



Academic and Experience Requirements Committee

PROFESSIONAL WRITTEN (CADASTRAL) EXAMINATION

Friday, May 30th, 2014

9:00 A.M. – 1:00 P.M.

TIME ALLOWED:	Four (4) hours
# OF QUESTIONS:	Eleven (11)
TOTAL MARKS:	100
PASS:	65%

INSTRUCTIONS

Note: This is a closed book examination. No aids are allowed.

1. There are eleven (11) questions. Please ensure that you have a complete copy of the examination, including the plan.
2. Note the number of marks for each question before compiling your answers and allocate your time accordingly.
3. Place your exam registration number at the top right-hand corner of **each page** of your answers, including the plan, and on the front of each booklet. **DO NOT** write your name on or in the book(s).
4. Each answer must begin on a new page, however questions may be answered in any order.
5. Reference each response to its question number, including subsection.
6. Write only on the right hand side of the examination book. You may wish to use the left (unruled) side for calculations, etc., however anything written on the unruled side will not be considered during marking.
7. Do not write in pencil.
8. Write the booklet number and the total number of booklets on the front of each booklet. (e.g. Book 1 of 3, etc.)
9. This examination must be returned to the invigilator with your answer book(s).

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Question 1

(5 marks)

In 1986, the owner of a 500-foot by 500-foot property fronting on the north side of a road received Land Division Committee consent to sever the land into two, 250-foot properties. A Reference plan is commissioned showing two Parts. Part 2, the easterly part, is conveyed.

In November 1999, you are asked to prepare a Surveyor's Real Property Report for Part 1. Upon surveying the site, you find all six bars and a 40-year-old fence parallel to and 25 feet west of the monumented line between Parts 1 and 2.

Draw a sketch of the site and explain where you would place the boundary.

Question 2

(10 marks)

- a) Name five (5) types of plans for which the limits may be un-dimensioned. (5 marks)
- b) Name five (5) types of plans that create geographic fabric. (5 marks)

Question 3

(15 marks)

Check the attached plan. Indicate in red any amendments or corrections. You may want to use a yellow marker to note the correct items although no marks will be provided for this aspect. There are at least 20 items incorrect or omitted; a 3/4 mark will be awarded for each correctly identified item to a maximum of 15 marks.

NOTE: Write your exam registration number on the top of the plan in the space provided.

Do not write your name on the plan.

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Question 4

(10 marks)

A client calls and advises that they wish to sell the southerly 5 acres of their 25-acre property to the adjacent landowner.

Write a letter to the client outlining:

- the process
- the participants
- the documentation
- the expected time frames
- the costs to be incurred
- any other pertinent or special issues common to your area.

Start each part of your answer with a new paragraph.

NOTE: Do not sign your name to the letter.

Question 5

(12 marks)

A lawyer contacts you indicating an interest in retaining you as an expert witness in a lawsuit. She wants you to define the word "survey" as expressed within the context of an agreement of purchase and sale with the clause that the vendors provide an up-to-date survey. She acts for the purchasers; and the problem is that the "survey" provided is a plan that was attached to a conveyance document, and it does not include any buildings or improvements; hence, her clients are suing for breach of contract.

The vendors have owned and occupied the specific property since its creation, and acquired the property with the plan. Although there had been mortgage transactions, there had not been any survey activity on the specific property since its creation.

- a) Write a letter of response to the lawyer, setting out your professional opinion in the matter, and your professional advice in the matter. (7 marks)

NOTE: Do not sign the letter.

- b) Provide reasons to support your views. (5 marks)

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Question 6

(5 marks)

Two adjoining owners construct a fence in the vicinity of their original well monumented common boundary, but deliberately cause the fence to deviate from the true line in a few places in order to avoid rock outcrops. Since they both agree and consent that the fence would be a more suitable boundary, they instruct you to survey and monument the fence line and to prepare a plan under the *Boundaries Act* showing the fence as the true property line.

State, giving your reasons, the advice you would give the owners on how best to establish the new boundary to coincide with the new fence.

Question 7

(8 marks)

You are a newly commissioned surveyor working for an established firm. You find that one of the principals of the firm is cutting corners and not performing proper research. You have serious concerns that his work is substandard and may not comply with the Standards.

- a) How would you deal with the situation? (2 marks)
- b) Would your response differ if the surveyor were a local competitor? If so, how? (2 marks)
- c) If the Association of Ontario Land Surveyors became involved, what processes are available? (4 marks)

Question 8

(10 marks)

There are two AOLS committees that deal primarily with the education of surveyors.

- a) Name them. (2 marks)
- b) Under what authority are they created and are they mandatory? (4 marks)
- c) What is the primary focus of each committee? (4 marks)

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Question 9

(5 marks)

The principle of proportional division is frequently used by surveyors when re-establishing boundaries.

- a) Describe the circumstances in which this principle may be employed. (1 mark)
- b) Describe four instances when this principle is not applicable. (4 marks)

Question 10

(10 marks)

A property owner contacts you regarding the development of a 5-acre parcel of land in the town where your firm is located. The owner wants to build a number of freehold townhomes, and has had preliminary meetings with the Town Planner. Although the Town will still have to formally grant Planning Act approval and possible minor variance approvals, the Town is in favour of the development as it will meet current zoning for the property, with the exception that the Town does not want to assume responsibility for the new road that will be required to service the development. It is suggested that a Common Elements Condominium Plan be prepared for the new road within this site. The property owner has no experience in land development and asks for your guidance in explaining the steps that will be required.

Prior to meeting with the property owner, your initial investigation indicates that the property has recently been converted from the Land Registry system to Land Titles (Qualified Title) and that there has been no recent survey prepared of the property.

Describe 5 professional services that a licensed Ontario Land Surveyor could provide for this project and give a brief explanation (referring to Statutes where appropriate) as to why this work is required. (2 marks each)

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Question 11

(10 marks)

As a land surveyor, Surveyor X, your client, a utility company, has asked you to produce a reference plan in order to describe and define a proposed 2 metre square easement at the corner of one lot on a recently registered Plan of Subdivision. Surveyor Y registered the Plan of Subdivision. The Plan of Subdivision also notes all monumentation had been set at all corners. You conducted a registry and in-office research of the subject and adjacent lands and requested and received field notes from Surveyor Y.

Upon commencement of your field operations it is noted that a number of survey monuments on the lot you are surveying are not present. In fact the ground has not been disturbed and there is no evidence the monuments were ever set.

Read all parts of the questions before answering

- a) As a professional land surveyor your duty is to uphold the standards of the association, and as such what initial actions or measures would you take with Surveyor Y to resolve the situation? (3 marks)
- b) If Surveyor Y has not conducted him or herself in a professional manner or is unwilling to correct the situation, who would you contact at the association in order to submit a complaint? (2 marks)
- c) Once a formal complaint has been submitted to the Association, outline all the possible outcomes that such a complaint could take within the association? (Name all officials and/or committees and/or departments, within the association, that could deal with an official complaint) (5 marks)