

 Information Services Corporation	POLICY AND PROCEDURE	Number GO-05/001
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Owner/Manual Surveys and Mapping	Section	Last Revision December 7, 2005
Policy Name Re-approving Plans for Title Creation	Effective Date February 11, 2005	Revised Date March 14, 2011

Policy Statement:

This policy enables title creation by re-approving the following types of plans:

- Registered plans which were never titled including plans filed under Sections 103(3), 106, 107 and 109 of the old Land Titles Act
- Feature plans registered/approved under the previous Land Titles System or the new LAND System.
- Abandoned or Cancelled Plans
- Road plans registered/approved under Sections 114 of the old Land Titles Act, which did not take area through some or all parcels.
- Plans initially surveyed and drawn as a road plan but areas were removed and plan was filed as a Reference Plan or Restoration/Re-establishment Plan.

NOTE: A request must be submitted to the Controller of Surveys prior to submitting a plan to ISC under this policy. Due to the number of possible variations that may arise from this policy, each situation will be reviewed on a case-by-case basis. This request must include a statement that the submitting Surveyor has verified that the plan meets the current standards for survey accuracies. A written acceptance must accompany the plan submission.

Title may be raised to any previously approved plan, or portions thereof without the requirement of a Surveyors certificate certifying that the monuments exist in their proper positions. The previously approved plan may be submitted to ISC for the creation of a Transform Approval Certificate and subsequent titling subject to the following conditions:

- The plan must be submitted by;
 - The Saskatchewan Land Surveyor (S.L.S.) whose name appears on the plan. **or**
 - A S.L.S. representing the company responsible for the plan. **or**
 - Any S.L.S. with written permission from the company or surveyor, Provincial government Ministry or Crown responsible for the plan. **or**
 - Any S.L.S with written approval from ISC.
- The title block must maintain the original content of the plan with the exception that the title block must be edited to show the proper purpose of the plan. For example: if a plan, previously approved for a drainage ditch is submitted with the intent of creating surface title for RM roadway then the title block should read “Plan of Survey showing **Surface** RM Roadway”. If the intent is to create mineral titles, the title block should read “Plan of survey showing **Mineral** Subdivision”.
- A note must be added to the title block after the Surveyor’s certification, or if space permits, to the legend stating “This plan was re-submitted for titling purposes by (enter name S.L.S.) on (enter date)”.

- A line of approval must be drawn around all the parcels to be titled.
- This policy does not apply where ISC determines that additional field work is required due to a subsequent survey affecting the parcel(s) to be titled.
- The plan may be edited to show Metes and Bounds plans that are not considered surveyed.
- The full extents of the source parcel shall be shown.
- Unique identifiers (A, B, etc.) must be shown for each new surface parcel being created.
- Extension numbers must be shown within all remaining portions of the source parcels.
- A valid Planning Approval must be submitted with the plan unless it is determined that a valid planning approval is not required, then the client must submit a document / email from the planning authority stating that a new planning approval is **not** required. Mineral subdivisions are an exception and do not require planning approval.
- A feature plan cannot be used to create a surface subdivision unless it follows the monumentation requirements of a surface subdivision. For example, a subdivision plan must have monuments at all changes in direction on all boundaries. Therefore both sides of the feature right of way would have to be monumented before it would be allowed as a surface subdivision unless the result is intended to be a road, railway or drainage ditch. Roads, railways and drainage ditches are normally only required to be monumented on one limit so additional monuments would not be required.

Purpose:

Previous policy required that plans filed under Sections 103(3), 106, 107 and 109 of the old Land Titles Act could not be submitted for approval and subsequent titling purposes without a Surveyors Certificate certifying that the monuments existed on the ground and were in their proper position. This conflicted with a number of procedures that were being accepted by ISC such as consolidations, raising titles to old township plans, etc. In these scenarios, there were no requirements to verify monumentation and in some situations no monuments ever existed.

This policy now provides for plans to be re-approved for title creation without verifying monuments.

Compliance with Policy: Submission of a plan under this policy is at the discretion of the Land Surveyor (S.L.S.), whose name appears on the plan or the company / Provincial Government Ministry / Crown responsible for the plan.

Penalties/Consequences:

If the Saskatchewan Land Surveyor (S.L.S.), whose name appears on the plan or the company responsible for the plan, is not in agreement with re-approving a plan based on this policy, a new plan will be required.

Approved By:

Name: *Jim Boyd, Controller of Surveys*

Signature:

Date: *March 14, 2011*