

AMLS-APEGM Resolution No. 3

Between the Association of Professional Engineers and Geoscientists of the Province of Manitoba (APEGM) and the Association of Manitoba Land Surveyors (AMLS):

WHEREAS:

Placing any object at or near a property boundary or property corner may have the effect of leading another party to believe that the object placed represents the true location of the boundary or corner. Examples of such objects would include, but not be limited to, lath, stakes and paint and

WHEREAS:

A professional engineer, directly, or indirectly through a person acting on their behalf, may be liable if another party relies upon the placement of the object as being the true boundary and consequently suffers a loss. For example, if a property owner relies upon a lot grading stake placed at the corner of his lot to build a fence (which turns out to be on his neighbors property) and subsequently must remove his fence and

WHEREAS:

The Land Surveyors Act C.C.S.M. c. L60 states that only a licensed Manitoba Land Surveyor may practice land surveying, which is defined under this act as:

- (a) the determination, establishment, location, demarcation or definition of boundaries of land, land covered by water or air space, or a right or interest in land or in air space,
- (b) the determination of the location of anything relative to a boundary for the purpose of certifying the location of the thing,

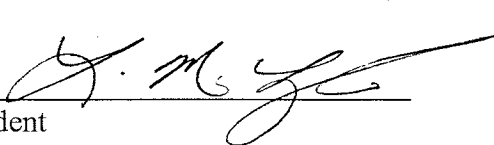
including the preparation of maps, plans and documents and advising and reporting with respect to any of the matters described in clauses (a) and (b);

WHEREAS:

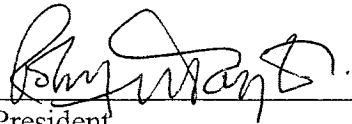
Members should be aware that they may be in conflict with the Land Surveyors Act and may face charges of unauthorized practice if they are in violation of the referenced provisions of the Act. Therefore

BE IT RESOLVED THAT:

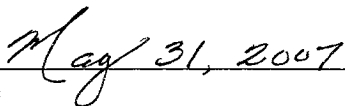
Any Professional Engineer or person acting on their behalf, shall avoid placing any object or other mark in the vicinity of property boundaries or property corners which may lead another party to believe that the object or mark identifies the legal property boundary.



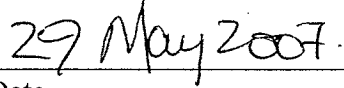
President
Association of Manitoba
Land Surveyors



President
Association of Professional
Engineers and Geoscientists
of the Province of Manitoba



Date



Date