

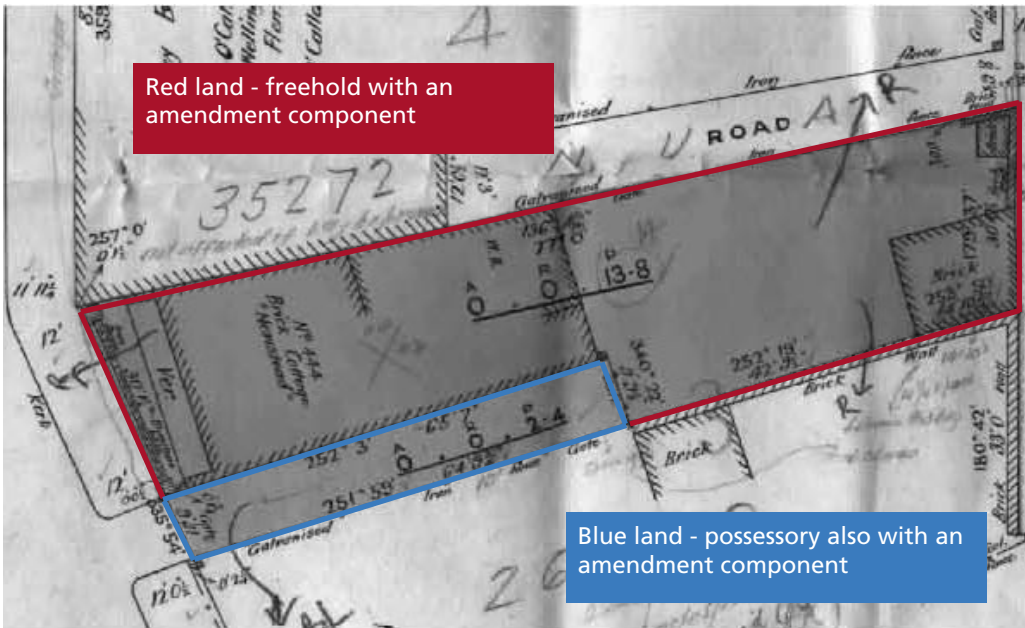


Principles of Re-establishment

Exercise 7

Maintain the Parent Survey's Intent

The Intent



The land coloured red and blue was converted to TLA on the basis of possession by AP47777. The intention was for the title to agree with the boundaries as occupied.

The land coloured red is freehold.

The land coloured blue, possibly an old road, would be possessory.

All external boundary dimensions would be subject to amendment on the basis of possession.

Question:

When re-establishing the boundaries of the subject land, which of the following is paramount?

- the original dimensions
- the relationship between existing occupation and the parcel boundaries

Answer:



At the time of the original survey it would have been difficult to observe and subsequently determine the site's boundaries. Where the modern survey discloses dimensions that are different to those in the application, and the original buildings/walls remain, the intention of the original survey should be maintained on the provision that the boundary had not deliberately been moved away from the feature and the variation is not the result of a significant survey error.