

YOUR FILE

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May 29, 1980

CIRCULAR LETTER TO ALL BRITISH COLUMBIA LAND SURVEYORS

Re: Accretion Applications

To facilitate the handling of applications under Section 94(1)(c) Land Title Act, the following procedure will apply.

- (A) To enable an accretion to be dealt with under this section, the bed of the body of water, of which the accretion formerly was a part, must belong to the Crown Provincial.
- (B) An application under this section shall be made directly to the Land Commissioner for the appropriate Land Recording District. The following supporting material must be included with the application.
 - (i) A letter from the Registrar of the appropriate Land Title Office authorizing the application.
 - (ii) Three copies of a preliminary plan signed by a B. C. Land Surveyor which shall show:
 - (a) The water boundary of the upland according to the plan on which the existing title is based.
 - (b) The present natural boundary as defined in the Land Act, with the traverse and sufficient offsets to show how it was determined.
 - (c) Description of the area to be acquired, i.e. soils, type of vegetation, etc.
 - (d) Relative elevations of the original land, the purported accretion and the water level.
 - (e) Plotted positions and directions of photographs required to be taken under (iii) below.
 - (iii) Two sets of ground photographs (colour) to be supplied of all traverse stations of the new natural boundary, taken to illustrate the position of the station with respect to the natural boundary. In the photographs there should be illustrated the side boundaries of the accretion to show a comparison with the adjacent areas. The newly proposed natural boundary of the accreted area should be shown by an ink line on the photographs. Traverse stations are to be flagged and numbered on the photographs.
 - (iv) The prescribed fee.

- (C) Tentative agreement by the Minister may require the consent of the adjoining owner, in letter form, with the final linen when it is presented for the Minister's certification.
- (D) When tentative agreement has been obtained from the Minister with respect to the preliminary plan, the surveyor shall complete the survey accordingly, and the final plan shall have draughted on it the following certificate:

Certificate under the Land Title Act, Section 94(1)(c)

The unregistered land included within this plan is deemed to be lawfully accreted land adjoining Crown Land.

Minister of Lands, Parks & Housing
Victoria, B. C. , 19 .,

- (E) The plan and prints necessary for registration shall then be submitted to the Registrar of the appropriate Land Title Office.
- (F) The Registrar will forward the plan to the Surveyor General, together with a covering letter stating that the plan, upon certification, is otherwise acceptable for deposit.
- (G) When signed by the Minister, the plan shall be returned to the Registrar for deposit.
- (H) Prior to the granting of tentative approval by the Minister as per the foregoing, a careful inspection on the ground by an officer of the Land Management Branch may be required. The material to be submitted in support of an application should be construed as being in the nature of assistance to the Ministry in adjudication of the application and is not intended as a substitute for examination of the site on the ground should such examination be considered advisable.

It would be of great assistance to the Ministry if the surveyor, when forwarding the plan to the Registrar, and the Registrar when forwarding the plan to the Ministry, would quote the Ministry's file number.

Yours truly,



R. W. Thorpe,
Surveyor General.