

Practice Note 03-16

Land Title and Survey Authority of BC Land Title Division

November 21, 2016

Miscellaneous Notes Endorsements and “Associated Plan” Searches

1. Background

This Practice Note is issued to communicate changes in the land title office’s practice regarding the endorsement of miscellaneous notes against parcels of land indexed in the land title register. These changes are the result of enhancements to the search functionality in myLTSA. The Note replaces Practice Note 01-10.

Miscellaneous notes originated as an informal means of noting land title-related information against the land title parcel index for convenient future access and reference by land title staff. Originally they were made as margin notes in index books, and that notional approach was continued with the shift toward electronic record-keeping that began in the 1980s.

Although miscellaneous notes typically refer to instruments and documents that are registered in and form part of the land title register, it is important to keep in mind that:

- There is no provision within the *Land Title Act* for the registrar to collect or record such information.
- Miscellaneous notes do not form part of the land title register.

The range of information contained in miscellaneous notes has varied over time, and has included information relating to matters such as key plans, Crown and other grant references, gazette filings, plans that relate to and are associated with the parcel (e.g. statutory right of way, bylaw, easement, covenant, posting and official plans), survey letters, and agricultural land reserve orders.

As a result of enhancements made to the search functionality in myLTSA in recent years, much of the associated plan information for parcels that previously would be accessed through a miscellaneous notes search is now accessed via the “Associated Plan” functionality. Land title staff are no longer endorsing associated plan information for parcels under miscellaneous notes. Accordingly, customers searching for information regarding miscellaneous notes and associated plans should be guided by the practice information set out below.

2. Practice

Going forward, customers should keep the following practice information in mind when searching for associated plan and miscellaneous notes information relating to a parcel.

Miscellaneous Notes

New miscellaneous notes endorsements against parcels will be limited to significant internal land title office information involving the parcel, such as agricultural land reserve letters.

Newly received filings of associated plans, such as posting plans and statutory right of way plans filed without an accompanying charge document, are no longer endorsed under miscellaneous notes, but will instead be seen as an "Associated Plan" within the Parcel Information available for a particular parcel, or through the Plan Search by Short Legal Description functionality.

Although newly filed plans will no longer be endorsed in miscellaneous notes, all existing historical miscellaneous notes entries will continue to be available. Miscellaneous notes may be searched through myLTSA using the Parcel Information and Miscellaneous Notes Search functionality. Detailed information regarding miscellaneous notes searches is available in the myLTSA Search Services User's Guide.

Searches for Associated Plans

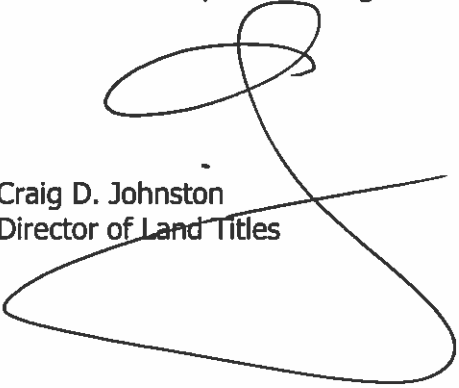
Links have been established within the land title register to allow much of the plan information historically contained in miscellaneous notes to be searched within the new "Associated Plan" functionality. Searches for Associated Plans can be done by accessing the Plan Information associated with a particular parcel identifier number, or through the Plan Search functionality in myLTSA. Detailed information regarding the Plan Search functionality is available in the myLTSA Search Services User's Guide.

Plan Search is intended to assist customers in being able to find plans and to verify them prior to purchase. The results of Plan Search are not guaranteed to identify all relevant plans, owing to the nature of the historic data held by the LTSA. The LTSA is researching the historic data to improve these linkages. Consequently, other methods of search may be required in order to identify all plans required for a particular project. These methods include, but are not limited to, reviewing certificates of title, registered charge documents and miscellaneous notes.

Important limitations to keep in mind when searching for associated plan information:

- Certain historical plan filings (such as many "DF" plans) are not captured by an associated plan search due to their historical designation as a document. Historical plans that were assigned a document number, along with other historical documents such as gazette filings or survey letters, will continue to appear in miscellaneous notes. Accordingly, customers searching for associated plans should also check for the existence of historical miscellaneous notes entries; the existence of miscellaneous notes will continue to be shown by the inclusion of "(MN)" or an asterisk next to the PID.
- Historical charge plans will not be identified as an associated plan if they were not endorsed in the "charge remarks". Generally, charge plans were also not endorsed in

miscellaneous notes when they were submitted with an accompanying instrument. In order to identify hardcopy plans that have been lodged in support of a registered charge, customers must search the title and the relevant registered charges to ensure a complete investigation of charge-related plans.



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