History of REC / T Plans

The beginning of “T” plans directly relates to the addition of section 2(77a) to The Alberta Surveys Act under Chapter 12 An Act to Amend The Alberta Surveys Act.

- Chapter 12 An Act to Amend The Alberta Surveys Act – Assented to March 31, 1939
  - Section 2
    1. The Alberta Surveys Act, being chapter 47 of the Statutes of Alberta, 1931, is hereby amended by inserting therein immediately after section 77 following new section:

      “77a. Every surveyor who makes a survey and in so doing establishes the corner of any section, quarter section or legal subdivision shall mark every corner established by him with an iron post, and shall within thirty days after completion of the plan of any survey so made by him prepare a copy thereof, and certify that the copy is a true copy of the plan of survey of which it purports to be a copy, and shall transmit it to the Registrar of Land Titles for the Land Registration District in which the land to which it relates is situate; and the Registrar shall upon receipt thereof cause it to be filed in his office.”

Note the time given to send the plan for registration was 30 days and that the plan was to be sent directly to the Registrar of Land Titles.

In a publication titled “A History of The Alberta Land Surveyors Association” by J.H. Holloway, ALS, Mr. Holloway, on page 44 states:

At the 1938 Annual Meeting, the members adopted a resolution recommending that legislation be enacted to require the filing of plans showing any re-establishment of section, quarter section or legal subdivision corners carried out by Alberta Land Surveyors, and The Alberta Surveys Act was amended accordingly in 1939.

This requirement became part of all subsequent Surveys Act up to today with a number of modifications along the way as shown below.
Acts:

- Chapter 75 The Alberta Surveys Act – 1942
  - Section 78
    1. Every surveyor who makes a survey and in so doing establishes the corner of any section, quarter section or legal subdivision shall mark every corner established by him with an iron post, and shall within thirty days after completion of the plan of any survey so made by him prepare a copy thereof, and certify that the copy is a true copy of the plan of survey of which it purports to be a copy, and shall transmit it to the Registrar of Land Titles for the Land Registration District in which the land to which it relates is situate; and the Registrar shall upon receipt thereof cause it to be filed in his office.

No change from the previous Act except the section number.

- Chapter 327 The Alberta Surveys Act – 1955
  - Section 79
    1. If, in the execution of a survey, a surveyor

    (a) establishes any corner of a section, quarter-section or legal subdivision that was not previously marked by any monument, or
    (b) re-establishes the position of any corner of a section, quarter-section or legal subdivision that has previously been marked by a survey post, with or without pits or a mound or trench, and at which such survey post can no longer be found,

    the surveyor shall mark with an iron post every corner so established or re-established by him and shall prepare a copy of the plan of survey so made by him and certify that the same is a true copy of the plan of which it purports to be a copy or, if no plan of the survey is otherwise required to be prepared, he shall prepare a plan showing the location of any corner or corners so established or re-established and details of the evidence or method by which such establishment or re-establishment was effected, together with the date of the survey, and shall certify that such survey and plan have been made in accordance with this Act.

    (2) Every certified plan or copy of a plan required to be prepared under subsection (1) shall, within sixty days after the completion of the survey, be transmitted by the surveyor to the Director of Surveys.

    (3) Upon approval of the plan or copy thereof by the Director of Surveys, the same shall be forwarded by him to the Registrar of Land Titles for the land registration district in which the land to which it relates is situate, and upon receipt thereof the Registrar shall cause it to be filed in his office.

There are a number of changes from the previous Act. The plan now goes to the Director of Surveys and there are more detailed instructions of how and when to prepare a plan under Section 79.
Chapter 328 The Alberta Surveys Act – 1970

Section 79

(1) If, in the execution of a survey, a surveyor

(a) establishes any corner of a section, quarter-section or legal subdivision that was not previously marked by any monument, or

(b) re-establishes the position of any corner of a section, quarter-section or legal subdivision that has previously been marked by a survey post, with or without pits or a mound or trench, and at which such survey post can no longer be found,

the surveyor shall mark with an iron post every corner so established or re-established by him and shall prepare a copy of the plan of survey so made by him and certify that the same is a true copy of the plan of which it purports to be a copy or, if no plan of the survey is otherwise required to be prepared, he shall prepare a plan showing the location of any corner or corners so established or re-established and details of the evidence or method by which such establishment or re-establishment was effected, together with the date of the survey, and shall certify that such survey and plan have been made in accordance with this Act.

(2) Every certified plan or copy of a plan required to be prepared under subsection (1) shall, within sixty days after the completion of the survey, be transmitted by the surveyor to the Director of Surveys.

(3) Upon approval of the plan or copy thereof by the Director of Surveys, the same shall be forwarded by him to the Registrar of Land Titles for the land registration district in which the land to which it relates is situate, and upon receipt thereof the Registrar shall cause it to be filed in his office.

No change from the previous Act.
Chapter S-29 Revised Statutes of Alberta Surveys Act – 1980
  o Section 76
    (1) If, in the execution of a survey, a surveyor

      (a) establishes any corner of a section, quarter-section or legal subdivision that
          was not previously marked by any monument, or

      (b) re-establishes the position of any corner of a section, quarter-section or
          legal subdivision that has previously been marked by a survey post, with or
          without pits or a mound or trench, and at which such survey post can no longer
          be found,

      the surveyor shall mark with an iron post every corner so established or re-
      established by him and shall prepare a copy of the plan of survey so made by him
      and certify that the same is a true copy of the plan of which it purports to be a copy
      or, if no plan of the survey is otherwise required to be prepared, he shall prepare a
      plan showing the location of any corner or corners so established or re-established
      and details of the evidence or method by which such establishment or re-
      establishment was effected, together with the date of the survey, and shall certify
      that such survey and plan have been made in accordance with this Act.

    (2) Every certified plan or copy of a plan required to be prepared under subsection

        (1) shall, within sixty days after the completion of the survey, be transmitted by
        the surveyor to the Director of Surveys.

    (3) Upon approval of the plan or copy thereof by the Director of Surveys, the same
        shall be forwarded by him to the Registrar of Land Titles for the land registration
        district in which the land to which it relates is situate, and upon receipt thereof
        the Registrar shall cause it to be filed in his office.

Only change from the previous Act was the section number.
Chapter S-29.1 Surveys Act – 1987

- Section 40
  1. When a surveyor is required to re-establish the position of a monument placed in the original survey in accordance with section 29 that cannot be found, the surveyor shall do so from the best available evidence respecting the position of the monument.
  
  2. If the position of the monument cannot be satisfactorily ascertained under subsection (1) or if the corner was not previously marked by a monument in the original survey, the surveyor shall re-establish the monument or establish the corner’s position in relation to those monuments of the original or subsequent surveys that can be found, in a manner that carries out the evident intention of the original survey, as shown in the original field notes and the official plan of record in the Director’s office.
  
  3. A surveyor who establishes a corner of a section, quarter-section or legal subdivision that was not previously marked by a monument, or re-establishes the position of a monument in accordance with subsection (1) or (2),

  a. shall mark the position with a new monument, and
  
  b. shall, within 90 days after completion of the survey, prepare and submit to the Registrar a plan of survey showing the method by which the position was re-established.

There are a number of minor changes from the previous Act including the change of section number and now the time required is 90 days. It is no longer required to be sent to the Director of Surveys.

Surveys Act RSA 2000 Chapter S-26

Re-establishment of Part 2 survey monument

44(1) When a surveyor is required to re-establish the position of a monument placed in the original survey in accordance with section 29 or 32 that cannot be found, the surveyor shall do so from the best available evidence respecting the position of the monument.

(2) If the position of the monument cannot be satisfactorily ascertained under subsection (1) or if the corner was not previously marked by a monument in the original survey, the surveyor shall re-establish the monument or establish the corner’s position in relation to those monuments of the original or subsequent surveys that can be found, in a manner that carries out the evident intention of the original survey as shown in the original field notes and the official plan of record in the Director’s office.

(3) A surveyor who establishes a corner of a section, quarter section or legal subdivision that was not previously marked by a monument, or re-establishes the position of a monument in accordance with subsection (1) or (2),

a. shall mark the position with a new monument, and

b. shall, within 90 days after completion of the survey, prepare and submit to the Registrar a plan of survey showing the method by which the position was re-established.

Only change from the previous Act was the section number.
As stated earlier, the first legislated requirement for surveyors to file a plan was the addition of section 2(77a) to *The Alberta Surveys Act* under Chapter 12 *An Act to Amend The Alberta Surveys Act*. The Act was assented to March 31, 1939. This correlates with the first filed “T” plan. Plan T10 was filed at the Land Title Office on February 12, 1940.

You will note that on the plan is the “Approval Stamp” of the Director of Surveys. It was signed by J.H. Holloway, Director of Surveys after being examined by T.E.R. on November 28, 1950.

The reason behind the use of the letter T has yet to be determined. On many of the “T” plans, one can also see written REC####. This was referred to as the vault number by the Director of Surveys Office. A method of tracking plans being sent to the Director of Surveys was devised which would give each plan a unique identifier. Some were composed of sequential numbers, some were numbers combined with letters such as MD (Municipal District), RW (Railway), etc. Although no written documentation can be found yet, the designation REC is believed to represent “Re-establishment of Corners”.

On a number of the “T” plans, one can find reference to the section of the Surveys Act in the legend. Plan T249 is an example; section 78 was crossed out and the new section 79 shown. Also on this plan, the vault number REC 337 is shown. As was found on the first “T” plan, the Director of Surveys “Approval Stamp” along with the signature of the Director of Surveys, C.W. Lester was added.

Many of these “T” plans could be easily mistaken for official plans. It appears it was common practice for many surveyors to use a township template to draft their surveys on and then simply submit this for filing. An example of this is Plan T12 surveyed by J.H. Webb, ALS between March 30 and July 3, 1950. The plan was examined on July 31, 1950 and approved by J.H. Holloway, Director of Surveys. It was filed on August 18, 1950.

In all the “T” plans reviewed (a total of 2100 up to 1976), the “Approval Stamp” of the Director of Surveys was added. This is important to note because in order for a plan to be considered an official plan it must have been approved and confirmed by the Director of Surveys or the Surveyor General as well as having a set of official field notes.

In the research performed for this query, no documentation was found where the Director of Surveys had provided official instructions to the ALS with the intention of creating an official plan. There are examples of re-establishments shown on a “T” plan being used in the creation of an official plan. The re-establishments done were accepted by the surveyor tasked with the official survey. Distances and angular relationships were remeasured.

In the specific example provided by Mr. Fretwell, ALS, Plan T1143 the use of a township template is undeniable. In the top right hand corner the Director of Surveys “Approval Stamp” is shown. It was signed by D.C. Holmberg, Assistant Director of Surveys on April 23, 1969. This plan would not be given any propriety status over any other non-official survey.

The role of the “T” plan was to provide a public record informing surveyors and others that a restoration, re-establishment, or establishment of a Part 3 township survey monument had occurred. This was especially important in the early days of surveying as monuments did not have permit numbers stamped on them to determine the origin of a found monument. These “T” plans eventually became today’s Monument Plans and should be treated no differently than any Part 3 survey plan.

Edward Titanich