

UNEDITED

The Land Surveys Act

being

Chapter 113 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SCHEDULE

CHAPTER 113

An Act respecting the Survey of Land

SHORT TITLE

Short title

- 1 This Act may be cited as *The Land Surveys Act*.

R.S.S. 1953, c.113, s.1.

INTERPRETATION

Interpretation

- 2 In this Act:

“Chief Surveyor”

- 1 “**Chief Surveyor**” means the Chief Surveyor of Land Titles Offices;

“Controller of Surveys”

- 2 “**Controller of Surveys**” means the officer bearing that title appointed under the provisions of this Act;

“department”

- 3 “**department**” means the Department of Natural Resources;

“Director of Surveys”

- 4 “**Director of Surveys**” means the officer bearing that title appointed under the provisions of *The Highways and Transportation Act*;

“minister”

- 5 “**minister**” means the Minister of Natural Resources;

“provincial lands”

- 6 “**provincial lands**” means provincial lands as defined in *The Provincial Lands Act*;

“registered”

- 7 “**registered**” means registered or of record in the proper land titles office;

“surveyor”

- 8 “**surveyor**” means Saskatchewan land surveyor;

“iron post”

- 9 “**iron post**” means:

(a) a pointed iron tube at least thirty-six inches long and three-quarters of an inch in diameter, having the top four inches plugged and squared and weighing at least two and one-half pounds, termed a standard iron post;

(b) solid iron, round or square, at least thirty inches long and three-quarters of an inch in diameter; provided that in solid rock the length may be reduced to six inches;

“monument”

- 10 “**monument**” means a metal post, wooden post, mound, pit or trench, or anything else used to mark a boundary or line by a surveyor;

“lost monument”

- 11 “**lost monument**” means a monument which has disappeared entirely and the position of which cannot be established by evidence;

“obliterated monument”

12 **“obliterated monument”** means a monument, the position of which can be ascertained beyond reasonable doubt either by traces of the original monument or by other evidence, although the monument itself has partly or entirely disappeared;

“restoration”

13 **“restoration”** means the restoring of an obliterated monument;

“retracement”

14 **“retracement”** means the survey of a line of a previous survey;

“resurvey”

15 **“resurvey”** means a survey made for the purpose of placing in correct position monuments lost or incorrectly placed by a previous survey;

“transfer”

16 **“transfer”** includes letters patent from the Crown.

1933, c.20, s.2, R.S.S. 1940, c.103, s.2; 1950, c.29, s.2; R.S.S. 1953, c.113, s.2.

PART I

Primary Surveys

ADMINISTRATION

Minister to control

3 The minister shall have the administration, direction and control of the surveys of provincial lands.

R.S.S. 1940, c.103, s.3; R.S.S. 1953, c.113, s.3.

Employees

4(1) There may be appointed an officer to be known as the Controller of Surveys, who shall be a Saskatchewan land surveyor and who, under the direction of the minister, shall administer the provisions of this Part and the regulations made hereunder.

(2) There may also be appointed such other surveyors, clerks and employees as are required.

R.S.S. 1940, c.103, s.4; 1947, c.39, s.2; R.S.S. 1953, c.113, s.4.

Regulations and orders

5(1) The minister may, with the approval of the Lieutenant Governor in Council, make such orders and regulations as are deemed necessary to carry out the provisions of this Part according to their obvious intent, or to meet cases which may arise and for which no provision has been made herein.

(2) Orders and regulations made under subsection (1) shall have effect only after publication in *The Saskatchewan Gazette*.

(3) The Lieutenant Governor in Council may adopt and constitute as regulations under this Act the ninth or any subsequent edition of the Manual of Instructions for the Survey of Dominion Lands, in whole or in part and with or without modification.

R.S.S. 1940, c.103, s.5; 1944, c.24, s.2; R.S.S. 1953, c.113, s.5.

SURVEYS

Provincial lands to be laid out in townships

6 Provincial lands shall be laid off in quadrilateral townships, each containing thirty-six sections of as nearly one mile square as the convergence of meridians permits, with such road allowances, and of such width, as the Lieutenant Governor in Council may prescribe. The sections shall be numbered as shown by the following diagram:

	N					
	31	32	33	34	35	36
	30	29	28	27	26	25
	19	20	21	22	23	24
W	18	17	16	15	14	13
	7	8	9	10	11	12
	6	5	4	3	2	1
	S					
	E					

R.S.S. 1940, c.103, s.6; R.S.S. 1953, c.113, s.6.

Township boundaries

7 The lines bounding townships on the east and west shall be meridians; and those on the north and south sides shall be chords to parallels of latitude.

R.S.S. 1940, c.103, s.7; R.S.S. 1953, c.113, s.7.

Townships to be numbered

8 The townships shall be numbered, in regular order, numbered northerly from the inter national boundary, or forty-ninth parallel of latitude, and shall lie in ranges numbered west from the principal or first meridian and the second and third meridians, as established under the *Dominion Land Surveys Act*, chapter 117 of the *Revised Statutes of Canada, 1927*, and any productions northerly thereof.

R.S.S. 1940, c.103, s.8; R.S.S. 1953, c.113, s.8.

Widths of townships

9 Townships shall be given their prescribed width on the base lines hereinafter mentioned; and the meridians between townships shall be drawn across these base lines northward and southward to the depth of two townships therefrom, that is to say, to the correction lines hereinafter mentioned.

R.S.S. 1940, c.103, s.9; R.S.S. 1953, c.113, s.9.

Base lines

10 The international boundary, or forty-ninth parallel of latitude, shall be the first base line, or that for townships numbered one; the second base line shall be between townships four and five; the third between townships eight and nine; the fourth between townships twelve and thirteen; the fifth between townships sixteen and seventeen; and so on northerly in regular succession.

R.S.S. 1940, c.103, s.10; R.S.S. 1953, c.113, s.10.

Correction lines

11 The correction lines, or those upon which the jog resulting from the convergence of meridians shall be allowed, shall be those lines running east and west between townships and midway between the bases, which lines are the line between townships two and three, that between townships six and seven, that between townships ten and eleven, and so on northerly in regular succession.

R.S.S. 1940, c.103, s.11; R.S.S. 1953, c.113, s.11.

Quarter sections

12 Each section shall be divided into quarter sections of one hundred and sixty acres, more or less, subject to the provisions hereinafter contained.

R.S.S. 1940, c.103, s.12; R.S.S. 1953, c.113, s.12.

North and south discrepancies

13 The north and south discrepancy in closing on the correction lines from the north and south shall be allowed in the ranges of quarter sections adjoining, and north and south respectively of the said correction lines, except in the case of the north and south discrepancy in those townships between the first and second base lines, which discrepancy shall be left in the last quarter section adjoining the said first base line.

R.S.S. 1940, c.103, s.13; R.S.S. 1953, c.113, s.13.

Deficiency or surplus

14 In the survey of a township, the east and west deficiency or surplus shall be distributed equally among all the quarter sections involved; but the Lieutenant Governor in Council may order this deficiency or surplus to be otherwise allocated.

R.S.S. 1940, c.103, s.14; R.S.S. 1953, c.113, s.14.

Returns by surveyor

15 The dimensions and area of irregular quarter sections or other parcels of land shall be returned by the surveyor at their actual measurements and contents; provided that in cases in which road allowances are not between but through sections, quarter sections or other parcels of land, the area reserved for these road allowances shall not be included in the area returned for a quarter section or other parcel of land.

R.S.S. 1940, c.103, s.15; R.S.S. 1953, c.113, s.15.

Monuments where placed

16 Except as hereinafter provided, only a single row of monuments to indicate the corners of townships, sections or quarter sections, shall be placed on any survey line thereof; on north and south lines these monuments shall be placed in the west limit of the road allowances, and on east and west lines, in the south limit of the road allowances; and in all cases the monuments shall fix and govern the position of the boundary corner between the adjoining townships, sections or quarter sections on the opposite side of the road allowance.

R.S.S. 1940, c.103, s.16; R.S.S. 1953, c.113, s.16.

Monuments on correction lines

17 In the case of township, section and quarter section corners on correction lines, monuments shall be placed and marked independently for the townships on each side; and when a road allowance is laid out along such a line, the monuments shall be placed in the limit of the road lying alongside the lands which they are intended to define.

R.S.S. 1940, c.103, s.17; R.S.S. 1953, c.113, s.17.

Surveying to be by contract

18 The township subdivision surveys of provincial lands, according to the system described above, may be performed under contract, either at a rate per township, per mile or per acre, or at a rate per day, to be fixed by the Lieutenant Governor in Council.

R.S.S. 1940, c.103, s.18; R.S.S. 1953, c.113, s.18.

Legal subdivisions

19 To facilitate the description for transfer of less than a quarter section, every section shall be taken to be divided into quarter sections, each of forty acres, more or less, which shall be styled legal subdivisions, and shall be numbered as shown in the following diagram:

	N				
	13	14	15	16	
	12	11	10	9	
W	5	6	7	8	E
	4	3	2	1	
	S				

R.S.S. 1940, c.103, s.19; R.S.S. 1953, c.113, s.19.

Special provisions relative to survey of certain lands

20 Notwithstanding anything contained in this Act the minister may direct:

- (a) that lands be surveyed, laid out and divided into building lots with such streets, lanes, public places and squares as may be necessary, subject to the provisions of *The Community Planning Act*;
- (b) that roads, at least sixty-six feet in width, be surveyed and laid out where these roads appear to be required;
- (c) that lands in regions where the ordinary mode of survey is impracticable, be laid out into townships, sections, quarter-sections and legal or other subdivisions by fixing the corners of the townships, sections, quarter sections and legal or other subdivisions by reference to points determined by astronomical observations, or by traverse, or by triangulation or other geodetic process;
- (d) that where the system of subdivision of a township laid down in this Part is found to be impracticable, a special system of township subdivision, as best seems to fit the topographical conditions and the requirements of the case, be followed;
- (e) that lands required for or in connection with transportation, telephone or power systems, mining, reservoirs, irrigation, drainage, pipe lines, airports, docks, station grounds, terminals or other purposes be surveyed and laid out in such manner and of such extent as may be deemed advisable.

R.S.S. 1940, c.103, s.20; 1947, c.39, s.3; R.S.S. 1953, c.113, s.20.

Surveys under *Dominion Lands Surveys Act*

21 Notwithstanding anything contained herein, the minister may order that any survey made under the authority surveys Act of and in compliance with the provisions of the *Dominion Lands Surveys Act*, chapter 117 of the *Revised Statutes of Canada, 1927*, at any time prior to the first day of May, 1935, upon receipt by him of a copy of the field notes or plan of the survey duly certified by the Surveyor General of Canada, or by the surveyor who made the survey, and upon approval of the field notes or plan by the Controller of Surveys, shall become the official survey, and the said field notes or plan shall thereupon become the official field notes or plan of the survey.

R.S.S. 1940, c.103, s.21; R.S.S. 1953, c.113, s.21.

PLANS

Plans of survey to be confirmed

22(1) Plans of provincial lands surveyed or resurveyed under the provisions of this Part shall be plotted from the surveyor's field notes under the direction of the Controller of Surveys and these plans shall show the direction and length of the boundaries, the nature and position of the monuments and the areas of the quarter sections or other parcels of land so laid out.

(2) The confirmation of a plan by the Controller of Surveys shall be held to be a confirmation of the survey or resurvey and the confirmed plan shall be the official plan.

(3) The confirmation of the plan by the Controller of Surveys shall operate as a dedication of the roads, streets, lanes and other public roadways shown thereon as public highways, and the land contained in these highways shall thereafter be under the jurisdiction and control of the Minister of Highways and Transportation.

(4) Where any plan of record of provincial lands is found to be incorrect, or where any omission, clerical error or other defect is found in the plan, the Controller of Surveys may cause a new plan to be made showing the omission, error or defect corrected and the new plan shall, after confirmation by the Controller of Surveys, become the official plan of the survey and shall be used for all purposes instead of the old plan.

R.S.S. 1940, c.103, s.22; R.S.S. 1953, c.113, s.22.

RESURVEYS

Procedure

23(1) When through an error in the survey a boundary monument is not at the place where it should have been erected, the minister may, subject to the provisions hereinafter contained, order that the monument be removed and that a new monument be erected at the proper place.

(2) No monument defining the boundary of land for which a transfer has issued shall be displaced without the consent in writing of the owner.

(3) No monument defining the boundary of land held as a homestead or under lease, licence or agreement of sale shall be displaced without the consent in writing of the holder thereof, unless the error in the position of the monument is at least one chain, in which event the minister may, without the consent of the holder, authorize the correction of the error, but any person acquiring improvements on the land through the correction shall be required to pay therefor to the owner of the improvements such an amount as may be fixed by the minister, or, if either party is dissatisfied with the finding of the minister, such an amount as is determined by arbitration under subsection (4).

(4) The amount of compensation for the improvements shall be determined by the award of a single arbitrator if the parties concur in his appointment, or, if not, by the award of three arbitrators, one to be named by each of the parties, and the third by the two so named. If, in the latter case, either party refuses or neglects to name an arbitrator within one month after being notified so to do, an arbitrator may be named on his behalf by the Controller of Surveys;

and, if the two arbitrators so appointed cannot agree upon a third arbitrator, the minister may appoint the third arbitrator.

(5) The award of the single arbitrator or of a majority of the three arbitrators shall be final, and the proceedings upon the arbitration shall be governed by *The Arbitration Act*.

R.S.S. 19,10, c.103, s.23; R.S.S. 1953, c.113, s..

RE-ESTABLISHMENT OF LOST CORNERS

When original monument is lost

24(1) When a surveyor is in doubt as to the true position of a monument marking the corner of a section or other primary subdivision shown on the official plan of a township, he shall, in the case of an obliterated monument, establish its true position from the best evidence obtainable by him, but in the case of a lost monument he shall proceed as follows:

- 1 If the lost monument is that defining a township corner, the circumstances of the case shall be reported to the Controller of Surveys, who shall instruct the surveyor how to proceed;
 - 2 If the lost monument is on the outline of a township and all the monuments between it and the corner of the township, together with the monument defining the said corner, are also lost, the township corner shall be reestablished, as provided in paragraph 1, previously to reestablishing the outline of the township;
 - 3 If the lost monument is on one of the outlines of a township, or on one of the interior meridian section lines of a township, the nearest section or quarter section corners found on the outline or the interior meridian section line, and which are on opposite sides of the lost monument, shall be connected by a straight line which shall be divided into the number of quarter sections contained in the original survey, each quarter section being given a breadth proportionate to the breadth shown on the official plan of the township;
 - 4 If the lost monument is that of a quarter section on a section line running east and west in the interior of a township, the opposite section corners on the meridian boundaries of the section shall be connected by a straight line, each quarter section being given a breadth proportionate to the breadth shown on the official plan of the township; and if a monument on either of the meridian boundaries of the section is also lost, the meridian shall be re-established previously to re-establishing the east and west line.
- (2) When a surveyor places a monument to re-establish a lost monument, he shall take into account any allowance for a road; and the corner or division or limit so established shall be the true corner or division or limit of the section or quarter section.
- (3) Notwithstanding anything provided in this section, resurveys of provincial lands may be made on the order of the minister, in such manner, not inconsistent with the other provisions of this Part, as he may direct.

R.S.S. 1940, c.103, s.24; R.S.S. 1953, c.113, s.24.

RESTORATION SURVEYS

Restoration of monuments of petition

- 25(1)** Where the monuments of a section or quarter section are lost or obliterated, the minister may, on receipt of a certified copy of a resolution of the council of the municipality in which the lands lie, order a survey to be made, by a surveyor approved by the Controller of Surveys, for the purpose of restoring such monuments.
- (2) At least thirty days before the commencement of the survey the Controller of Surveys shall give notice thereof in two successive issues of the *Gazette* and in some newspaper circulating in the municipality, which notice shall state the date upon which the survey will be commenced, and the name and address of the surveyor who will make the survey.
- (3) A person who claims to know the position of a monument affecting the lands to be resurveyed, or to be in possession of information whereby the position of any monument can be established, shall give notice thereof by registered letter addressed to the Controller of Surveys before the commencement of the resurvey.

(4) Before re-establishing any monument with respect to which notice has been given, the surveyor shall, by written notice, sent by registered mail or personally delivered, request the person who has given the first mentioned notice to appear before him at a time and place specified and to show the position of the said monument or to produce the evidence in his possession with regard thereto.

R.S.S. 1940, c.103, s.25; R.S.S. 1953, c.113, s.25.

Returns by surveyor to controller of surveys

26(1) Upon completion of the survey, the surveyor shall prepare and deliver to the Controller of Surveys:

- (a) a statement showing the total cost of the survey and an apportionment thereof between the municipality and the owners of the lands affected, in accordance with subsection (2);
- (b) complete returns of any sworn evidence taken; and
- (c) a certified copy of the field notes (form A).

(2) For the purpose of the apportionment of costs mentioned in clause (a) of subsection (1), each quarter section or part of a quarter section, and each half mile of road or fractional part thereof, shall be deemed to be a unit, and the cost of the survey shall be apportioned equally among all units.

R.S.S. 1940, c.103, s.26; R.S.S. 1953, c.113, s.26.

Order of minister *re* costs

27 Upon a report of the Controller of Surveys, the minister may, by order, confirm the apportionment of costs made by the surveyor, or may, in view of special circumstances peculiar to the particular case, confirm the apportionment with such modification or alteration as he deems fit; and the order of the minister shall be final.

R.S.S. 1940, c.103, s.27; R.S.S. 1953, c.113, s.26.

Costs advanced and collected by municipality

28(1) All moneys required to pay the costs of the survey, including the costs of advertising, shall be advanced by the municipality upon vouchers approved by the minister.

(2) The costs shall, in respect of units consisting of roads and of parcels of which the municipality is the owner, be borne by the municipality, and in respect of other units shall be collected by the municipality from the respective owners thereof in the manner provided by section 92.

R.S.S. 1940, c.103, s.28; R.S.S. 1953, c.113, s.28.

PRIMARY SUBDIVISIONS

Establishing line between sections

29(1) When it is necessary to establish the division line between two sections, the surveyor shall effect the same by connecting, by a straight line, the opposite original section corners, if they exist, and if not, by similarly connecting points established in renewal thereof, in accordance with the provisions of this Part relating to lost corners, giving in either case, the quarter sections involved an equal breadth.

(2) Where one of the meridian boundaries has not been established the surveyor shall locate the division line on a bearing proportionate to the bearings of the north and the south boundaries of the two sections as measured on the ground. Where these bearings cannot be measured the division line shall be established on a bearing proportionate to the bearings shown on the official township, plan, and where no bearings are shown on the plan the division line shall be established on the theoretic bearing. The breadth of the quarter section on the division line shall be made proportionate to the breadths of the quarter sections as shown on, or deduced from, the official township plan.

(3) In laying out a half section or a quarter section, the surveyor shall connect the opposite quarter section corners by a straight line, but when the quarter section corner in any of the limits of the section has not been marked by a monument in the original survey, then such corner shall be established by giving to each half section its proportionate share of the limit according to the official plan of the township, and the half sections shall then be laid out by connecting the corner so established to the opposite corner.

(4) Where one of the original quarter section corners on an east and west quarter section line has not been established, the surveyor shall establish the quarter section boundary in the manner provided in subsection (2); and where the division line or the section boundary is entirely in a lake or river, a north and south quarter section line may also be established in the manner provided in subsection (2).

(5) In laying out other primary subdivisions the surveyor shall give to every such subdivision its proportionate share of the frontage and interior breadth, according to the official plan of the survey.

(6) The lines or limits so drawn on the ground in the manner above described shall, in the respective cases, be the true lines or limits of the section, half section, quarter section, legal or primary subdivision, whether they correspond or do not correspond with the area expressed in the respective official plans or transfers of such lands.

R.S.S. 1940, c.103, s.29; R.S.S. 1953, c.113, s.29.

ORIGINAL BOUNDARY LINES

Boundary lines

30 All boundary lines of townships, sections or other subdivisions, as defined by monuments placed to mark or reference the boundaries of any township, section or other subdivision under the authority of this Part or of the Lieutenant Governor in Council, shall after the confirmation of the survey by the Controller of Surveys and subject to the provisions herein contained, be the true boundaries of the townships, sections or other subdivisions whether the same, upon admeasurement, are or are not found to contain the exact area or dimensions, mentioned or expressed in any official plan or in any transfer or other instrument of or affecting any township, section or other subdivision.

R.S.S. 1940, c.103, s.30; R.S.S. 1953, c.113, s.30.

Area of section, etc.

31 Every section or other subdivision shall consist of the whole width included between the several corners thereof as defined by the several monuments placed as aforesaid, and no more or less, notwithstanding any quantity or measure expressed in the official plan, transfer or other instrument.

R.S.S. 1940, c.103, s.31; R.S.S. 1953, c.113, s.31.

Title to aliquot part

32 Any transfer or other instrument purporting to convey any right or interest in an aliquot part of a section or other subdivision, shall be construed to affect such aliquot part of the quantity it contains on the ground, whether the quantity is more or less than that expressed in the transfer or instrument.

R.S.S. 1910, c.103, s.32; R.S.S. 1953, c.113, s.32.

Resurvey to have effect of original

33 A resurvey of lands authorized by the minister under the provisions of this Part, whether for the purpose of removing a monument wrongly placed through an error in a previous survey and erecting a new monument at the proper place, or for the purpose of re-establishing the lines of a previous survey, shall, when confirmed by the Controller of Surveys, become, and it is hereby declared to be, the original survey of the lands; and upon this confirmation the boundaries established by the previous survey shall cease to have any force or effect, and any confirmed plan plotted from the field notes of the previous survey shall cease to be the official plan of the lands.

R.S.S. 1940, c.103, s.33; R.S.S. 1953, c.113, s.33.

Transmission of plans to registrars

34 The minister shall cause to be transmitted to the registrar of land titles for the proper land registration district, after the confirmation thereof, to be filed with him, a copy of the official plan of each survey or resurvey confirmed under the authority of this Part.

R.S.S. 1940, c.103, s.34; R.S.S. 1953, c.113, s.34.

EVIDENCE

Documents, etc., to be evidence

35 Copies of any records, documents, plans, books or papers, belonging to or deposited in the office of the Controller of Surveys, attested under the signature of the minister or the Controller of Surveys, shall be competent evidence in all cases in which the original records, documents, books, plans or papers would be evidence.

R.S.S. 1940, c.10, s.35; R.S.S. 1953, c.113, s.35.

Verification by oath

36 The minister may require any statement, in relation to land to which any Act relating to provincial lands applies, to be verified by oath, affirmation, declaration or affidavit.

R.S.S. 1940, c.103, s.36; R.S.S. 1953, c.113, s.36.

Affidavits who may administer

37 All affidavits, oaths, solemn declarations or affirmations required to be taken or made under this Part, may be taken before the judge or clerk of a district court, a justice of the peace, a commissioner for oaths, a notary public, a surveyor, or any person specially authorized by the minister to take the same.

R.S.S. 1940, c.103, s.37; R.S.S. 1953, c.113, s.37.

PART II

General Surveys

GENERAL REQUIREMENTS

Reference lines

38 The direction, in reference to the local astronomical meridian, of the lines or courses of all surveys shall be ascertained on the ground either by direct astronomical observations or by angular connection with a line or course of the same or a previous survey, the direction of which has been so ascertained and, in the case of a previous survey, is shown upon an approved plan of record.

R.S.S. 1940, c.103, s.38; R.S.S. 1953, c.113, s.38.

Erection of monuments

39 Except as hereinafter otherwise provided iron posts shall be erected at all corners and angles of the survey, driven into the ground to within two inches of the top, and, where liable to injury by traffic, they shall be driven flush with the ground. In the case of solid rock the iron post shall be sunk into the rock to a depth of four inches and be cemented or leaded therein.

R.S.S. 1940, c.103, s.39; R.S.S. 1953, c.113, s.39.

Monuments to govern

40 The monuments defining a survey made under this Part shall, after registration of the plan of survey, determine the true boundaries of the survey, whether or not upon admeasurement on the ground the monuments agree with the measurements shown on the plan.

R.S.S. 1940, c.103, s.40; R.S.S. 1953, c.113, s.40.

Witness posts

41 Where a corner falls within a marsh, lake, river, stream or other place where it is impracticable to plant a post, the corner shall be referenced by planting a post on one of the boundaries of the parcel which intersect at the said corner, and the distance to the corner shall be marked on the post.

R.S.S. 1940, c.103, s.41; R.S.S. 1953, c.113, s.41.

Re-establishing corners

42(1) In all cases where an original section or quarter section monument is lost and it is necessary to determine its original position in order to make the survey and in all cases where the post is lost or the monument is in a state of disrepair, the surveyor shall proceed with the necessary re-establishment by one of the following methods:

- (a) by planting an iron post and digging four pits or a witness trench, as the case may require, to perpetuate the re-established monument;
- (b) by planting an iron post without pits provided the iron post is set in concrete; or
- (c) by planting a standard bronze cap DLS pattern post or standard bronze cap Provincial pattern post, with or without pits, marked with the proper section or quarter section corner, township and range.

The iron post at section corners shall be marked with the number of the section, township and range and at quarter section corners with the fraction 14, fraction wise. In the case of witness monuments the iron post shall be marked in accordance with the foregoing and in addition with the distance in chains and the bearing to the true corner.

(2) Notwithstanding anything contained in this Part, in all cases where the provisions in regard to re-establishing lost corners are clearly inapplicable every surveyor shall proceed in such manner as to carry out the evident intention of the original survey as shown on the registered plan.

R.S.S. 1940, c.103, s.42; 1950, c.29, s.3; R.S.S. 1953, c.113, s.42.

Approval of plans

43(1) All surveys made under this Part, plans of which are intended to be registered under the authority of *The Highways and Transportation Act*, shall be subject to inspection, as to their accuracy and the manner in which they are established on the ground, by the Director of Surveys; and surveys made under this Part, plans of which are intended to be registered under *The Land Titles Act*, shall be subject to like inspection by the Chief Surveyor when the Master of Titles so orders and specifies the survey to be inspected.

(2) Except as otherwise provided in this Part all plans of surveys intended for registration under the provisions of *The Land Titles Act* shall be prepared in conformity therewith.

R.S.S. 1940, c.103, s.43; R.S.S. 1953, c.113, s.43.

SUBDIVISIONS

Method of making subdivision surveys

44(1) When a surveyor is employed to make a subdivision survey he shall first re-establish and plant iron posts at all corners where the posts marking the same have been lost or destroyed and shall survey carefully so much of the original outlines of any section, quarter section, settlement lot or other surveyed parcel of land as is necessary to establish properly the boundaries of the land to be subdivided, and shall then establish the block corners on the outlines of the land to be subdivided; or, if it is intended that there be no block corners on the outline, he shall establish the block corners adjacent thereto and shall subsequently determine the interior block corners of the survey in reference to the block corners so first established.

(2) All corners and angles of blocks and points of beginning and ending of curves of constant radius shall be marked with iron posts. Interior lot corners may be marked with wooden posts two inches square and twelve inches long.

(3) Block corners may be referenced by planting iron posts on offset lines parallel to and at a convenient distance from the adjacent block boundaries and the reference monuments so established shall govern the position of a lost block corner.

(4) Where it is necessary, under the provisions of subsection (2), to plant iron posts on the same boundary of any lot or block within a distance of less than five feet, the posts shall be marked so that they may be distinguished readily one from the other.

R.S.S. 1940, c.103, s.44; R.S.S. 1953, c.113, s.44.

Method of re-establishing lost corners

45(1) When a surveyor is employed to make a survey in a subdivision of which a plan has been registered and is unable to find the original post planted at the corner of any block or lot of which he is required to re-establish the boundaries, or if its original position cannot be established satisfactorily, he shall proceed as required by this section.

(2) If the post is for a block corner at the intersection of two of the external boundaries of the original subdivision, or at the intersection of the inner limits of the streets adjoining the external boundaries, he shall connect the two nearest block corners found on each of the boundaries in the manner shown on the registered plan and produce the two lines thus determined to an intersection, and shall plant an iron post in re-establishment of the lost corner.

(3) If the post is for a block corner on one of the external boundaries of the subdivision, or for a block corner adjacent thereto, in cases where no block corners were established on the external boundary, he shall connect by a line the two nearest block corners found on, or adjacent to the boundary and which are on opposite sides of the lost corner, in the manner shown on the registered plan, and shall plant an iron post in re-establishment of the lost corner in such manner as to make the block frontages proportionate to one another in the same ratio as those shown therefor on the registered plan.

(4) In all other cases of lost block corners, he shall connect by lines, in the manner shown on the registered plan, the two nearest block corners found on the opposite sides of the lost corner on each of the street lines which intersect at the corner, and shall plant an iron post in re-establishment of the lost corner at the said intersection.

(5) If the post is for a lot corner he shall connect by a line, in the manner shown on the registered plan, the two nearest lot corners, if any, found on the block boundary on opposite sides of the lost corner, and shall divide the distance found by admeasurement on the ground in such manner as to make the lot frontages proportionate to one another in the same ratio as those shown therefor on the registered plan. If no lot corner is found on the block boundary on either or both sides of the lost corner, the surveyor shall first re-establish the block corners and then proceed in the manner herein set forth.

R.S.S. 1940, c.103, s.45; R.S.S. 1953, c.113, s.45.

SUBDIVISION RESTORATION SURVEYS**Restoration of monuments on petition**

46(1) Where monuments of a subdivision of which a plan has been registered are lost or obliterated, the Attorney General may, on receipt of a certified copy of a resolution of the council of the municipality in which the land lies, order a survey to be made by a surveyor approved by the council for the purpose of restoring such monuments or erecting reference monuments.

(2) At least thirty days before the commencement of the survey the Master of Titles shall give notice thereof in two successive issues of the *Gazette* and in some newspaper circulating in the municipality, which notice shall state the date upon which the survey will be commenced and the name and address of the surveyor who will make the survey.

(3) Any person who claims to know the position of any monument affecting the lands to be resurveyed, or to be in possession of information whereby the position of any monument can be established, shall give notice thereof by registered letter addressed to the Master of Titles before the commencement of the survey.

(4) Before re-establishing any monument with respect to which notice has been given, the surveyor shall, by written notice, sent by registered mail or personally delivered, request the person who has given the first mentioned notice to appear before him at a time and place specified and to show the position of the said monument or to produce the evidence in his possession with regard thereto.

R.S.S. 1940, c.103, s.46; R.S.S. 1953, c.113, s.46.

Returns by surveyor to Master of Titles

47(1) Upon completion of the survey, the surveyor shall prepare and deposit with the Master of Titles:

- (a) a plan in quadruplicate, prepared, except as to the signatures of owners, in conformity with the requirements of *The Land Titles Act* and the regulations thereunder;
- (b) a report in quadruplicate stating the cause of the survey, the system of survey employed, the degree of accuracy obtained, the nature of all monuments erected, and giving such other information relative to the survey as may be of service in the consideration of the report and plan;
- (c) complete returns of any sworn evidence taken;
- (d) a certified copy of the field notes (form A);
- (e) a statement showing (i) the costs and expenses of the survey up to the date of the report; (ii) the total area of highways and of lands belonging to the municipality shown on the plan; (iii) the total area of all lands including highways shown on the plan; (iv) the portion of the costs and expenses payable in respect of highways and of lands belonging to the municipality, and the portion payable by private owners in accordance with the provisions of subsection (2);

(2) The portion of the costs and expenses of the survey payable in respect of highways and of lands belonging to the municipality shall be based upon the proportion which their total areas bear to the whole area comprised in the survey, and the balance of the costs and expenses shall be borne by the owners of the other parcels shown on the plan.

(3) The proportions of the balance of costs and expenses to be borne respectively by the owners of the other parcels shown on the plan shall be based upon the proportions which their respective assessed values bear to the total assessed value of all such parcels.

R.S.S. 1940, c.103, s.47; R.S.S. 1953, c.113, s.47.

Order of the Attorney General

48 Upon a report of the Master of Titles the Attorney General may by order:

- (a) approve the plan;
- (b) direct the Master of Titles to cause the order and plan to be registered in the proper land titles office;

(c) confirm the apportionment of costs made by the surveyor or may, in view of special circumstances peculiar to any particular case, confirm the apportionment with such modification or alteration as he deems advisable;

and the order of the Attorney General shall be final.

R.S.S. 1940, c.103, s.48; R.S.S. 1953, c.113, s.48.

Effect of registration

49(1) Upon the registration of the order and plan or any monument shown on the plan as re-established to replace a lost monument shall define the boundary line which such monument is intended to mark, even though the position of the original monument may subsequently be proved by other evidence.

(2) The registration of the order and plan and all necessary entries shall be made without the payment of fees.

R.S.S. 1940, c.103, s.49; R.S.S. 1953, c.113, s.49.

Copies of plans to be furnished by registrar

50 Upon registration of the order and plan, the registrar shall forward a copy of the plan to the Department of Highways and Transportation, to the Chief Surveyor of Land Titles Offices and to the clerk or secretary treasurer of the municipality, which copies the Master of Titles shall supply to the registrar for that purpose.

R.S.S. 1940, c.103, s.50; R.S.S. 1953, c.113, s.50.

Order to be final

51 A notice of the order approving the plan shall be published in the *Gazette* and, when so published, shall be conclusive evidence of the order and of the approval of the survey and plan, and of the regularity of all proceedings leading up to the making of the order, and the order shall not be set aside on any grounds whatever.

R.S.S. 1940, c.103, s.51; R.S.S. 1953, c.113, s.51.

Costs advanced and collected by the municipality

52(1) All moneys required to pay the costs and expenses of the survey, including the costs of advertising, shall be advanced by the municipality upon vouchers approved by the Master of Titles.

(2) Upon registration of the order and plan, except where the council of the municipality has passed a resolution charging the costs and expenses of the survey against the municipality, the costs and expenses of the survey shall, in respect of parcels consisting of highways and parcels of which the municipality is the owner, be borne by the municipality, and in respect of other parcels shall be collected by the municipality from the respective owners thereof in the proportions mentioned in subsection (3) of section 47, and in the manner provided by section 92.

R.S.S. 1940, c.103, s.52; R.S.S. 1953, c.113, s.52.

RAILWAYS

Method of making railway surveys

53(1) When a surveyor is employed to make a survey of the lands required for a railway right of way, extra widths and station grounds he shall proceed as required by this section.

- (2) He shall make all measurements, both angular and linear, on the centre line of the railway, and shall make all measurements to the posts of the survey or to connect the right of way to the corners of sections, quarter sections, settlement lots or other surveyed parcels of land with reference to the centre line.
- (3) The location and boundaries of the right of way, extra widths and station grounds shall be referenced and established in the following manner, viz: by planting iron posts, each post being permanently marked with the initial letters of the words composing the name of the company. The posts shall be planted at a uniform distance of three feet within the limit of the right of way, extra width or station grounds and on the southerly and westerly side of the centre line wherever possible, except as otherwise provided in this section at every change of direction of the centre line, at the beginning and end of every curve, at the beginning and end of every change in width of the right of way, at the intersection with the posted boundary of each road allowance, or, where there is no road allowance, of each section, settlement lot or other surveyed parcel of land.
- (4) The limits of station grounds shall be referenced and established in the manner set forth above or they shall be posted at each corner or change in direction thereof.
- (5) When it is not possible to define and post the southerly and westerly limit of the right of way, extra width or station grounds, the surveyor shall define and post the northerly or easterly limit thereof and in the manner before described in this section.
- (6) In the case of a number of settlement lots adjacent to one another the side lines of which have not been defined on the ground, ties need not be made with every side line of each settlement lot but a reasonable number of ties with some of the lines shall be made and posted in order to determine accurately the position of intermediary side lines.
- (7) When the lands are parts of a block as shown on a registered plan of subdivision, an iron post shall be planted at each intersection of both limits of the right of way, extra width or station grounds with the boundaries of the block and the position of the posts shall be connected by admeasurement with the survey of the centre line of the right of way and with the nearest corner of the block.
- (8) When it is impracticable to plant an iron post in the positions herein set forth to mark the limit either of the right of way, extra width or station grounds, an iron post shall be planted with reference to the centre line and the location thereof shall be shown clearly on the plan of survey.
- (9) Where the centre line intersects the posted boundary of a road allowance, or, where there is no road allowance, of a section, settlement lot or other surveyed parcel of land, the surveyor shall first re-establish the true position of the two nearest monuments on the boundary in accordance with the provisions of this Part for the re-establishment of original boundaries being on opposite sides of the said centre line, and shall connect the same in the manner shown on the registered plan; and the intersection of the line so established and the centre line shall be the point of intersection shown on the plan of survey.
- (10) Surveys of right of way, extra widths and station grounds through unsubdivided lands shall be posted and referenced as hereinbefore set forth, but the maximum distance between posts, as measured along the centre line, shall not exceed three thousand feet.

(11) The unposted limit of any right of way or station grounds shall be determined on the ground from the posted reference line and in accordance with the measurements shown on the registered plan of the right of way.

R.S.S. 1910, c.103, s.53; R.S.S. 1953, c.113, s.53.

Re-establishment of lost posts

54(1) When a surveyor is employed to re-establish the reference line or posted limit of a right of way, extra width or station grounds and one of the iron posts marking the same is lost and its original position cannot be established satisfactorily, he shall proceed as required by this section.

(2) If the post marked the intersection of the reference line or posted limit of the right of way, extra width or station grounds with the boundary of a road allowance, section, quarter section, settlement lot or other surveyed parcel of land, he shall re-establish the reference line or posted limit between the two nearest monuments found on the reference line or posted limit which are on opposite sides of the lost post, in accordance with the measurements shown on the registered plan of the right of way or station grounds, and shall plant an iron post in re-establishment of the lost post at the intersection of the reference line or posted limit so re-established and the boundary.

(3) In an other cases he shall re-establish the reference line or posted limit of the right of way, extra width or station grounds between the two nearest monuments found on the same on opposite sides of the lost post, in accordance with the measurements shown therefor on the registered plan, and shall plant an iron post in re-establishment of the lost iron post on the reference line or posted limit so reestablished in such manner that it is in the same position relatively, in regard to the two monuments so first found, as it is shown to have occupied on the plan.

R.S.S. 1940, c.103, s.54; R.S.S. 1953, c.113, s.54.

DITCHES AND TRANSMISSION LINES

Method of making survey

55(1) When a surveyor is employed to make a survey of land required for right of way for drainage or irrigation ditches, pipe lines or power transmission lines he shall mark the survey with iron posts along one of the limits thereof at the intersection of the southerly or westerly limit of each road allowance wherever possible or, where there is no road allowance, of each section, settlement lot or other surveyed parcel of land, and at each change of direction, and all measurements shall be made in reference to the posted limit of the right of way, and in every other respect he shall proceed in accordance with the provisions of this Part in regard to the survey of land required for a right of way for a railway.

(2) The posts planted in accordance with the provisions of this section shall be marked "R.W." or with the initials of the company, the markings on the posts facing inwards.

R.S.S. 1940, c.103, s.55; 1950, c.29, s.4; R.S.S. 1953, c.113, s.55.

ROADS

Method of making road surveys

56 When a surveyor is employed to make a survey, the plan of which is intended for registration under the provisions of *The Highways and Transportation Act*, he shall mark the survey on the ground and prepare plans thereof in accordance with the manual of instructions issued by the Minister of Highways and Transportation under the authority of *The Highways and Transportation Act*.

R.S.S. 1940, c.103, s.56; R.S.S. 1953, c.113, s.56.

Method of making resurveys of roads

57(1) When a surveyor is employed to make a survey adjoining a surveyed road or for the purpose of relocating on the ground the limits of a surveyed road and is unable to find the original monument at any change in direction of the same, he shall obtain the best evidence possible of the original position of the monument, and, if satisfied in regard thereto, he shall re-establish the limits of the surveyed road by erecting a monument in accordance with the provisions of section 56.

(2) Where a monument is lost and no evidence can be obtained as to its original position, the surveyor shall locate on the ground two adjacent monuments on each side of the lost monument and shall assume the straight lines between these monuments to have the bearings given them on the plan of survey thereof and from these bearings he shall locate on the ground the intersection of the courses of the road on each side of the lost monument, giving to each the bearing shown on the registered plan of survey, and the intersection of the two courses so located shall be the true corner whether or not the chainage obtained for the same agrees with the chainage on the plan.

(3) Where two or more consecutive monuments are lost the surveyor shall locate on the ground the two adjacent monuments preceding in notation the lost monument marked with the smallest number, and shall assume the straight line thus established to have the bearing given to it on the plan of survey. He shall then re-establish the lost monuments in order by giving to each course the bearing and chainage shown on the registered plan or survey, erecting in each case a monument in accordance with the provisions of section 56, until there remains only one lost monument to be re-established when the surveyor shall proceed as under subsection (2) of this section.

R.S.S. 1940, c.103, s.57; R.S.S. 1953, c.113, s.57.

TRAVERSE SURVEYS

Method of making traverse surveys

58(1) Where traverse surveys are required to determine the boundaries of a parcel of land fronting on a lake, river, stream or other flooded area, or to determine the boundaries of a reservoir or any other flooded area, the surveyor shall plant iron posts at the beginning and end of the traverse, such points being fixed on previously surveyed lines the information of which is on record, at the intersection of the traverse lines with the posted boundaries of each road allowance, wherever possible, or, where there is no road allowance, of each section, settlement lot or other surveyed parcel of land, and at such other points as may be deemed necessary, and all measurements shall be made with reference to the posts so established; and the posts shall be marked T.S.

(2) In determining boundaries under this section offsets shall be made every 100 feet and at less intervals if the nature of the case demands; all traverse lines and offsets shall be measured and complete angular measurements taken; and complete ties shall be taken connecting the bank and traverse with any other survey of a permanent nature which may be affected.

R.S.S. 19.10, c.103, s.58; R.S.S. 1953, c.113, s.58.

MINERAL CLAIMS

Method of making survey of mineral claim

59(1) The minister may prescribe a manual of instructions for the guidance of surveyors employed in making surveys of mineral claims and may therein direct the manner in which the surveys shall be marked on the ground, the manner in which the plans and field notes of the surveys shall be prepared and the manner in which the surveys shall in all other respects be conducted and carried out.

(2) When a surveyor is employed to make a survey of a mineral claim he shall proceed in accordance with the manual of instructions referred to in subsection (1) and any special instructions which may be issued by the Controller of Surveys.

R.S.S. 1940, c.103, s.59; R.S.S. 1953, c.113, s.59.

PART III

Special Surveys

INTERPRETATION

Interpretation

60 In this Part:

“block outline survey”

1 “**block outline survey**” means a survey in which special survey monuments are established at suitable points at or near certain or all street intersections or angles in street lines, or in cases where no streets exist, then at other suitable points;

“complete survey”

2 “**complete survey**” means a survey which, in addition to the requirements for a block outline survey, defines on the ground every angle of every parcel;

“municipality”

3 “**municipality**” means any city, town, village or rural municipality within which land affected by a special survey is situated;

“parcel”

4 “**parcel**” means any lot, block or other area in which land is held or into which land is divided or subdivided;

“registrar”

5 “**registrar**” means the registrar of land titles for the land registration district within which land affected by a special survey is situated.

R.S.S. 1940, c.103, s.60; R.S.S. 1953, c.113, s.30.

INSTITUTION OF SPECIAL SURVEYS

Power of Attorney General to order special survey**61** Where:

- (a) an error appears in, or doubt exists as to the accuracy of, an existing survey or plan; or
- (b) a discrepancy exists or is thought to exist between the occupation of a parcel and a registered plan or description under which it is held; or
- (c) any parcel in which land is held is not shown on a registered plan; or
- (d) doubt exists as to the true location of a highway;

the Attorney General may, upon the request of the council of a municipality which has undertaken, by resolution, to pay the costs either directly or by way of an advance, order a special survey of any lands to be made by a surveyor approved by the Controller of Surveys.

R.S.S. 1940, c.103, s.61; R.S.S. 1953, c.113, s.61.

Transmittal of copy of order for survey

62(1) Upon making an order for a special survey, the Attorney General shall cause a certified copy thereof to be transmitted to the clerk or secretary treasurer of the municipality and to the registrar to be filed by him.

(2) After receipt of the copy the registrar shall not allow the registration of any subdivision of a parcel of land comprised within the limits of the special survey until the plan of special survey has been registered, unless otherwise instructed by the Attorney General.

R.S.S. 1940, c.103, s.62; R.S.S. 1953, c.113, s.62.

Notice of survey

63(1) Upon receipt of a copy of an order for a special survey, the clerk or secretary treasurer shall give notice of the special survey in the following manner:

- (a) in cities, by advertisement inserted at least once a week for two successive weeks in a newspaper published in the city;
- (b) in towns, by advertisement inserted at least once a week for two successive weeks in a newspaper published or circulating in the town;
- (c) in villages, by advertisement inserted at least once a week for two successive weeks in a newspaper published in the village or by posting notices in four conspicuous places, one of which shall be the post office, and keeping the same posted for a period of at least seven days;
- (d) in rural municipalities, by advertisement inserted at least once a week for two successive weeks in a newspaper published within the outer boundaries of the municipality or circulating in the municipality, or by posting notices in four conspicuous places within the area to be affected by the survey and keeping the same posted for a period of at least seven days.

(2) The notice shall state:

- (a) that an order has been made by the Attorney General for a special survey of the lands affected, describing them as in the order, and giving the names and addresses of the registered owners thereof and of the registered owners of charges thereon;
 - (b) that the boundaries of all parcels within the area affected will be determined;
 - (c) the name and address of the surveyor directed to make the survey;
 - (d) that any information in the possession of any person affected by the special survey respecting previous surveys or monuments in the area affected by the order should be given to the surveyor.
- (3) The clerk or secretary treasurer shall also publish a copy of the notice in two successive issues of the *Gazette*, at least thirty days before the commencement of the survey.

R.S.S. 1940, c.103, s.63; R.S.S. 1953, c.113, s.63.

Copy of notice transmitted to Attorney General

64 A certified copy of the notice shall be transmitted by the clerk or secretary treasurer to the Attorney General.

R.S.S. 1940, c.103, s.64; R.S.S. 1953, c.113, s.64.

CONDUCT OF SURVEY

Preliminary procedure

65 The surveyor shall proceed to retrace the outer boundaries of the land described in the order for the special survey, and shall report thereon to the Attorney General either:

- (a) that the boundaries are well defined and there is no danger of contest arising with owners outside and adjacent to the special survey area; or
- (b) that the boundaries are uncertain or in his opinion inadequate, and that there is danger of conflict, and, if the circumstances warrant, that this conflict may be avoided or minimized by including in the survey further adjacent lands.

R.S.S. 1940, c.103, s.65; R.S.S. 1953, c.113, s.65.

Subsequent procedure

66(1) If the report is in the terms of clause (a) of section 65 the surveyor shall proceed with the survey without further order.

(2) If the report is in the terms of clause (b) of section 65, the Attorney General may either:

- (a) make a supplemental order extending the boundaries of the special survey area to include the lands, if any, recommended by the surveyor; or

(b) direct the surveyor to furnish a plan of the outer boundaries of the special survey area either as originally defined or as including the adjacent lands, or of such portion of the outer boundaries as is in doubt, in which case the surveyor shall furnish a plan showing the adjacent parcels of land, the owners of which would be affected by the adoption of the boundary lines recommended by him.

R.S.S. 1940, c.103, s.66; R.S.S. 1953, c.113, s.66.

Boundary of survey area

67(1) Upon receipt of a plan furnished pursuant to clause (b) of subsection (2) of section 66, the Attorney General shall cause a copy to be deposited with the clerk or secretary treasurer of the municipality, and with the registrar to be filed by him, and the clerk or secretary treasurer shall give notice in writing to the registered owner of each parcel adjacent to the boundary line shown upon the plan, and to each registered owner of a charge on any such parcel, that the plan has been deposited, that the line as shown thereon will be adopted as the boundary line between the special survey area and the adjacent lands, and that the interests of the person to whom the notice is directed are affected by the survey, and fixing a time and place for the hearing of any complaint that may be made against the adoption of the line as the boundary of the special survey area.

(2) Thereafter the procedure under section 77 and following sections, governing the filing of objections and hearing, shall be followed; and the Attorney General shall, by supplemental order, fix as the boundary of the special survey area either the line recommended by the surveyor or any other line which upon the evidence before him appears to be the proper boundary.

(3) The line so fixed shall determine finally the boundary between the lands in the special survey area and adjacent lands, and if any damages or compensation are awarded to the owners of lands outside the special survey area they shall form part of and be paid out of the same fund as the expenses of the survey.

R.S.S. 1940, c.103, s.67; R.S.S. 1953, c.113, s.67.

Transmission of copy of supplemental order

68 Where a supplemental order is made under section 66 or section 67, the Attorney General shall transmit a certified copy thereof to the clerk or secretary treasurer of the municipality, who shall give notice of the order in the manner provided in section 63; and the Attorney General shall also transmit a certified copy of the order to the registrar to be filed by him.

R.S.S. 1940, c.103, s.68; R.S.S. 1953, c.113, s.68.

Duty of registrar to furnish information

69 The registrar shall, on the request of the clerk or secretary treasurer and upon payment of the prescribed fee, furnish the names of the registered owners of the lands affected by the special survey and any other information required.

R.S.S. 1940, c.103, s.69; R.S.S. 1953, c.113, s.69.

Guiding principles for surveyor

70 In making the survey it shall be the aim of the for surveyor to re-establish as nearly as possible the existing survey, but he may depart from existing boundaries in order to establish boundaries in agreement with occupation and improvements; he shall endeavour to make such adjustments as will reduce the total amount of compensation to a minimum; and, without limiting the generality of the foregoing provisions, he may distribute any difference in dimensions within a block or group of parcels having regard to occupation and improvements, and may allot a shortage or surplus to an owner willing to take or pay compensation, or create a separate parcel to be disposed of for the reduction of the cost and expenses of the survey.

R.S.S. 1940, c.103, s.70; R.S.S. 1953, c.113, s.70.

Nature of survey

71 The surveyor shall limit the survey to a block outline survey where, in his opinion, such a survey will accomplish the object of the special survey, but where, in his opinion, a block outline survey will not have that effect he shall make an effective survey which may be in part a complete survey and in part a block outline survey.

R.S.S. 1940, c.103, s.71; R.S.S. 1953, c.113, s.71.

PLAN**Contents**

72 The plan of a special survey shall show the boundaries of all parcels, with their dimensions, although the lines may not actually have been run on the ground; and, except as to the signatures of owners, the plan shall conform to the requirements of *The Land Titles Act* and the regulations thereunder respecting plans of subdivision.

R.S.S. 1940, c.103, s.72; R.S.S. 1953, c.113, s.72.

REPORT OF SURVEYOR AND SUBSEQUENT PROCEEDINGS**Report on completion of survey**

73(1) Upon completion of the special survey, the surveyor shall prepare and deposit with the Attorney General a plan in quadruplicate, together with four blue print copies thereof on blue print cloth, and a report in quadruplicate, which report shall deal with the cause of the survey, the difficulties encountered, the evidence concerning the reestablishment of the original and lost monuments, the system of survey employed, the degree of accuracy obtained, and the nature of all monuments erected; and shall furnish such other information relative to the survey as may be of service in the consideration of the report and plan.

(2) The surveyor shall include in the report in concise and tabulated form:

- (a) a list of all parcels comprised within the limits of the survey, with the names of the respective registered owners;
- (b) a list of all parcels the boundaries of which appear as altered on the plan;

(c) a statement showing (i) the costs and expenses of the survey up to the date of the report; (ii) the areas of all parcels, including highways, shown on the plan; (iii) the total area thereof; (iv) the assessed values of the parcels of private owners; (v) the total assessed value thereof; (vi) the portion of the costs and expenses payable in respect of highways, lands belonging to the municipality and Crown lands, and the portion payable by private owners in accordance with the provisions of subsection (3); and (vii) a percentage apportionment of the costs and expenses calculated as required by subsection (4);

(d) a statement containing an estimate of the damage to or increased value of each parcel occasioned by the alterations effected by the plan, and showing in detail a just and equitable apportionment thereof among the owners of the parcels affected, and the method adopted as the basis of the apportionment in each case.

(3) The portion of the costs and expenses of the survey payable in respect of highways, lands belonging to the municipality and Crown lands shall be based upon the proportion which their total areas bear to the whole area comprised in the survey, and the balance of the costs and expenses shall be borne by the owners of the other parcels shown on the plan.

(4) The percentages of the costs and expenses, in the case of highways, lands belonging to the municipality and Crown lands, shall be based upon the proportions which their respective areas bear to the total area of all highways, lands belonging to the municipality and Crown lands, and the percentages of the costs and expenses to be borne respectively by the owners of the other parcels shown on the plan shall be based upon the proportions which their respective assessed values bear to the total assessed value of all such parcels.

R.S.S. 1940, c.103, s.73; R.S.S. 1953, c.113, s.73.

Notice to registrar and municipality

74 Upon receipt of the surveyor's report, the Attorney General shall transmit a copy thereof and a blue print copy of the plan to the registrar, to be filed by him, and to the clerk or the secretary treasurer of the municipality, together with a notice stating that the special survey has been completed and the plan deposited by the surveyor pursuant to this Part, and shall also transmit a copy of the report and a blue print copy of the plan to the Chief Surveyor.

R.S.S. 1940, c.103, s.74; R.S.S. 1953, c.113, s.74.

Notice to parties interested

75(1) Upon receipt of the notice from the Attorney General, the clerk or secretary treasurer shall give notice thereof in the manner provided in section 63.

(2) The notice shall contain a copy of section 77 and shall state:

(a) that the special survey has been completed and that copies of the plan and the surveyor's report may be inspected in his office and in the office of the registrar;

(b) the names and addresses of the registered owners of lands within the special survey area and the registered owners of charges thereon, and that the interests of these persons may be affected by the survey;

(c) that a time and place will be fixed by the Attorney General for hearing complaints and claims for compensation, and that notice of such time and place will appear in the *Gazette* and in a newspaper circulating in the locality in which the lands affected by the special survey are situated.

(3) A certified copy of the notice shall be transmitted by the clerk or secretary treasurer to the Attorney General.

R.S.S. 1940, c.103, s.75; R.S.S. 1953, c.113, s.75.

Notice of hearing

76 The Attorney General shall forthwith cause to be published in the *Gazette*, and in a newspaper circulating in the locality in which the lands affected by the special survey are situated, a notice stating that the plan of special survey, accompanied by a report of the surveyor, has been deposited with the Attorney General, and fixing a time and place for hearing any complaint against the plan or report or claim for compensation that may be made by any person interested in the lands affected by the survey.

R.S.S. 1940, c.103, s.76; R.S.S. 1953, c.113, s.76.

Complaints filed

77 A person desiring to complain against the special survey plan or report or to claim compensation shall, not less than seven days before the date fixed for the hearing, deliver or cause to be delivered to the Attorney General, by mail or otherwise, a written statement setting forth the nature and grounds of his complaint or claim.

R.S.S. 1940, c.103, s.77; R.S.S. 1953, c.113, s.77.

Hearing

78 The Attorney General himself may hear the complaints or claims made under this Part, or he may appoint some other person to conduct any hearing and to report thereon.

R.S.S. 1940, c.103, s.78; R.S.S. 1953, c.113, s.78.

Subpoena

79(1) The Attorney General or the person appointed to conduct the hearing, or, upon the order of either of them, any person interested, may obtain and issue out of the Court of Queen's Bench upon *praecipe* a subpoena commanding the attendance for examination of any witness and the production by such witness of any document or plan at the time and place mentioned in the subpoena; and disobedience to the subpoena shall be deemed a contempt of court, and shall be punishable in the same manner and to the like extent as in the case of a subpoena issued out of the same court in a civil cause.

(2) The same fees shall be payable for subpoenas issued pursuant to this Part as in the case of a subpoena issued out of the Court of Queen's Bench in a civil cause, and the witnesses shall be entitled to the like allowances for their attendance at the hearing as in the case of attendance under subpoena in the same court in a civil cause.

R.S.S. 1940, c.103, s.79; R.S.S. 1953, c.113, s.79.

Method of conducting hearing

80 The Attorney General, or the person appointed to act on his behalf, may, upon the hearing, receive any evidence which he thinks proper to admit, and may take a view and may examine on oath any person interested and such witnesses as appear before him, and may adjourn the hearing from time to time whether or not any of the persons interested are present at the time of the adjournment; and, at the conclusion of the hearing, the person appointed to conduct the same shall report his recommendations to the Attorney General together with the evidence and exhibits.

R.S.S. 1940, c.103, s.80; R.S.S. 1953, c.113, s.80.

Power of Attorney General to decide complaints and make order

81 Where no complaint or claim for compensation in writing has been delivered to the Attorney General within the time allowed for the delivery of complaints and claims, then at any time thereafter, or, where any complaint or claim has been so delivered, then upon or after the hearing of the complaint or claim, or upon the report of the person appointed to conduct the hearing, or upon further investigation or evidence, the Attorney General may, by order:

- (a) adopt or vary the reports of the surveyor and of the person appointed to conduct the hearing;
- (b) decide the matter of any complaint or claim in such manner as to him appears just and equitable;
- (c) fix the amount of compensation to which a complainant will be entitled by reason of the adoption of the special survey and plan;
- (d) determine in conformity with the report of the surveyor, or person appointed to conduct the hearing or otherwise, the amounts of compensation to which persons other than the complainants are entitled;
- (e) direct that the compensation awarded to any one or more or to all claimants be paid by the municipality or by the Crown, or by the owner of any parcel receiving unequal benefit from the survey, and in the last mentioned case direct that the amount of compensation be paid to the municipality to be paid out to the person entitled thereto on payment of or after deduction of his share of the costs and expenses of the survey;
- (f) direct that the compensation be paid by the municipality as part of the expenses of the survey;
- (g) specify the lands within the special survey area which are to be charged with compensation paid under clause (f), and direct the manner in which such compensation is to be apportioned;
- (h) determine the amount of costs and expenses of the special survey as at the date of the order, including fees of any person appointed to perform any function under this Part, costs of serving notices, witness fees, advertising, and other expenses in connection with the survey; and order to and by what persons and in what amounts the costs and expenses shall be chargeable and payable;
- (i) determine or direct any other matter deemed necessary in connection with the survey, including alterations in the plan and in the markings on the ground and also the manner and the time within which fences, buildings and other structures may be torn down, removed or dealt with.

R.S.S. 1940, c.103, s.81; R.S.S. 1953, c.113, s.81.

Principles for determining compensation

82 In determining questions relating to compensation, the Attorney General shall be guided by the principle that, as the survey was undertaken for the benefit of all owners within the special survey area, the owners should share any loss and any advantage occasioned by and accruing from the special survey in proportion to the area of their respective parcels, and that if, for the general benefit or for the preservation of individual improvements, the surveyor has reduced the area of any parcel, the owner thereof should receive compensation in respect of such reduction, and that any owner who has benefited should contribute an adequate amount for the compensation of the owner who has suffered loss.

R.S.S. 1940, c.103, s.82; R.S.S. 1953, c.113, s.82.

APPROVAL OF ATTORNEY GENERAL**Approval of survey and plan**

83 At any time after the Attorney General has disposed of the complaints against the special survey and claims, if any, and without any further notice to any of the parties interested, the Attorney General may by order:

- (a) confirm the order and findings made by him under section 81;
- (b) approve of the special survey and plan or any part thereof;
- (c) declare the special survey and plan, or the part thereof so approved, to be the true and correct survey and plan of the lands affected thereby.

R.S.S. 19,10, c.103, s.83; R.S.S. 1953, c.113, s.83.

Publication of order approving survey

84 A notice of the order approving of the special survey and plan shall be published in the *Gazette*, and when so published shall be conclusive evidence of the order and of the approval of the survey and plan, and of the regularity of all proceedings leading up to the making of the order; and, except in so far as it may be set aside or varied on appeal under the provisions of this Part, the order shall not be set aside on any ground whatever.

R.S.S. 1940, c.103, s.84; R.S.S. 1953, c.113, s.84.

APPEAL**Appeal as to compensation**

85(1) The order of the Attorney General approving the special survey and plan shall be final, except as to the amount of compensation to be allowed to a complainant, which shall be subject to an appeal to the Court of Appeal.

(2) The court shall decide the amount of compensation to be allowed, and its decision shall be final. The court may also award such costs to any party to the appeal as the court may deem proper and may direct by whom the costs awarded shall be paid.

(3) No evidence shall be adduced or heard on an appeal under this section other than that adduced or heard before the Attorney General or his appointee under the provisions of this Part.

R.S.S. 1940, c.103, s.85; R.S.S. 1953, c.113, s.85.

Entry of appeal

86 The appeal shall be entered for hearing in the court and notice thereof shall be delivered at the office of the Attorney General and to the registrar and served upon all persons whose interests are directly affected, within twenty days from the date of publication in the *Gazette* of the notice of the order of the Attorney General as provided in section 84. No appeal whereof notice has been duly served on the Attorney General and the registrar shall abate by reason of the same not having been served on other persons directly affected, but the court may, on such terms as it deems just, allow an adjournment and direct any person deemed to be affected to be served, and may prescribe the method of service.

R.S.S. 1940, c.103, s.86; R.S.S. 1953, c.113, s.86.

REGISTRATION OF ORDER AND PLAN**Registration**

87(1) A copy of the order of the Attorney General approving the survey, certified by him to be a true copy, together with the plan of survey, shall be transmitted forthwith by the Attorney General to the registrar, and upon the expiration of twenty days from the date of publication in the *Gazette* of the notice of the order as provided in section 81, if no appeal has been taken, the registrar shall register the order and plan.

(2) If an appeal is taken, the Attorney General shall give notification thereof to the registrar and shall transmit to him a certified copy of the judgment; and the registrar, upon receipt thereof, shall register the order and plan, together with the judgment.

(3) The registration of the order, the plan of special survey and the judgment, if any, and all necessary entries shall be made without the payment of fees.

R.S.S. 1940, c.103, s.87; R.S.S. 1953, c.113, s.87.

Effect of registration

88(1) Upon registration of the order and plan of special survey, and judgment, if any:

(a) the special survey and plan shall be substituted for all former surveys and plans of the lands affected which have theretofore been registered, or for the corresponding portions of such former surveys and plans; and the plan shall become the official plan of the lands comprised within the limits of the plan or part thereof approved, and shall be final and binding on all persons;

(b) the boundaries and lines fixed by the special survey and plan shall be the true boundaries and lines, whether or not such boundaries and lines were theretofore in fact the true boundaries and lines;

(c) all amounts of compensation, costs and expenses which by the terms of the order or judgment are charged against the owner of any parcel shown on the plan shall become a lien upon that parcel in favour of the Crown or the municipality or the person entitled to receive the same, and shall be assessable and collectable in the manner hereinafter provided.

(2) The registration of the order and plan of special survey and judgment, if any, shall vest in Her Majesty in right of Saskatchewan any land which by the special survey is added to any previously existing highway.

(3) Where the plan shows an increase in the area of any parcel, as compared with the original or previously existing survey or plan covering that parcel, the plan as registered shall operate as a conveyance to the registered owner of that parcel of the area added thereto by the plan, free of all charges to which it may have been previously subject, but subject to all charges which exist against the parcel of which it becomes a part, unless a contrary intention is expressed in the order with which the plan is registered.

R.S.S. 1940, c.103, s.88; R.S.S. 1953, c.113, s.88.

Notifications to be given by registrar

89 Upon registration of the order and plan, the registrar shall:

- (a) notify the clerk or secretary treasurer of the municipality that the order and plan of special survey and judgment, if any, have been registered;
- (b) forward to the clerk or secretary treasurer of the municipality a copy of the order and plan and of the judgment, if any, which copies the Attorney General shall supply to the registrar for that purpose;
- (c) forward a copy of the order and plan to the Department of Highways and Transportation and to the Chief Surveyor of Land Titles Offices.

R.S.S. 1940, c.103, s.89; R.S.S. 1953, c.113, s.89.

COSTS AND EXPENSES

Moneys advanced by municipality

90 All moneys required to pay the costs and expenses of and incidental to the survey shall be advanced by the municipality upon vouchers approved by the Attorney General, and, upon registration of the plan of survey, except where the municipal council has passed a resolution charging the costs and expenses against the municipality, the costs and expenses shall, in respect of parcels consisting of highways and parcels of which the municipality is the owner, be borne by the municipality, and in respect of other parcels shall be collected by the municipality from the respective owners thereof in the manner hereinafter mentioned, provided that moneys payable in respect of Crown lands shall be a debt due by the Crown to the municipality.

R.S.S. 1940, c.103, s.90; R.S.S. 1953, c.113, s.90.

Advancement of costs by municipality affected

91 Where a special survey is directed under clause (d) of section 61, the Attorney General may require any municipality affected to pay a proportionate part of the costs and expenses of the survey either directly or by way of an advance as a condition of the institution of the survey; and with regard to the apportionment of the costs and expenses of the survey the Attorney General may give such directions as he considers advisable.

R.S.S. 1940, c.103, s.91; R.S.S. 1953, c.113, s.91.

Assessment

92(1) Where costs, expenses or fees have been charged by the terms of the order of the Attorney General against the owners of any parcels shown on the plan, the council of the municipality shall specially assess those parcels for the amounts so charged against them respectively, including in the assessment against each parcel the proper proportion of the costs of appeal, if any, and of any other expenses subsequent to the order of the Attorney General.

(2) The following provisions apply to the special assessment:

1 The amounts assessed shall be payable in one payment or by annual instalments extending over a period not exceeding five years, as the council may prescribe;

2 In fixing the amount of annual instalments a sum sufficient to cover interest on deferred payments at a rate not exceeding eight per cent per annum shall be added;

3 The council may prescribe terms and conditions upon which any person whose parcel is specially assessed may commute by a payment in cash the annual instalments imposed thereon;

4 All the provisions of the proper municipal Act or any general or special Act applicable to the collection and recovery of taxes by the municipality, and the proceedings which may be taken in default of payment thereof, shall apply to the special assessment and all amounts payable thereunder.

(3) When payment of compensation has been ordered, the municipality shall assess the parcels upon which it is by this Part made a lien for the amount of the compensation, in the manner provided in subsections (1) and (2) for the assessment of costs, expenses and fees, and shall pay over sums collected to the parties entitled thereto.

R.S.S. 1940, c.103, s.92; R.S.S. 1953, c.113, s.92.

GENERAL**Surveyor to destroy conflicting monuments**

93(1) The Attorney General shall give notice to the surveyor who completed the survey of the taking effect of the order approving the survey, and the surveyor shall, upon receipt of the notice, forthwith remove all survey posts, stakes or monuments standing or on the land comprised within the limits of the survey prior to the special survey, and which are liable to lead to confusion in connection with the special survey, and, having done so, shall immediately report that fact in writing to the Attorney General.

(2) If for any reason any existing post, stake or monument has been used or adopted by the surveyor as the post, stake or monument of the special survey, he shall obliterate all marks on the post, stake or monument, except the marks placed thereon or adopted by him in making the special survey, and having done so, shall immediately report that fact in writing to the Attorney General.

R.S.S. 1940, c.103, s.93; R.S.S. 1953, c.113, s.93.

PART IV

General

STANDARD MEASURE

Measure to be used

94 The measure of length used in surveys made under this Act shall be the Dominion measure of length defined by the *Weights and Measures Act* (Canada).

R.S.S. 1940, c.103, s.94; R.S.S. 1953, c.113, s.94.

EVIDENCE

Examination of witnesses

95(1) Every surveyor acting in that capacity may examine witnesses on oath with respect to all matters relating to the settlement, occupation or possession of lands and to the survey of lands and for better ascertaining the original corner or limits of any township, section or other legal subdivision, lot or tract of land, and may administer the oath to every person whom he examines in relation to such matters.

(2) When a surveyor is in doubt as to the true corner, boundary or limit of any township, section, lot or tract of land which he is employed to survey and has reason to believe that any person is possessed of important information touching the corner, boundary or limit or of any writing, plan or document tending to establish the true position thereof, and if such person does not willingly appear before and submit to examination by the surveyor or does not willingly produce to him such writing, plan or document, the surveyor may apply to any justice of the peace for a subpoena *ad testificandum* or a subpoena *duces tecum*, as the case may require, accompanying the application by an affidavit or solemn declaration made before the justice of the peace of the facts on which the application is founded; and the justice may issue a subpoena accordingly commanding the person to appear before the surveyor at a time and place mentioned in the subpoena, and, if the case requires it, to bring with him any writing, plan or document mentioned or referred to therein.

(3) The subpoena shall be served on the person named therein by delivering a copy thereof to him or by leaving a copy for him with some adult person of his family at his residence, exhibiting to him or the adult person the original.

(4) If the person required in the subpoena to appear, after being paid his reasonable expenses or having the same tendered to him, refuses or neglects to appear before the surveyor at the time and place appointed in the subpoena or to produce the writing, plan or document, if any, therein mentioned or referred to, or to give such evidence and information as he possesses touching the corner, boundary or limit in question, the justice may issue his warrant for the arrest of such person and he is guilty of an offence and liable on summary conviction to a fine not exceeding \$100, or to imprisonment for a term not exceeding ninety days, or to both.

(5) All evidence taken by a surveyor shall be reduced to writing and shall be read over to the person giving the same and shall be signed by the person, or, if he cannot write, acknowledged by him as correct before two witnesses who shall sign the same, and in either case it shall be signed by the surveyor; and the evidence and any document or plan prepared and sworn to as correct before a justice of the peace by a surveyor with reference to any survey made by him may be filed and kept at the land titles office for the land registration district in which the lands to which the same relate are situate, subject to production thereafter in evidence in court.

R.S.S. 1940, c.103, s.90; R.S.S. 1953, c.113, s.95.

FIELD NOTES

Field notes to be taken

96(1) The surveyor shall keep exact and regular field notes of every survey made by him; and these field notes shall show the date on which the survey was made, the astronomic bearing or angular measurement of each line with some other line of the survey, the lineal measurements taken on each line, the nature, markings and location of each post erected and the nature of, and marking on, all original monuments found upon the ground, or, in default of monuments being found, the information or evidence as to any original boundary taken as a basis for the survey, together with all important topographical features of the land surveyed.

Copies of field notes to be furnished

(2) The surveyor shall furnish a certified copy of the field notes (form A) to the Chief Surveyor, Controller of Surveys or Director of Surveys, upon demand and without charge, in all cases where the officers above named require the information as evidence or for the purpose of dealing effectually with any surveys or plans thereof.

R.S.S. 1940, c.103, s.96; R.S.S. 1953, c.113, s.96.

REMOVING LAND MARKS

Penalty for wilful removal

97(1) A person who knowingly or wilfully defaces, alters or removes any mound or landmark, post or monument heretofore placed by any Saskatchewan or Dominion land surveyor or hereafter placed by any Saskatchewan land surveyor to mark any limit, boundary or angle of a township, section or other legal subdivision, lot, block or other parcel of land in Saskatchewan, is guilty of an offence and liable on summary conviction to a fine not exceeding \$100 or to imprisonment for a term not exceeding three months, or to both.

Penalty for wilful possession

(2) A person who, not being a surveyor, knowingly or wilfully has in his custody or possession, for any other than a lawful purpose in connection with a survey of land in the province, any such post or monument or any post or monument intended or apparently intended to be used for the purpose of such survey or to mark any such limit, boundary or angle, is guilty of an offence and liable on summary conviction to a fine not exceeding 100 or to imprisonment for a term not exceeding six months, or to both.

Removal of monuments

(3) A surveyor may remove a monument shown on a registered plan of subdivision survey when it is intended to excavate or build to the boundary line of the lot of which the post is a corner, having first planted suitable permanent reference marks to establish the position of the original monument; and shall file evidence in regard to the removal in the land titles office where the plan is on record showing clearly the position of the reference marks and the location of the original monument in regard thereto and shall also supply the Chief Surveyor with a copy of the evidence.

Surveyors may remove posts

(4) Nothing contained in this Act shall prevent a surveyor from taking up posts or other boundary marks when necessary in connection with his operations, but any post or mark so taken up shall, immediately on completion of the work, be replaced carefully as before removal.

Removal may be ordered

(5) Notwithstanding the foregoing provisions of this section, any post or monument not marking a section or quarter section corner may be removed or destroyed by a surveyor by direction of the Chief Surveyor or the Director of Surveys, as the case may require.

R.S.S. 1940, c.103, s.97; R.S.S. 1953, c.113, s.97.

PERSONAL SUPERVISION**Effect of surveyor's certificate**

98 All surveys made under this Act shall be made in person on the ground by the surveyor certifying to the correctness thereof; and a certificate (form B) attached to any plan of survey shall mean that the survey represented by the plan has been carried out by the surveyor making the same, under his personal supervision and direction on the ground, in such manner that he is certain of its correct execution, that the survey has been posted and completed on the ground and that the system of survey employed has been in all respects in accordance with the provisions of this Act, but it shall not be necessary for him to have actually performed personally all the necessary operations to give effect to the survey.

R.S.S. 1940, c.103, s.98; R.S.S. 1953, c.113, s.98.

Plans and field notes to be certified

99(1) All plans of surveys made under the authority of this Act, which are intended for registration in a land titles office, shall be certified by the surveyor (form B).

(2) All copies of field notes required under this Act shall be certified by the surveyor (form A).

R.S.S. 1940, c.103, s.99; R.S.S. 1953, c.113, s.99.

SCHEDULE

FORM A

(Sections 26, 47, 96 and 99)

I, _____ (*full name*) _____, Saskatchewan Land Surveyor, do hereby certify that the survey represented by the foregoing field notes has been made by me in accordance with the provisions of *The Land Surveys Act*, and that the said field notes are correct and true to the best of my knowledge and belief.

Dated at _____ in the Province of _____,
this _____ day of _____, 19____.

(Signature) _____
Saskatchewan Land Surveyor

FORM B

*(Sections 98 and 99)**(Sections 26, 47, 96 and 99)*

I, _____ (*full name*) _____, Saskatchewan Land Surveyor, do hereby certify that the survey represented by this plan has been made by me in accordance with the provisions of *The Land Surveys Act*, that this survey was performed between the dates of _____ and _____, 19____, and that this plan is correct and true to the best of my knowledge and belief.

Dated at _____ in the Province of _____,
this _____ day of _____, 19____.

(Signature) _____
Saskatchewan Land Surveyor

FOR HISTORICAL REFERENCE ONLY