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September 17, 2008

MEMORANDUM: EM2008-02

TO: All Land Registrars

FROM: Doug Aron
Examiner of Surveys

**RE: Certificate of Surveyor -
Land Titles Conversion Qualified to Land Titles Absolute and
Application for First Registration under the *Land Titles Act***

It has come to my attention that there is some inconsistency with respect to the date being entered in the first part of the Certificate of Surveyor used in the Land Titles Conversion Qualified to Land Titles Absolute (LTCQ to LTplus) Application and the Application for First Registration under the Land Titles Act. The date to be used in the Certificate of Surveyor for both of these applications shall be the date shown next to the Ontario Land Surveyor's signature in the Surveyor's Certificate, Form 1, O.Reg. 43/96 under the *Registry Act*, as shown on the next page. A sample LTCQ to LTplus - Certificate of Surveyor and a sample Form 6 - Certificate of Surveyor are also attached to this memo showing the correct date based on the Example Draft Plan Surveyor's Certificate shown below. Should you have any questions on this matter, please contact your Regional Surveyor.

A handwritten signature in black ink, appearing to read "Doug Aron", with a long horizontal flourish extending to the right.

Example of Surveyor's Certificate on Draft Plan Attached to Notice of Application

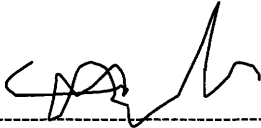
Surveyor's Certificate

I certify that:

- 1) This survey and plan are correct in accordance with the *Surveys Act*, the *Surveyors Act* and the *Land Titles Act* and the regulations made under them.
- 2) The plan was completed on the 10th day of January, 2006.

May 29, 2006

date



Ima Surveyor
Ontario Land Surveyor

Please ensure that your staff and clients are aware of this clarification.

Land Titles Act
CERTIFICATE OF SURVEYOR
(Application under subsection 46(2) of the Act)

RE: PIN 00258-0123
Notice of Application registered as No **ER654321**

IN THE MATTER of an application by **Robert Brown** to be registered as the owner with an absolute title of the land described in the application.

I, **Ima Surveyor**, an Ontario Land Surveyor, completed the survey for the plan of the subject land, a print of which plan is attached to the notice of application registered as Instrument ER654321, on the 29th day of May, 2006, and certify as follows:

1. The survey for the plan is current as of the date of the registration of the Notice of Application and shows only the subject land.
2. At the time of making the survey, I examined the land and I have illustrated with appropriate ties the existence of all apparent interests in the subject land including, but not limited to,
 - (a) all topographic information,
 - (i) that forms, controls or marks the position of the boundaries of the subject land, or
 - (ii) which indicates an encroachment from the subject land onto the adjoining lands, or from the adjoining lands to the subject land; including, but not limited to,
 - (A) where apparent, all registered (and unregistered) utility lines, (overhead and buried) and any other interest affecting the land of the applicant,
 - (B) all buildings, eaves and other structures, gardens, lawns, ditches, driveways, sidewalks, paths and other improvements located in the vicinity of the boundaries of the subject land, and
 - (C) all fences in the vicinity of the boundaries of the subject land, identified as to type and showing the age, if known;
 - (b) all found monumentation, conflicting or otherwise; and
 - (c) all bodies of water, streams, rivers and water courses, and that the boundaries of those bodies of water, streams, rivers and water courses that form or control the extent of, or an interest in, the subject land have been re-established consistent with the grant from the Crown.
3. As a result of my examination, I found no evidence that would indicate that any person other than the applicant(s) has any right in any part of the land, except (specify).
4. (and) was/were in actual occupation of the land.
5. All monumentation was in place, and their position marked, on the date of the registration of the Notice of Application.

Dated

.....
Ima Surveyor
Ontario Land Surveyor

Form 6

Land Titles Act

CERTIFICATE OF SURVEYOR
(Application for First Registration)

Re: Application registered as No.

IN THE MATTER of an application by **Robert Brown** to be registered (or, where applicable, to have
..... registered) under the *Land Titles Act* as the first registered owner(s) of

I, **Ima Surveyor**, an Ontario Land Surveyor, completed the survey for the plan (a print of which is attached
hereto) of the subject land on the 29th day of May, 2006 and certify as follows:

1. The survey for the plan is current as of the date of this application, and shows only the subject land.
2. I have examined the Crown patent submitted with the application and the subject land is contained therein.
3. At the time of making the survey, I examined the land and I have illustrated with appropriate ties the existence of all apparent interests in the subject land including, but not limited to,
 - (a) all topographic information,
 - (i) that forms, controls or marks the position of the boundaries of the subject land, or
 - (ii) which indicates an encroachment from the subject land onto the adjoining lands, or from the adjoining lands to the subject land; including, but not limited to,
 - (A) where apparent, all registered (and unregistered) utility lines, (overhead and buried) and any other interest affecting the land of the applicant,
 - (B) all buildings, eaves and other structures, gardens, lawns, ditches, driveways, sidewalks, paths and other improvements located in the vicinity of the boundaries of the subject land, and
 - (C) all fences in the vicinity of the boundaries of the subject land, identified as to type and indicating age, if known;
 - (b) all found monumentation, conflicting or otherwise; and
 - (c) all bodies of water, streams, rivers and water courses, and that the boundaries of those bodies of water, streams, rivers and water courses that form or control the extent of, or an interest in, the subject land have been re-established consistent with the grant from the Crown.
4. As a result of my examination, I found no evidence that would indicate that any person other than the applicant(s) has any right in any part of the land, except (specify).
5. (and) was/were in actual occupation of the land.
6. All monumentation was in place, and their position marked, on the date of application.

Dated.....

.....
(Signature and name in print of Ontario Land
Surveyor who completed the survey of the plan)