

Bill No. 45 of 1948.

A BILL TO AMEND THE ALBERTA SURVEYS ACT.

NOTE.

This Bill amends *The Alberta Surveys Act*.

The amendments to both sections 35 and 78 were requested by the Alberta Land Surveyors' Association. In both cases the proposed amendment is to provide for more extensive marking and re-marking of corners with iron posts with the object of maintaining, as far as possible, the original locations of such corners.

The first amendment would require the placing of posts not only at the actual block corners, but also secondary or reference posts in the vicinity of the corner for the purpose of defining the corner in case the principal post becomes removed or destroyed.

The second amendment extends the present provisions of section 78 so that they apply not only to section, quarter-section or legal subdivision corners when first established, but also to cases where the surveyor re-establishes such a corner at which the original survey post can no longer be found.

W. S. GRAY,
Legislative Counsel.

(*This note does not form any part of the Bill but is offered in explanation of its provisions.*)

BILL

No. 45 of 1948.

An Act to amend The Alberta Surveys Act.

(Assented to , 1948)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Alberta Surveys Act*, being chapter 75 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 35 by striking out the same and by substituting therefor the following:

“**35.**—(1) Block corners so established shall also be referenced by planting iron posts or bars at convenient points in the vicinity of as many block corners as may, in the opinion of the Director of Surveys, be necessary to facilitate the future re-establishment of the block boundaries in the event that the posts at the block corners become lost or destroyed.

“(2) Such reference posts or bars shall be of a different type from those required to be placed at block corners and shall govern the position of a lost block corner or corners.

“(3) Full particulars of said iron posts or bars and of their locations shall be recorded in the field notes and be shown on the plan.”.

2. The said Act is further amended as to section 78 by striking out the same and by substituting therefor the following:

“**78.**—(1) If, in the execution of a survey, a surveyor establishes any corner of a section, quarter-section or legal subdivision which was not previously marked by any monument or if he re-establishes the position of any corner of a section, quarter-section or legal subdivision which has previously been marked by a survey post, with or without pits or a mound or trench, and at which such survey post can be longer be found, he shall mark with an iron post every corner so established or re-established by him and shall prepare a copy of the plan of survey so made by him and certify that the same is a true copy of the plan of which it purports to be a copy or, if no plan of the survey is otherwise required to be prepared, he shall prepare a plan showing the location of any corner or corners so established or re-established and details of the evidence or method by which such establishment or re-establishment was effected, together with the

date of the survey, and shall certify that such survey and plan have been made in accordance with the provisions of this Act.

“(2) Every certified plan or copy of a plan required to be prepared under the provisions of subsection (1) shall, within sixty days after the completion of the survey, be transmitted by the surveyor to the Director of Surveys, and upon approval of the plan or a copy thereof by the Director of Surveys, the same shall be forwarded by him to the Registrar of Land Titles for the Land Registration District in which the land to which it relates is situate, and upon receipt thereof the Registrar shall cause it to be filed in his office.”.

3. This Act shall come into force on the day upon which it is assented to.

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

BILL

A Bill to amend The Alberta
Surveys Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. FALLOW.

EDMONTON:
A. Shnitka, King's Printer
1948