

YOUR FILE

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May 29, 1980

CIRCULAR LETTER TO ALL BRITISH COLUMBIA LAND SURVEYORS

Re: Accretion or Natural Boundary
adjustment application within
a Statutory Right-of-Way

To facilitate the handling of applications under Section 118(1) Land Title Act, the following procedure will apply.

- (A) To enable an application to be dealt with under this section, the bed of the body of water on which the land fronts 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 in addition to the right-of-way:
 - (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 under application, i.e. type of vegetation, soils, etc.
 - (d) Relative elevations of the boundary of the titled land, the untitled land 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) which shall show the area being dealt with, the natural boundary of the area and

identified traverse stations relative to the natural boundary. The newly proposed natural boundary should be shown by an ink line on the photographs, and the boundaries of the right-of-way similarly indicated.

(iv) The prescribed fee.

- (C) 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 statutory right-of-way plan shall have draughted on it one of the following certificates, as appropriate:

Certificate under the Land Title Act, Section 118(1)

I hereby certify that the - - - - - hectare portion of land adjoining Lot - - - - , intended to be dealt with by this plan is lawfully accreted land adjoining Crown Land.

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

OR

Certificate under the Land Title Act, Section 118(1)

The water boundary shown hereon is deemed to be the natural boundary as defined in the "Land Act"

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

- (D) The plan and prints necessary for registration shall then be submitted to the Registrar of the appropriate Land Title Office.
- (E) 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.
- (F) When signed by the Minister, the plan shall be returned to the Registrar for deposit.

- (G) 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,

A handwritten signature in dark ink, appearing to read 'R. W. Thorpe', is written over a large, light grey diagonal watermark that says 'INACTIVE'.

R. W. Thorpe,
Surveyor General.