Back-Dating Surveys to Cover the Time When Governing Evidence was Found and Surveyed

9-2012 Practice Review Board (PRB) Interpretive Bulletin

It has come to the attention of the Board that the starting dates on certain plans are being back-dated to the time when evidence now lost still existed. The purpose of the bulletin is to clarify what is acceptable and what is not.

Definitions:
- Current survey is the survey that is being conducted to complete a plan of survey for a particular phase or stage.
- Starting date is the date when the actual field work for the current survey started.

Scenarios:
There are many instances where evidence has been surveyed and subsequently destroyed or become difficult to access or inaccessible. Therefore, there are two basic scenarios where this evidence might not actually be tied in during a particular survey:
- The evidence has been destroyed but its original location can be re-established from references or previous ties.
- The evidence is still in place, but due to circumstances is either inaccessible or accessing the evidence would cause damage to property. In these cases the reference points are used to complete the survey and the evidence is shown as a monument of record.

Purpose:
The intent of this interpretive bulletin is to provide some guidance as to how to deal with these situations. There is no intent to provide a solution to the many different situations that an Alberta Land Surveyor might encounter. The following are important points that must be considered:
- The plan must stand on its own merit.
- The office file must contain all of the information used to determine the location of the governing evidence, including copies of the field notes that show the original ties or references.
- Any notations dealing with the lost evidence must be clear and unambiguous as to the current status of the evidence and the method of re-establishment of its position.
- In the case of inaccessible evidence the land surveyor must be certain that the evidence does in fact still exist in its proper location. For example, if a monument is under water, such as in a slough and no signs of construction exist; a surveyor can be reasonably sure the monument still exists.
**Expectations:**
The basic assumption is that each survey is to be completed as if the previous survey was not performed by the practitioner conducting the current survey.

It is not expected that each and every piece of survey evidence shown on a plan of survey as either found or placed will still exist at the time the plan is registered.

It is expected, however, that each piece of survey evidence was in fact in place at some time between the starting and ending dates shown on the plan.

It is expected that any governing survey evidence not existing when the survey was started is re-established and shown as such on the plan.

It is not acceptable to back-date the starting date to include evidence that no longer exists to a time when it did exist.

Three examples that illustrate the above expectations are shown on the following pages. The examples are not meant to be exhaustive of all possible scenarios.

The foregoing interpretation was approved by the Practice Review Board of the Alberta Land Surveyors’ Association at its meeting on May 9, 2011. Feedback from the membership is invited and should be addressed to the Chair, Practice Review Board, at the ALSA, #1000, 10020 – 101A Avenue, Edmonton, AB T5J 3G2 (Fax: 1-780-429-3374, E-Mail: info@alsa.ab.ca).
Plan of Survey by John Doe A.L.S.
Survey Dates: December 10th 2011 - March 7th 2012
PRIOR TO CONSTRUCTION
Tied in Existing Survey Evidence
John Doe, A.L.S., May 12, 2005

N.W. 1/4 SEC. XX-XX-XX-X

POST CONSTRUCTION
Survey Dates: June 12-13, 2011
John Doe, A.L.S.

New 15.0m P/L R/W

N.W. 1/4 SEC. XX-XX-XX-X