

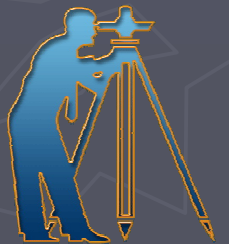
What You Can Learn From The Surveyor's Real Property Report

Presented at the Law Society of Upper Canada Seminar

"Practice Gems: 3rd Annual Title and Off-Title Searching"

January 17th, 2007

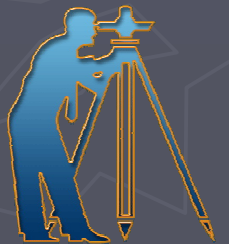
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Understanding The Purpose Of The Product

Branches of Geomatics

- ▶ Cadastral Surveying
- ▶ Geodetic Surveying
- ▶ Geographic Information Management
- ▶ Hydrographic Surveying
- ▶ Photogrammetric Surveying

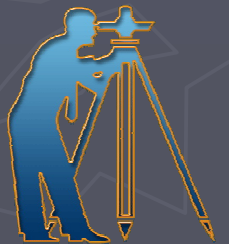


Understanding The Purpose Of The Product

(continued)

Types of Cadastral Survey Plans

- ▶ Subdivision Plans
- ▶ Condominium Plans
- ▶ Reference Plans
- ▶ Topographic Plans
- ▶ Site Plans
- ▶ Surveyor's Real Property Reports
- ▶ Other Plans of Survey for specific purposes

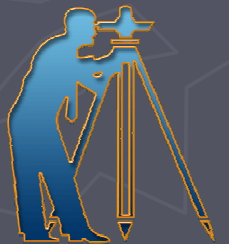


Understanding The Purpose Of The Product

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Reference Plan of Survey

- ▶ Primary purpose: graphic description of parcels of land, either new or existing



Understanding The Purpose Of The Product

(continued)

Subdivision Plan of Survey

- ▶ Primary purpose: create new parcels of land
- ▶ Secondary function: graphic description of new parcels of land



Understanding The Purpose Of The Product

(continued)

Physical items normally identified in a Surveyor's Real Property Report
(not necessarily exhaustive)

- ▶ Property boundaries
- ▶ Buildings (subject property and near adjoining)
- ▶ Fences
- ▶ Hedges
- ▶ Retaining walls
- ▶ Wells
- ▶ Sheds/outbuildings
- ▶ Swimming pools/hot tubs
- ▶ Overhead utility hardware
- ▶ Sidewalks, driveways, other paved areas



Understanding The Purpose Of The Product

(continued)

Title information normally identified in a Surveyor's Real Property Report

- ▶ Ownership information
- ▶ Easements
- ▶ Other registered interests
- ▶ Identified deficiencies/ambiguities
- ▶ Potential problems

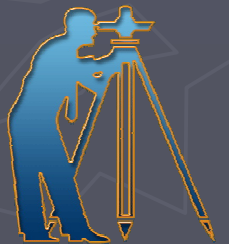


Understanding The Purpose Of The Product

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Surveyor's Real Property Report consists of two "Parts"

- ▶ Part 1: Plan of Survey
- ▶ Part 2: Written Report



Understanding The Purpose Of The Product

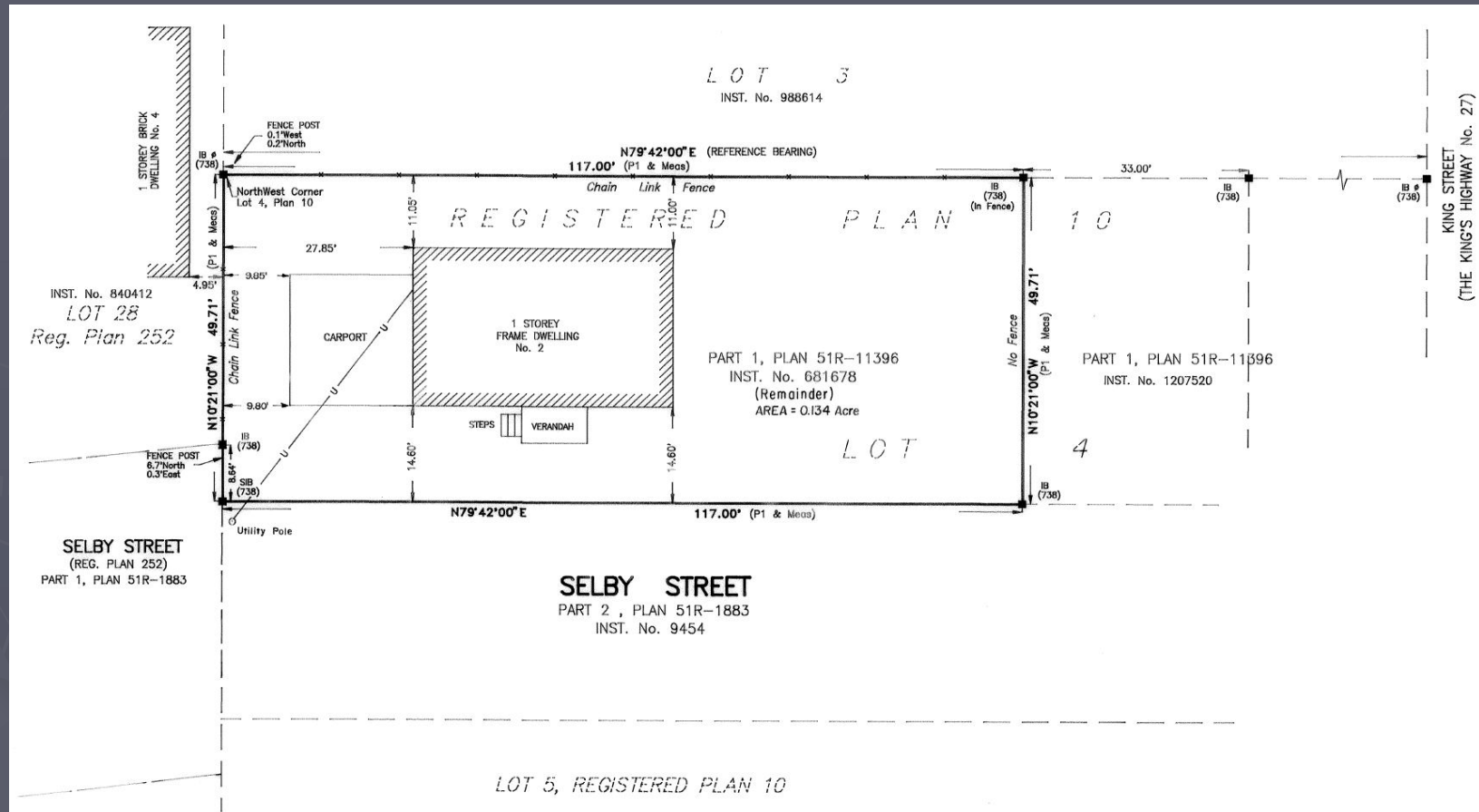
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Primary purpose of Surveyor's Real Property Report is to answer questions:

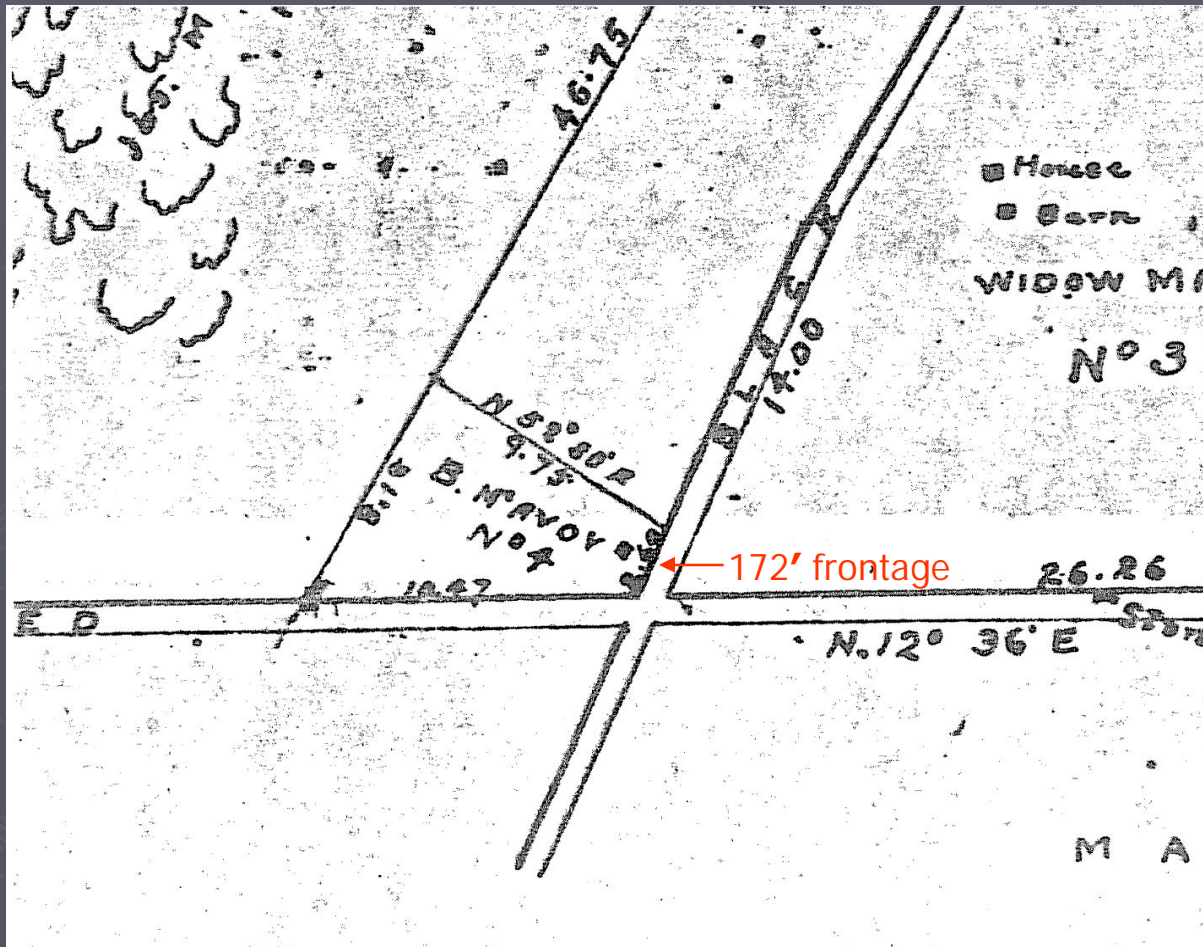
- ▶ "Am I buying what I see on the ground?"
- ▶ "Am I getting the $\frac{1}{4}$ acre that I bargained for?"
- ▶ "Are there problems or hidden liabilities that could affect future enjoyment of the property?"
- ▶ "Do the improvements on the property conform to zoning bylaws?"
- ▶ "Is the property that I viewed actually the same property that is described in the deed?"



Reading The Plan Drawing: Simple Example

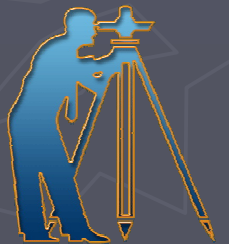


Reading The Plan Drawing: Old Plan



Importance of the Written Report

- ▶ Purpose of SRPR: to convey important information
- ▶ Written report: communicate issues in words, especially potential problems
- ▶ Descriptive inconsistencies, if encountered
- ▶ Recommendations, if needed



Timing

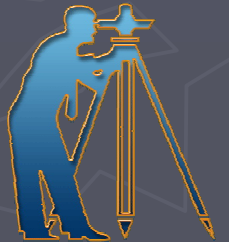
Preparation of SRPR involves:

- ▶ Research
- ▶ Field work
- ▶ Assessment of records and field returns
- ▶ Drafting
- ▶ Report writing
- ▶ TIME



Timing (continued)

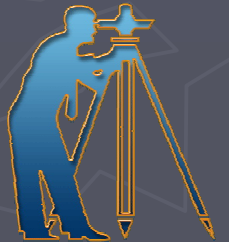
Delivery should be scheduled well in advance of closing.



Cost

Vendor's perspective: "Why bother?"

- ▶ Identify issues before agreement for purchase and sale
- ▶ Avoid delayed closing
- ▶ Avoid possible price abatement
- ▶ Avoid possible litigation
- ▶ Adds value, marketability to property



Cost (continued)

Purchaser's perspective: "This purchase is costing enough already!"

- ▶ Identification of issues before purchase in order to requisition corrections, negotiate price abatement, or withdraw from transaction
- ▶ Peace of mind; better to deal with issues BEFORE purchase than dealing with claims for compensation or correction later



Surveyor's Real Property Report

Valuable document:

- ▶ Security for vendor, purchaser, mortgagee, real estate agents, solicitors, title insurer
- ▶ Asset to property
- ▶ Relatively small expense when compared with investment

