
April 7, 1997

EM199706

MEMORANDUM TO: Land Registrars

FROM: Doug Aron
Examiner of Surveys

**RE: Notices of Assumption under the Public Transportation and
Highway Improvement Act**

I wrote to you on January 21, 1997 with respect to abstracting Notices of Assumption.

It has since come to my attention that offices may have previously been abstracting Notices of Assumption, under the *Land Titles Act*, in the Highways Register. This is inappropriate, as the Notice of Assumption is in effect a transfer from a lower tier road authority to the Province under section 8 of the *Public Transportation and Highway Improvement Act*.

In at least one other instance the Notice of Assumption was treated as a "Notice" instead of a "Transfer". In this case the Notice only affected part of the parcel and, upon registration, led to two ownerships on the same parcel. This was brought to our attention by Teranet's automation team. It could have lead to problems in the post activation mode when we would have had to expend time rectify the situation.

In order to avoid, or at least minimize the possibility of, "poor" parcelization due to our records, please ensure the following:

- A. a review of the Highways Register is undertaken to ensure that Notices of Assumptions are not entered in this book. If they have been then they are to be re-entered in the appropriate parcel register;
- B. on a day forward basis, ensure that Notices of Assumption entered on a parcel that affect only part of the parcel are re-entered into a new parcel; and

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- C. ensure that the issue of previous Notices of Assumption, which may affect only part of the parcel and may not have been re-entered after the initial registration, is brought to the attention of the site committee for those offices undergoing/about to undergo automation so that the automation/conversion team is aware of this issue. If the automation team discovers such a Notice of Assumption then it should be brought to your attention for re-entry into a separate parcel.

If you have any questions please call your Regional Surveyor.

A handwritten signature in black ink, appearing to read 'Ian Veitch', with a long horizontal flourish extending to the right.

c.c. Ian Veitch
Kate Murray
Regional Managers
Regional Surveyors
Ray Nakano
Tom Stadnisky
Larry Dalton
Juliette Slemming