

Subject: **SURVEYS - EXAMINATION OF DESCRIPTIVE PLANS**

BACKGROUND

The primary and preferred method of creating new parcels is by way of plans of survey based on actual monuments placed in the ground. However, the Alberta land registration system has historically allowed exceptions in limited circumstances through the creation of parcels by way of metes and bounds descriptions. A provision to authorize descriptive plans was enacted in 1982, but not proclaimed until 1988, with the intention of largely replacing the use of metes and bounds descriptions with plans showing graphic representations of the parcels. While a descriptive plan, like a metes and bounds description, is not based on an actual survey of the new parcel, it does describe boundaries by reference either to sections in the surveyed Alberta Township System or to registered surveyed boundaries. In addition to giving the Registrar discretion to accept descriptive plans for the creation of new parcels, sections 84, 87 and 88 of the Metis Settlements Land Registry Regulation, also authorizes the Registrar to prepare descriptive plans to replace existing metes and bounds descriptions.

REGISTRATION PROCEDURE

1. The drafting requirements outlined in the procedure on Surveys - Examination of Plans (SUR-1) apply.

2. **Prior Approval** - Before a descriptive plan is prepared, direction and approval must be obtained from the Geomatics section of the Metis Settlements Land Registry. Approval to use such a plan, instead of a plan of survey, to define new boundaries is discretionary and will generally be granted in those situations where a metes and bounds description would have previously been accepted. Some of the factors which will be taken into consideration in deciding whether a descriptive plan is appropriate are

- a) the number of existing unsurveyed parcels,
- b) the location of the land,
- c) the cost of a survey,
- d) the intended use of the land,
- e) the value of the land, and
- f) the complexity of the description, e.g., no bearings or establishment of monuments.

3. A descriptive plan which has an effect of subdividing land cannot be used to create more than one new parcel of land and cannot create any land dedicated for public purposes.

4. Plan Details

- a) Heading - "Descriptive Plan showing Subdivision of _____ or consolidation of _____"
- b) **Legend** - Parallel line designated thus: "//
- c) **Legend** - Right angles are designated thus: (use 90* angle)

- d) **Legend** – Area dealt with by this plan bound thus (heavy outline on parcel boundary)
- e) **Legend** – No field inspection was carried out (if applicable, if not apply field inspection dates) and boundaries have not been established or marked on the ground.
- f) **Legend** – Where applicable water boundaries shown as approximate only.
- g) **Legend** – All distances are in metres and decimals thereof.
- h) Parcel dimensioning and other relative information:
- only dimensions that accurately locate and label the new parcel will be accepted
 - no surveyed or calculated distances are to be shown unless otherwise approved
 - parcel boundaries are to be parallel or at right angles to existing surveyed boundaries unless otherwise approved
- i) Any registered plans abutting, affecting or in close proximity should be shown and identified. It is preferred that the entire quarter-section, river lot, etc. be shown.
- j) Lot and Block Designation - Each parcel of land must be designated by a lot number and block number as required.

5. Natural Boundary - Where a natural boundary forms part of a descriptive plan, the plan must reflect the current location of the natural boundary. Natural boundary approval by the Land Administration Division of Environment is required if:

- a) the plan contains land adjoining a lake, river, stream or other body of water referred to in the title
- b) there is accreted land included within the new plan.

In order for the Metis Settlements Land Registry to determine if accreted land is included in the plan, the previously surveyed bank referred to in the present title must be shown as a dotted line.

If a new parcel is being created, the remainder of the land in the certificate of title should be included in the descriptive plan as a separate parcel. If the remainder is not included, a formal application pursuant to section 89 of the Metis Settlements Land Registry Regulation should accompany the descriptive plan in order to update the legal description in the certificate of title.

6. Owner's Signature - The registered owner must consent to the registration of the plan by filing the Subdivision Approving Form with the Settlement Land Clerk who will then get Councils approval and apply the Motion Number to the form.

7. Plan Registration Information - The following is to be drafted on the plan: ([as per SUR-1 section 10 & 11](#))

8. Certification by an Alberta Land Surveyor - The plan must be certified by an Alberta land Surveyor and is to be drafted on the plan: ([as per SUR-1 section 11](#))

9. Registered Land Owner Information - The name of the registered owner is to be drafted on the plan. ([as per SUR-1 section 10](#))