports are shown in Part D, Section 7 of the Manual of Standard Practice. With some modifications and “tweaking” over the years, these standards have been around since 1987. In the Land Surveyors Act, the definition of the “practice of land surveying” includes the survey of land to determine the location of anything relative to a boundary for the purpose of certifying the location of the thing. We call this a real property report. Since land surveyors have the exclusive right to the practice of land surveying, we require standards for these surveys. When the Land Surveyors Act was proclaimed in 1981 we did not have standards for real property reports, but our Association soon went to work developing the standards.

I thought it might be informative to list some of the events and actions that led up to the adoption of standards for real property report surveys.

- April 1983: Good Practice Resolution # 20 is adopted by the membership (see summer issue of ALS News 1983, Page 13 - Minimum Standards for Building Location Certificates).
- April 1984: (75th AGM) Seminar: The Building Location Dilemma by Lorraine Petzold OLS.
- May 1985: panel discussion at AGM on building location certificates.
- April 1986: Alberta Land Surveyors’ Real Property Report Good Practice Resolution proposed and voted on by secret ballot. The vote was tied and the president cast the deciding vote and the motion was lost.
- April 1987: The Improvement Certification Regulation was presented and adopted by the membership but not enacted by government.
- April 1988: Good Practice Resolution #19 amended to add the copyright symbol and the year.
- April 21, 2001: amendments made to standards for real property reports.

How do we change the findings?
Council of the Association has directed the Professional Development Committee to create and deliver a seminar/clinic about RPRs based on recommendations from the Practice Review Board. The Professional Development Committee has recently requested assistance from the Practice Review Board in developing the requested seminar. The seminar request is a direct result of our consistent findings relative to real property reports. Expect to see a seminar on real property reports soon.
I have just completed my first year on the Practice Review Board. I have realized a number of benefits to myself from this past year. At every meeting, you are able to review different parts of the Surveys Act, Land Surveyors Act, Manual of Standard Practice and a variety of other acts that land surveyors deal with on a day-to-day basis. Every meeting is a refresher course in areas of these documents that you use both in practice everyday and in areas that you are not involved with daily.

Members of the Practice Review Board have good debates on different components of the Surveys Act and the Manual of Standard Practice. These debates are beneficial to the members, resulting in a better understanding of the contents of these two important documents and how they affect daily practice and activities.

The Director of Practice Review has a standing agenda item at every meeting in which he reports on several practices that he has recently reviewed. These reports provide a good understanding of Alberta practices and indicate an overall good level of performance.

These reviews identify existing areas of your own practice and procedures that may need to be improved. In addition, it is apparent what downfalls occur in some practice reviews causing them to require follow up reviews.

What can we do as an Association to improve this situation?

- Mandatory continuing education would help the veteran members of the Association who have not done well in Phase 2 of the Systematic Practice Review.
- Extending the articling period for new members would allow them more training before striking out on their own.
- Participation of every Association member either for a term on the Practice Review Board or any of the other committees that relate to our acts and regulations. This alone would be a good education process and is not a large commitment. Over the past year, the Board has had seven meetings. These meetings required one day (including travel) plus up to 8 hours of prep time prior to the meeting day. Over one year, this is was a reasonable commitment to support our Association.

I am starting my second year on the Practice Review Board and am considering staying for a third year, it is a rewarding experience for me both professionally and personally!
Soft skills are the overlooked skills that do not have the same appeal as hard technical skills. The hard skills require more development and can be useful to land surveyors.

As land surveyors, we are attracted to complex mathematical and scientific problems. Solving them is interesting. Some land surveyors would even consider this fun. Exploring the advantages of a new RTK system is exciting and can make our work a lot more efficient. The benefit of a soft skill is not so apparent. After all, what value can soft skills like public speaking and organizational behaviour be to land surveyors?

At first glance, the soft skills seem easy and the solutions seem obvious—but they are not easy or obvious. At best, they are easier to understand than technical skills. Like any solution, they always seem obvious when you know the answer.

Another misconception is that soft skills have less application. Soft skills can be difficult to quantify. How do you put a price tag on public speaking? Try to explain to a politician that public speaking is not important. Public speaking can make or break a politician. To him, the value could be priceless. Are we not involved in politics in some way, shape or form?

Consider public speaking. Most land surveyors are on the phone or calculating or solving some technical problem. Unfortunately, some land surveyors forget the times spent chairing or organizing meetings, presenting seminars to clients, expressing opinions and ideas at annual general meetings or regional meetings or marketing and meeting clients at trade shows. Some land surveyors have active roles on councils and committees where public speaking is common. There are many public speaking applications for land surveyors. Many of them, like our regional meetings, are informal. Some are very formal like the annual general meetings.

If public speaking is done well, the land surveyor can become more successful. His ideas can be understood and expressed in a way that people can admire his skill or may want to become land surveyors themselves. He may be able to change survey practice at the annual general meetings to make his practice more efficient and marketable.

Consider organizational behaviour. How many times does a land surveyor make rash emotional decisions, like firing an employee while under stress? After taking a course in organizational behaviour, the manager may be more apt to apply a more scientific approach to the problem. He may realize that surveying is a very technical field and that a high turnover rate is more costly to a land surveyor than to a manager of lesser skilled employees. He may realize that the synergy of the team is greater than the sum of its individual parts and may be more apt to keep work teams together. He starts to recognize that a younger employee requires more direction and that older employees require more responsibility even if they are both chainman at the same pay level.

A common problem that groups such as ours have is to communicate very complex and technical concepts to the public. If you were to poll the public, most of them would not have a good idea of what land surveying is all about.

Recently, a farmer noticed an instrument set up on a tripod near the corner of his fence. Everyday, for the next week, he would pass the instrument and wondered what was going on. Finally, he came to the conclusion that either someone had forgotten about it or it was stolen. He took down the instrument and reported it stolen to the police. Meanwhile, in the field, a survey crew had been working on a large wellsite project. They would set up their base station every morning and pick it up every night. Suddenly, while in the middle of a survey, the RTK unit shut down and would not initialize. When they went to check the base station, it was gone. They reported that the instrument had been stolen. Eventually, the situation was sorted out. This is an example of the public not knowing much about land surveying.

How many people make jokes about your instrument or simply stare at the instrument set up along a sidewalk? How many people do you know who have accidentally pulled out a post while constructing their fence? How many people do you know that have switched to other survey companies? With more soft skill development, land surveyors could be improving their public image, and business management.

When soft skill courses are available, take the opportunity to master them.
A 21st century hunt for hidden treasure—that was the adventure awaiting scouts participating in Alberta Jamboree 2003 (AJ 2003) at Camp Impeesa in the Canadian Rockies this past July.

The camp, situated southwest of Pincher Creek on Beaver Mines Lake in the shadow of Table Mountain, drew approximately one thousand scouts from across the Alberta, British Columbia, Ontario and the United States with even the Netherlands represented. AJ 2003, a full week spent by the scouts taking part in a wide array of fun, action and fellowship, included Checkpoint Charlie—an activity sponsored by the Cadastral Group Inc. and the Alberta Land Surveyors’ Association.

The goal of Checkpoint Charlie was to locate six “geocaches” that I had hidden within Camp Impeesa with the scouts using handheld global positioning system (GPS) receivers and written clues to complete the quest. The activity ran for six days with morning and afternoon sessions of 20 to 30 scouts and their troop leaders in each. An additional evening session was held for AJ 2003 volunteers who wanted to test their orienteering skills.

Each session began with a brief overview of the history and theory behind the global positioning system, and, with the able assistance of Scouters Brenda Thompson and Dana Wanamaker, I gave the eager geocachers a demonstration of GPS positioning by triangulation using an inflatable globe with lengths of cord substituting for radio signals, and scouts substituting for satellites.

After some practice with the Garmin Etrex receivers, teams of two to five scouts, each with a troop leader, then set out “rally style” at ten minute intervals along the network of trails through the camp to find all six hidden caches, taking turns navigating to each one using the coordinates provided. To aid them on their quest, each team was given a hand-drawn map showing a general direction to the geocaches along with a worksheet with a pair of clues for each geocache giving them some additional hints.

The second of the two clues was encoded with the scouts encouraged to use it only as a last resort. Finally, the name given to each cache also provided a clue as to its location, ie, the Log, the Stump, the Shed.

Not surprisingly, the toughest cache to find for most of the participants was the first as the scouts learned how to hold the receiver and navigate with the direction arrow displayed on the unit that pointed the way to the cache “as the crow flies.”

With the ever-winding trails, the scouts found the trek to the first cache to be somewhat harder than they initially anticipated. As well, it took some experience for the scouts and their troop leaders to learn that the direction arrow could only be used as a guide while the receiver was in motion. At the outset, many of the scouts preferred to stand still while trying to determine which direction to go, thus sometimes getting wrong information. To add to the challenge, many of the areas the scouts had to traverse through were under dense forest cover, which blocked the satellite signals and interfered with the direction arrow. But as the activity progressed and the scouts became familiar with how to navigate with GPS in these conditions, there was a lot of excitement.

Among the comments made by the scouts: “…awesome,” “…cool” and “…a lot funner than I thought it would be!”

After the initial shaky start, most of the teams found all of the caches in about two hours of searching.
Five of the geocaches were small Tupperware containers, each with a pencil and a short code phrase inside, ie. “my Precious” or “why, oh why didn’t I take the blue pill,” that the scouts had to record on their worksheets to verify that they had found it.

The sixth cache was a larger Tupperware container, with not only the code phrase but a log book for chronicling their visit and a number of trading items inside. Initially stocked with a number of items from the Calgary Scout Shop, the cache quickly became a treasure trove of scouting badges for trade as the week progressed. The cache, named “The Lonely Spruce,” was placed at a location where the scouts could also enjoy an exhilarating view of Beaver Mines Lake and Table Mountain.

To commemorate the Jamboree and the camaraderie the scouts shared during this adventure, this cache has been posted on the Internet at www.geocaching.com for others to find. Further information on the cache, including directions, phone numbers to arrange access, and clues can be found on the geocaching web site by entering its waypoint code: GCGTRC or by entering its WGS84 coordinates: 49º 22.577’ N, 114º 18.062’ W. in the appropriate search fields.

This cache was also placed with a special item inside known as a “travel bug,” an Alberta Jamboree 2003 scout badge with an identity tag attached.

The intent of a travel bug is that a future visitor to the cache will pick up the item and move it to another location, where it, in turn, can be picked up again and moved to another location and so on, with a particular goal in mind - for example, visiting all the provinces and territories of Canada. The current location and travels of a bug can be tracked on the geocaching web site. The goal of the Alberta Jamboree 2003 badge is for it to journey as far and as wide as possible so scouts and others can follow its travels (tracking code TB8130). A number of bugs have travelled great distances and visited many caches in many countries.

Geocaching is an evolving recreational sport in which participants use handheld GPS receivers to locate “treasure” or geocaches hidden by other GPS enthusiasts with coordinates, degree of difficulty, descriptions, clues and often photographs posted on the Internet. Visitors to a geocache can log their visits in the cache log book and on the geocaching web site. While a traditional geocache may hold a log book and other trading items, such as maps, books, CDs, batteries, small toys, and so on, there are a number of other cache types that might be encountered, including a multi-cache, where information found inside one geocache will lead the visitor to one or more other geocaches located nearby; and a virtual cache, which might be a landmark of interest, a statue, a headstone or a scenic view.

The sport got its start in May 2000 when the US government discontinued the policy of “selective availability,” the intentional degradation of the satellite signals that limited the horizontal positioning accuracy of a single receiver to about 100 metres. With achievable accuracy improved to within a few metres for a low cost handheld receiver, a couple of GPS aficionados – Mike Teague of Vancouver, Washington and Dave Ulman of Portland, Oregon – each stashed a number of large buckets containing log books and a selection of trinkets and posted the coordinates on the web and challenged others to find them and log their visits on the site.

Only three years later, there are now more than 66,000 geocaches hidden in 184 countries around the globe. At the time of writing of this article, there are 530 geocaches in Alberta with new caches added almost daily. Further information on the sport is available on the geocaching FAQ at www.geocaching.com/faq.asp.

All in all, the scouts, the troop leaders, the many volunteers and myself had a blast. Special thanks again to Scouters Brenda Thompson and Dana Wanamaker for their expert help at Checkpoint Charlie and to Scouter Victor Fournel for his encouragement and enthusiasm. I highly recommend getting directly involved with your local scouting community to the members of the Association. AJ 2003 was a rewarding experience.
In the Footsteps of Pioneers
‘We haven’t begun to tap the potential these images have.’
by Grady Semmens,
The Calgary Herald

A clear picture of how the crown jewels of Canada’s national park system have changed over the last century is coming to light, thanks to a group of scientists who are using the first comprehensive images of Alberta’s mountain parks to trace how tourism, climate change and other forces have shaped the beloved landscapes.

By retracing the steps of land surveyors of the early 1900s, researchers are creating a set of before-and-after photographs that are being hailed as invaluable for those who study the fragile ecosystems of the Canadian Rockies.

And while the 85-year comparisons are serving as graphic evidence of what many experts have always suspected, some viewers are finding changes that were unexpected.

“It is proving to be a very valuable research tool,” said Eric Higgs, leader of the Rocky Mountain Repeat Photography Project.

“And I believe we haven’t even begun to tap the potential these images have for studying mountain ecology.”

The project was launched in 1996 when Jeanine Rhemtulla, an ecology student at the University of Alberta, tracked down a set of black-and-white panoramic photographs of Jasper National Park that had been sitting in a Parks Canada office for decades.

Curious as to their origin, Rhemtulla, who was studying forest change in the park, and Higgs, a former U of A professor who specializes in ecological restoration, determined the vintage photos were part of
the first survey of Jasper completed in 1915 by Morrison Bridgland of the Dominion Land Survey. 

Bridgland was one of several Department of the Interior surveyors who spent years climbing mountains with the bulky and fragile camera equipment of his day to photograph Canada’s mountain parks. The photos were then used to make the first topographic maps of the remote and rugged areas.

Realizing they had a complete visual record of Jasper’s historic landscape, Higgs and Rhemtulla started rephotographing Bridgland’s vistas so they could look for changes to vegetation, water courses and other ecological factors.

While they began by repeating only the shots of areas they were studying, Rhemtulla said they soon found themselves revisiting the entire survey — climbing dozens of mountains to re-shoot 735 pictures over the course of several summers.

“We never thought it would become so big,” said Rhemtulla, who is now working on her doctorate at the University of Wisconsin.

“But it quickly became apparent how valuable it was to have this record and we received funding to redo the entire survey.”

Now published on a Web site (http://bridgland.sunsite.ualberta.ca), the series is being used by North American academics to look at how mountain ecosystems are changing over time.

“As far as we know, this is the first time something like this has been done in such a systematic way,” said Higgs, who is now the director of environmental studies at the University of Victoria.

“There are people using them to look at things including landslide patterns, glaciation, hydrology and how human uses of the park have changed over time.”

The images are on display until October 26 at the Jasper-Yellowhead Museum and Archives.

While some of the comparisons show very little difference between 1915 and today, others show enormous change.

Once-mighty glaciers have noticeably shrunk over time and roads built through the Athabasca River valley have caused some wetlands to be flooded after they were cut off from the river by dykes.

Meanwhile, some images show abandoned railway lines have been reclaimed by nature and lack of wildfire in the park during the intervening decades has resulted in much vaster forest cover.

“It really plays with our expectations, which is what I love about it,” Rhemtulla said.

“Some people might expect less forest than we had before, while others think, because it’s a national park, everything would stay the same, and yet others expect to see more forest, or forest of a different kind.”

Higgs is now leading a team that is rephotographing all 300 of Bridgland’s survey photos of Waterton Lakes National Park from 1913-14.

Parks officials are excited by the opportunity to use the photographs for their needs, which include everything from natural restoration to public relations.

“It’s going to be like having an entire aerial record of the area before there were even airplanes,” said Rob Watt, Waterton’s senior park warden.

“It will be another tool on top of the ones we already have to help us determine how the processes that form the park are changing.”

Higgs said the project will likely use photos from other early surveyors to replicate images in Banff National Park and along the eastern slopes of the Rockies and Crowsnest Pass.

“For scientists interested in ecology, one of their first concerns is the history of the land,” he said.

“In many places, there is normally a dearth of historic information and that’s why stumbling across such a thorough record such as this is so important.”

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The land surveying associations of the western provinces and Canada Lands, participated in the third annual “Role of the Professional Surveyor” lecture series at the Kananaskis survey camp. Nine lectures and case studies were presented during the final two days of the annual survey camp for 48 students entering fourth year of Geomatics Engineering at the University of Calgary.

The first day of the lecture series was the wrap up of the field exercises, which featured a “lost peg” competition, where the ten teams of four or five students used traditional transit and tape procedures to find the “lost peg.” Ross Woolgar organized coaches to assist the students in demonstrating how to “chain” and “plumb.” ALSA president Jim Halliday, along with Ross and several of the lecturers, assisted with the coaching duties.

The lectures and case studies included the following topics and surveyors:

- **Who Wants To Be a Land Surveyor?** 
  *Ashley Robertson, ALS, P.Eng.*

- **Land Titling in Cambodia** 
  *Ian Lloyd, CLS, BCLS, P.Eng.*

- **Case Studies in Project (Mis) Management: Why Did it Go Wrong?** 
  *Bryan Bates, BCLS, ALS, P.Eng.*

- **Special Surveys & Water Boundaries—Village of Dunnottar** 
  *Bill Shepherd, MLS, CLS*

- **Nunavut Land Claim Surveys** 
  *Paul Dixon, ALS, CLS*

- **Integrating GIS With the Surveying Industry** 
  *Robert King, ALS, P.Eng.*

- **Developing Geomatics Abroad** 
  *Dave Thomson, ALS, P.Eng.*

- **The Surveying Profession** 
  *Ken Allred, ALS, CLS*

The nine lectures portrayed the varied role of a typical land surveying practice along with the requirements for entrance into the profession and a brief overview of some of the professional concerns and the historical development of the cadastral surveying profession.

The five professional associations contributed to the preparation of a binder with all of the PowerPoint presentations, and related information on the surveying profession from each of the associations. They also provided refreshments for the barbeque and wind-up party.

The lecture series was organized through the Geomatics Engineering Liaison Committee (GELC) of the University of Calgary. Professor Mele Rakai provided the University of Calgary organizational support.

KEN ALLRED, ALS
Palmer vs. the Governor of Alberta and Seaman

The following is an abridged version of a Court of Queen’s Bench decision in the Court of Queen’s Bench of Alberta, Judicial District of Edmonton between D. Byron Palmer (Plaintiff) and Her Majesty the Queen in Right of Alberta as represented by Minister of Sustainable Resource Development, Mike Cardinal (Defendants) and Byron J. Seaman and Daryl K. Seaman (Defendants) (for the purpose of Notice only).

The complete decision can be found at www.albertacourts.ab.ca.

Memorandum of Decision of M. Funduk, Master in Chambers

[1] This is an application by the Defendant Crown for two part relief: (a) striking out the Plaintiff’s claim based on s. 69 Law of Property Act; (b) converting the balance of the Plaintiff’s claim as it relates to the Crown into a judicial review proceeding.


[3] The Plaintiff made some improvements to what he believed to be his land. A survey was done by the Crown. The survey shows that a fence built by the Plaintiff is built on Crown land. The Minister issued an order to the Plaintiff and the Seamans that the fence be relocated to the proper boundary between the land.

[4] (There is also some land owned by the Seamans which also abuts the Plaintiff’s land and which the Plaintiff and the Seamans are in dispute over where the fence between them should be. The Crown has no interest in that.)

[5] Section 69 Law of Property Act says:

69(1) When a person at any time has made lasting improvements on land under the belief that the land was the person’s own, the person or the person’s assigns

(a) are entitled to a lien on the land to the extent of the amount by which the value of the land is enhanced by the improvements, or

(b) are entitled to or may be required to retain the land if the Court is of the opinion or requires that this should be done having regard to what is just under all circumstances of the case.

(2) The person entitled or required to retain the land shall pay any compensation that the Court may direct.

(3) No right to the access and use of light or any other easement right in gross or profit a prendre shall be acquired by a person by prescription, and no such right is deemed to have ever been so acquired.


[8] The distinguishing feature in the present lawsuit is that the Crown is not a plaintiff. It is not advancing a claim relying in whole or in part on a statute for its claim. The Crown is a defendant and it relies on s. 14 Interpretation Act as a defence to the Plaintiff’s claim against it based on s. 69 Law of Property Act. No case law says that the Crown cannot use s. 14 as a defence.

[9] Mr. Swist says that the Crown is a large landowner and it would be “absurd” if the Crown is not bound by s. 69. That is in essence an attack on the wisdom of the legislation. The wisdom of the legislation is a matter for the Legislature, not the Courts.

[10] I note that the Legislature has considered whether the Crown is to be bound by the Law of Property Act at least in part. Part 7 applies to the Crown but s. 69 is not under Part 7 so s. 14 applies to Part 8 at least so far as anyone claims against the Crown and relies on Part 8 in support of his claim.


[12] The Plaintiff alleges that the Minister’s order is without jurisdiction or else it is an abuse of process.

[13] It is not clear to me why an owner of the fee simple cannot tell a trespasser to get off his land and remove what he has put on the land. Legislation is not needed for that. The common law gives an owner that right. The Minister is the agent of the Crown.

[14] It is also not clear to me how it can be an abuse of process for an owner to exercise his right to tell a trespasser to get off his land and remove what he has put on the land.

[15] My interpretation of the Plaintiff’s amended pleading is that he is trying to indirectly force the Crown into a s. 69 situation with this part of his claim, that is, having the Crown agree to accept compensation.
I note that the Plaintiff cannot acquire an interest in Crown land by prescription (s. 4 Public Lands Act) so the non-application of s. 69 means that the Plaintiff simply cannot retain any Crown land even with compensation, unless the Crown agrees. It does not.

Having said that I leave it to a chambers judge. The attack on the Minister’s order is converted into a judicial review: Rule 753(16).

Mr. Sprague, for the Crown, agrees that this claim is within the time limit.


**DECISION:**

The application is granted with costs to the Crown on column 2.

**Director’s Message**

*continued from page 25*

plans registered in 2002. This was an increase of more than 1,850 from 2001, so I can’t help but think that maybe members are starting to clean up some of their backlog of unregistered right of way plans. If you presently have unregistered plans, make a commitment to get them registered soon. It is your professional responsibility. As the June 2003 ALS News article by G.K. Allred, ALS points out, there is a fairly large financial liability attached to unregistered plans.

**The Local Economy:** I have read recently that Alberta should see a record number of wells drilled in the Province this year. Oil & gas companies have been recording large profits, and are putting much of this increased cash flow into new drilling and exploration. The prospect of a busy time in the oil patch this winter is very real. It should be a good winter for land surveying work in the oil & gas sector.

**S.W. Properties vs. City of Calgary**

The following is an abridged version of a Court of Appeal decision in the matter of an application pursuant to Section 60 of the Law of Property Act and in the matter of Lots 2 and 3, Block 29, Plan B1, Calgary between S.W. Properties Inc. and Upmarket Projects Ltd. Respondents (Applicants) and The City of Calgary Appellant (Respondent) and 202238 Holdings Ltd., not party to the appeal (Respondent)

The complete decision can be found at www.albertacourts.ab.ca.

Appeal from the Order of The Honourable Mr. Justice O’Byrne Dated the 18th day of April, 2000 Filed the 26th day of May, 2000

**REASONS FOR JUDGMENT RESERVED**


**Reasons for Judgement of the Honourable Madam Justic Hunt**

[1] Does a Queen’s Bench judge have jurisdiction to order that an encroachment can remain on an alley owned by the Appellant City of Calgary (“City”)?

[2] The facts are not contentious. The land at issue is owned by the Respondent, Upmarket Projects Ltd., successor in title to the Respondent S. W. Properties Inc. (“Respondents”). The building on the land has been in its present form since its construction prior to 1920. It adjoins an alley owned by the City, which alley falls under the definition of “highway” in the Highway Traffic Act, R. S. A. 1980, c. H-7 (“HTA”).

[3] A 1987 survey did not indicate any encroachment by the building on the alley. The City affixed a Certificate of Compliance on the Surveyor’s Certificate. The Certificate neither confirmed the accuracy of the survey nor approved or confirmed the existence of any encroachment. There are thousands of encroachments on City property. Usually, the City has no knowledge of them until they are revealed by a survey.

[4] That is what later occurred here. In 1997, a Real Property Report revealed that the south wall of the building encroaches .09 metres (about 3.5 inches) into the alley. A fire escape, air conditioning equipment and a ventilation duct protrude from the encroaching wall into the airspace above the alley.

[5] Upon learning of the encroachment, the Respondent owner applied to the City for an Encroachment Agreement. The form of agreement proposed by the City contained a paragraph permitting the continuation of the encroachment “subject to a determination that the affected area of the City Parcel is not required for public use and subject to the right of the City to give the Owner thirty (30) days notice to remove the encroachment in accordance with sub-section 16(1)(q) of the Highway Traffic Act ... ”. [A. B. 127, emphasis in original]

[6] The proposed provision accords with a 1996 policy about encroachments adopted by the City Council. The Corporate Policy for Processing Encroachment Applications (“Encroachment Policy”) contains the following:

1.0 ENCROACHMENT POLICY:

1.7 Where an Encroachment Agreement includes a provision for removal following a minimum of 30 days notice by the City, such notice will be made for a valid municipal purpose only.

[A. B. 107]
2.3 GUIDELINES FOR ENCROACHMENT INTO STREETS...

2.3.2 An application for a License of Occupation is to be made... under the following conditions...

2.3.3 The License of Occupation will allow the City to require removal following 30 days notice to the applicant.

[A. B. 110]

[7] Because the Respondent owner did not find the above part of the proposed agreement acceptable, it applied to the Court of Queen’s Bench for an order granting it “a lien and easement” over the alley pursuant to s. 60(1) of the Law of Property Act, R. S. A. 1980, c. L-8 (“LPA”).

[8] The chambers judge made the following order:

So long as the building located on Lot 2 in Block 29 on Plan B1 Calgary is maintained in its present form, the encroachments into the alley at the south end of the said building may continue to exist in their present location, and no further steps need be taken by any party.

[A. B. 93, emphasis added]

ANALYSIS:

[9] The Respondents concede that s. 16(1)(q) of the HTA prevents the City from granting an encroachment over the alley without a 30-day termination provision. They assert, however, that the Court’s powers under s. 60 of the LPA authorize the order made by the chambers judge.

[10] What is the nature of the right granted by the chambers judge? Although his order does not give a name to that right, it is difficult to see how it could be characterized as other than an interest in land. The recitals to the order refer to s. 60 of the LPA. Section 60(1)(a) likely has no application here as there is no evidence that the encroachment enhances the value of the alley. Since s. 60(1)(b) does not require such proof, it seems probable that the chambers judge relied on it to make his order: Gay v. Wierzbiicki (1967), 63 D. L. R. (2d) 88 at 92 (Ont. C. A.); Mildenberger v. PRPIC (1976), 67 D. L. R. (3d) 65 at 67 (Alta. S. C. T. D.).

[11] But s. 60(1)(b) authorizes an order permitting a person who has made improvements under mistake of title to “retain” the land, subject to possibly paying compensation pursuant to s. 60(2). This language suggests the creation of an interest in land. Interests ordered under this or similar provisions have been variously described as a “forced sale” as in Gay, supra; a “transfer of land” as in Jones v. Semen, [1999] A. J. No. 737 (Q. B.); or an “easement” as in both Vewcharuk v. Boucher (1999), 182 Sask. R. 154 (Q. B.) and in 344408 Alberta v. Fraser (1999), 239 A. R. 325 (Q. B.).

[12] The effect of the order also suggests that it creates an interest in land. Permitting the encroachment to “continue to exist,” so long as the building remains in its present form, implies that the City’s ordinary rights as a landowner will be subject to the Respondent owner’s encroachment over the alley. The right granted by the order meets the legal requirements for, and appears to be, an easement: Re Ellenborough Park, [1956] 1 Ch. 131 at 163 (C. A.).

[13] Section 609 of the MGA prohibits the acquisition of an estate or interest in municipal land “by adverse or unauthorized possession, occupation, enjoyment or use of the land.” This prohibition conflicts with s. 60 of the LPA, if indeed s. 60 authorizes a judge to grant an interest over the City’s land.

[14] The narrow question raised by this appeal, then, is whether the powers contained in s. 60 of the LPA can be exercised notwithstanding the prohibition in s. 609. In other words, does the jurisdiction granted to the Court by s. 60 overcome s. 609 of the MGA, authorizing a judge to grant an interest in land arising by prescription against the City? Although the question has been raised previously in this Court, it has not been answered: Mund v. Medicine Hat (City) (1988), 86 A. R. 392 at 396.

[15] There are three main reasons why the powers of the Court of Queen’s Bench under s. 60 should not be interpreted so as to authorize the impugned order.

[16] First, the applicable principle of statutory interpretation is that, in the case of conflict, the more specific provision prevails over the general: R. Sullivan, ed., Driedger on the Construction of Statutes, 3d ed. (Toronto: Butterworths, 1994) at 186. Section 60 of the LPA gives the Court a general jurisdiction to deal with improvements to land under mistake of title. It permits the granting of rights in favour of one landowner against another. Section 609 prohibits the acquisition of prescriptive rights against a municipality, a specifically named category of landowner. In this conflict, the prohibition contained in s. 609 must govern.

[17] Second, s. 16(1)(q) of the HTA supports the primacy of s. 609. The legislature has limited the municipality’s right to make by-laws concerning “highways,” by ensuring that a licence or permit for temporary occupation is terminable on 30 days notice. This limitation would make little sense if s. 60 was interpreted to give the Court power to make orders that would render this limitation meaningless. It is unlikely that the legislature intended the powers under s. 60 to trump the constraint on municipal powers found in the HTA.

[18] Third, this result makes sense from a public policy viewpoint. The City’s encroachment policy is designed to treat all citizens equally. Permitting that policy to be overridden by the courts could favour those who have the time and resources to access the courts and procure an...
moved in. The two backyards is a fence, which house to the rear lot line. Separating metres (18.73 feet) deep from the backyards of both properties are 5.71 and Leda in September 2001. The is 4 Auckland, a house bought by Mir Ave., Toronto. Next door to the north address, which I will call 2 Auckland David purchased their house at an fully.

Choose Title Insurance Firm With Care

A court case wending its way through the judicial system underlines just how important it is for homebuyers to have a current survey and to choose a title insurance company very carefully.

In November 1998, Susan and David purchased their house at an address, which I will call 2 Auckland Ave., Toronto. Next door to the north is 4 Auckland, a house bought by Mir and Leda in September 2001. The backyards of both properties are 5.71 metres (18.73 feet) deep from the house to the rear lot line. Separating the two backyards is a fence, which was built before either neighbour moved in.

One of the issues...is whether the fence is in the wrong position, and whose land it is on.

One of the issues in the lawsuit brought by Susan and David is whether the fence is in the wrong position, and whose land it is on. In a statement of claim issued last year, Susan and David claim that the division fence is not on the property line, but rather about 0.57 metres (1.87 feet) onto the property owned by Mir and Leda. (The case has not gone to trial, and none of the allegations of either party has been proved in court.) The result is a strip of land almost 2 feet wide by almost 19 feet deep to which Mir and Leda have paper title, but which appears to be part of the backyard of their neighbours at 2 Auckland.

Susan and David are asking the court to declare that they have ownership of the strip of land because they and the previous owners of the house have had exclusive possession of the strip for more than ten years. Invoking the legal doctrine of possessory title, commonly known as squatters’ rights, they claim that Mir and Leda no longer own the disputed strip.
Whatever the outcome...the defendants...are bitter that their title insurer has abandoned them.

Again, none of the allegations has yet been tested in court.

The insurer obtained an appraisal of the strip of land stating that its loss would not have any impact on the overall market value of the Mir and Leda’s property. It then terminated its duty to defend the case by exercising its option to negotiate a settlement (which was ultimately unsuccessful). Whatever the outcome of the fence dispute, the defendants Mir and Leda are bitter that their title insurer has abandoned them.

In documents filed with the Superior Court, Gavin Tighe, lawyer for Mir and Leda, claims that the insurer wrongly denied coverage, and that it ignored its duty to defend the plaintiffs’ case against his clients. In its court documents, and in an e-mail to me, the insurer’s counsel, Lorne Honickman, set out the “comprehensive” steps that his client took to protect the insured and cautioned me not to impugn the reputation of his client.

For property purchasers, the lessons of this ongoing litigation are:
• Not all title insurers are the same. Not all policy wording is the same.
• Make sure that your title insurer cannot arbitrarily terminate coverage after closing.
• Check out the claims payment record of the title insurer you are dealing with.
• Have your lawyer review and explain the survey coverage in the policy.
• Just because the insurer waives the requirement for an up-to-date survey doesn’t mean you shouldn’t get one. Aside from the deed, a land survey is the most important document in a real estate transaction.
• Closing a house purchase without a current survey can be very risky. Just ask Mir and Leda.

Bob Aaron is a Toronto real estate lawyer. He can be reached at bob@aaron.ca, or fax 416-364-3818. Visit www.aaron.ca.

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I Want My Bullets Back

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They start rolling—and roll they did, onto the ground and under the truck. I mean everywhere. Another car pulls up behind, a guy and his wife and they look at the scene. (The expression on (their) faces. I wonder what that guy is smuggling). Next my hunting knife shows up, and then my hatchet. I heard the first guard say ouch when that treble hook stuck in his finger.

“When you say weapons you don’t mean knives do you?”

The first guard tells me, “pull your truck ahead into that stall. If we find any weapons, you’re going to jail.”

I pulled into the stall as one guard walked along side and he said, “don’t you try driving off or you’ll be in really big trouble.”

“Hey man, I’m a volunteer fireman—look at my license plate—Sunday school teacher, basketball coach, boy scout, President of MARLS. I’m a Montanan, I live right down the road. We hunt and fish and shoot gophers and my freaking name is all over the side of my truck. Ok, I’m starting to sweat it now. This is not fun anymore and I want to get the hell out of here. On the right, there is a gallon jar of Vaseline, half-gone and they start putting on bright blue elastic rubber gloves. My fists clench, I suck my guts in and squeeze, over my dead body! This will be an international incident after all!

I tell ya, my truck literally comes apart—everything—my clothes are all dumped on the table, my wallet, briefcase, paper work everywhere and they even take my air cleaner out. Finally after an hour, which took minute by minute of me going over everything in my mind that I could imagine I had done in that truck. How many times I had taken guns in and out and stuffed them behind the seats and did I forget I had one stuffed somewhere? So this is what it’s like to not be free and to not have rights. When you leave this country, you give up your rights and you don’t get them back until you see the border guards in your rearview mirror. How lucky we are boys. I want my bullets back!
I trust everybody had a fine summer, enjoying your trips, gardens and the many festivals all over the province. It sure was one of the warmest on record. I think a thought should go out to the residents of the Crowsnest Pass and B.C. affected by the fires.

I will report on our June meeting and summer activities. In June, we welcomed the new Council and dealt with a request to investigate the possibility of changing the CST designation of mapping practitioners to Certified Mapping Technicians/Technologists (CMT) from the current Certified Survey Technologists. Our Certification Review Committee was assigned the task. They are also working hard on striking a new curriculum for future applicants.

Mike Spencer is to table a report in September on an expanded management position. He also announced that the 2004 Annual General Meeting will be held at the Kananaskis Mountain Lodge on Friday and Saturday, May 21st and 22nd. Please note that the dates for the 2004 AGM were incorrect in the June issue of ALS News.

New Councillor Shannon Hala is working on establishing our Basic Calculation Course at SAIT. It is now only offered at NAIT. The next course is to be held from Friday to Sunday, September 26 to 28, 2003 at NAIT. Log on to our website at www.assmt.ab.ca to register.

Several certifications took place in June. There were two recertifications; Rick Sarasavath of Lovse Surveys Ltd. in Calgary is now a Technologist, Civil. He was a Technician, Drafting/GIS and Councillor Dale-Lynn Lawrence of Alberta Sustainable Resource Development in Edmonton has been upgraded to a Senior Technician, Cadastral.

We have two new members. Chris Barlow of the City of Red Deer is a Technologist, Civil and Robert Cream of Baseline Technologies Ltd. in Drayton Valley is a Senior Technologist, Cadastral. Congratulations to all.

We are currently processing applications from Diane Wilson, Jean-Paul Fournier, Gerald Roth and Larry Wellspring.

A Link was mailed out in the summer. Our current editor, Farley McKenzie has stepped down. Thanks go out to Farley for his many services to the society.

Council will be considering a request from Olds College to recognize their Land Information Systems two year diploma program. We currently offer bursaries at NAIT and SAIT.

I wish you all well in this increased period of activity.