

# LAND TITLES

## An Overview

A LINC is a Land Identification Number Code. This is a handy number to remember as it is permanently linked with the property rather than the owner. It is a random computer-generated number that has no meaning.

The province is divided into 3 meridians that run longitudinally. Ranges also run vertically, and they are between the meridians.

Your short legal land description is always abbreviated on title in the following order: Meridian, Range, Township, Section, Quarter. Be careful because people will not always use this order when communicating in ordinary life!

The Torrens system of dividing land is very organized, but not all properties are perfectly square. The "excepting thereouts" on your property may follow topographical features, in which case it would be described in metes and bounds. Although this was done historically, land is no longer subdivided this way.

Townships run horizontally, starting at the US Border with at 1. A township contains 36 sections, and they are ordered starting in the southeast corner.

**S LINC**                      **SHORT LEGAL**                      **TITLE NUMBER**  
 0000 123 123                      0;00;00;00;SE                      111 111 111

**LEGAL DESCRIPTION**

**MERIDIAN 0 RANGE 00 TOWNSHIP 00 SECTION 00  
 ALL THAT PORTION OF THE SOUTH EAST QUARTER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH EAST CORNER OF THE SAID QUARTER SECTION: THENCE NORTHERLY ALONG THE EAST BOUNDARY...**

**EXCEPTING THEREOUT  
 X.X OF A HECTARE (X.X OF AN ACRE) MORE OR LESS  
 AS SHOWN ON ROAD PLAN 0000  
 PLAN NUMBER HECTARES (ACRES) MORE OR LESS**

**EXCEPTING THEREOUT ALL MINES AND MINERALS**

**ESTATE: FEE SIMPLE  
 MUNICIPALITY: ROCKY VIEW COUNTY  
 REFERENCE NUMBER: 981 380 348**

The majority of Albertan landowners do not own the subsurface rights to their land and will therefore see the words "Excepting Thereout All Mines and Minerals" beneath each quarter.

There may be "excepting thereouts" for road use plans. If you are interested in seeing the road use plan, these can be found on SPIN under Registered Documents.

Road use plans can sometimes help identify the origin of certain public infrastructure that is not listed elsewhere on title (ditches, bridges, etc.)

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
000 000 000	17/05/2016	TRANSFER OF LAND	\$XXX,XXX	NOMINAL

**OWNERS**

**FIRST NAME MIDDLE NAME LAST NAME  
 AND  
 FIRST NAME MIDDLE NAME LAST NAME**

If you are thinking of "adding a name on title," it is important to understand the full repercussions of that decision. A joint tenant means you are transferring partial ownership to another person. In the event of death, a joint tenant will automatically receive the estate. In contrast, if a tenant-in-common dies, their share goes towards their heirs, not the surviving tenants.

**BOTH OF:  
 ADDRESS  
 CITY  
 PROVINCE, POSTAL CODE  
 ALL AS JOINT TENANTS**

It is so important to keep your address on title up to date! This is the address oil and gas companies will use if they are trying to get in touch with you.

Fee simple is the highest form of land ownership in Canada. It means you have absolute tenure over the land and ability to dispose of it freely.

"Caveat" is a Latin word meaning "let him beware." On title, a caveat provides a warning that the caveator claims in interest in that parcel of land. Caveats can only lapse, or be withdrawn or discharged. Only one caveat can be registered for each surface lease, so you'll never see two caveats registered for the same development.

A lease is a contract that provides a lessee to exclusive possession of the property for a defined term. The lessor's interest is considered "fee simple estate in reversion" because it can revert back to the grantor at the end of the lease term.

Copies of surface leases or amendments to surface leases are not registered on title, so it is important to maintain your personal records. If the company was to become insolvent, the application to the Surface Rights Board is simpler with a copy of the surface lease.

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
000 000 000	00/00/0000	CAVEAT RE : SURFACE LEASE CAVEATOR - NAME OF COMPANY ADDRESS AGENT - FIRST NAME LAST NAME "DATA UPDATED BY: CHANGE OF ADDRESS FOR SERVICE NO. 000000000" (DATA UPDATED BY: TRANSFER OF CAVEAT 000000000)

Curious about who held the caveat in the past? You can find more details in the transfer of caveat documents under "Additional Documents" in SPIN.

000 000 000	00/00/0000	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - NAME OF COMPANY ADDRESS OF COMPANY
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A restrictive covenant refers to an agreement to use the land in a certain manner. These are negative in nature (i.e. you cannot do X) to ensure there is a mechanism for enforcement.

000 000 000	0/00/0000	RESTRICTIVE COVENANT
000 000 000	0/00/0000	CAVEAT RE: RESTRICTIVE COVENANT

A restrictive covenant always has a party that restricts behaviour and a party that benefits from that restricted behaviour. This caveat will affect subsequent owners of the land, but it cannot be discharged in the same way as a typical caveat. Landowners should be aware that restrictive covenants from the municipality can only be discharged through the municipality or the courts.

000 000 000 0	0/00/0000	CAVEAT RE : EASEMENT CAVEATOR - NAME OF COMPANY ADDRESS AGENT - FIRST NAME LAST NAME
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An easement confers on the owner of a parcel of land "the right to use the land of another in some way, or to prevent it from being used for certain purposes."

A blanket easement may cover the entire parcel, not just the location of the infrastructure. In agriculture, easements are most commonly used for roads and utilities.

000 000 000	00/00/0000	UTILITY RIGHT OF WAY GRANTEE - NAME OF COMPANY ADDRESS AS TO PORTION OR PLAN: 00000000 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 000000000) (DATA UPDATED BY: CHANGE OF ADDRESS 000000000)
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000 000 000	00/00/0000	MORTGAGE MORTGAGEE - NAME OF BANK ADDRESS CITY PROVINCE, POSTAL CODE ORIGINAL PRINCIPAL AMOUNT: \$000,000
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A certificate of title may be put up as collateral or security for a mortgage.

An above ground or below ground utility right of way may be granted for various purposes, including wires and cables, pipelines, water, or sewage.