

## Contractors be careful— machinery easily destroys survey evidence

Contouring, grading, fencing, road building and other work with heavy equipment is a common cause of destroyed survey evidence. Grading along the boundaries of a lot, road, subdivision or pipeline right-of-way can result in hundreds of survey pins being moved or destroyed.

An Alberta Land Surveyor has to be retained to re-measure and re-establish the destroyed markers. It adds to the cost of construction and, in the end, to the amount the consumer must pay.

The easiest way to avoid the problem is to ensure that the metal pins are clearly identified prior to any earth moving activity so that machinery can avoid them. Check with the Alberta Land Surveyor working on the site and ask for markers to be "referenced" so that they can easily be replaced after construction.

### Repairing the damage

When survey evidence is destroyed, it is often quite costly to re-establish — costs range from hundreds to

thousands of dollars. An Alberta Land Surveyor must re-determine boundaries by measuring from the closest survey evidence that can be located.

In some areas, the nearest evidence may be blocks away or, in rural areas, miles away. Once the measuring has been completed, a new pin can be put into the ground. Also, a new plan of survey must be prepared and filed at Land Titles.

### More information

Contact an Alberta Land Surveyor or the Alberta Land Surveyors' Association.



## Alberta Land Surveyors' Association

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## Survey Evidence is Serious Business

Marking of property boundaries, the exclusive responsibility of Alberta Land Surveyors, is a very complex and highly specialized activity. It is critical that boundaries be determined and marked accurately so it is clear where properties begin and end.

Landowners need to know where property boundaries are. Without owners knowing boundary locations buildings could be on property lines, it could be difficult to meet set-back requirements, neighbours could build on the wrong side of the line, and safety problems could occur with construction over gas lines or other utility rights-of-way.

The Torrens Land Registration system used in Alberta involves the recording of legal land descriptions based upon precise location of boundary markers provided by legal surveys. Thanks to this registration system and the recording of boundary information, development occurs easily and transfer of property is simplified as few problems occur when ownership of land changes.

### What is survey evidence?

A new boundary is created every time land is divided to form a lot, roadway or utility right-of-way. The new boundary must be precisely determined. When a boundary is determined, an Alberta Land Surveyor typically inserts a one metre-long metal pin at the exact intersection of property lines. The location of these pins is marked on survey plans registered

at Land Titles. These pins or markers are called survey evidence.

In historic times, other means were used instead of metal pins — wooden posts, piles of rocks, or mounds of dirt. Over time, many of these markings have disappeared. When these boundaries have to be re-established, extensive research must be undertaken including measurements from the nearest locatable survey marker.

Accurately placed boundary markers are essential. Landowners can be confident the boundaries of their property, roadways, pipelines or other public improvements are precisely marked. Also persons such as contractors, needing to know where boundaries are, can find accurate reference points.

### Protected by the Law

Because of their significance, the Surveys Act of Alberta carefully regulates boundary markers. The law not only provides for the establishment of survey markers but also for the consequences of removal or tampering with them.

It is illegal to remove or tamper with an official boundary marker.

Tampering with boundary markers can result in fines up to \$10,000. A British Columbia man was recently sentenced to one year in jail for tampering with survey evidence.

## Homeowners Beware— don't throw away the marker!

A homeowner may wish to find exact boundary locations to build a fence or construct a building. In addition to the difficulty of finding pins, there is often more than one in an area or none at all. Some pins may not relate to the homeowner's property boundary at all, but to roads,

rights-of-way or other land-related measurements. It is recommended that the homeowner ask an Alberta Land Surveyor to identify the correct boundaries so that mistakes are not made.

Unsuspecting landowners may find a pin and thinking it just a piece of metal left over from construction — dig it out and throw it away. They do not recognize their mistake until some future date when they are charged or have to pay the considerable cost of re-measuring boundaries and inserting a new pin.

### Handymen and landscapers beware—if the pin is in the way —don't move it!

If the survey pin is just where that fence post should be — please build around it. The cost of replacing a survey marker could be as much as the cost of the fence, driveway or landscaping in the first place.



One metre-long marker with Alberta Land Surveyor permit number.