

PROTECT YOUR
B UNDARIES

Buyer's Report

123 FAKE STREET
Cambridge, ON

Property Address:

123 FAKE STREET
Cambridge, ON

Prepared:

June 25, 2018

Report No.:

100001234

Official documents attached:

PARCEL REGISTER (PIN):

22683-0650 (LT)

TRANSFER (DEED) INSTRUMENT NO:

WR750226

EASEMENT DOCUMENTS:

LT42370

LT60161

Legal Description:

LOT 52, PLAN 58M-146. S/T EASE LT42370 IN FAVOR OF THE CORPORATION OF THE CITY OF CAMBRIDGE OVER PART OF SAID LOT PART 6 58R-12364. S/T RIGHT OF ENTRY AS IN LT60161 FOR 10 YRS FROM MAY 1,2001. CITY OF CAMBRIDGE.

Public Plans:

REGISTERED PLAN 58M-146

Property and Boundary Geometry:

PROPERTY SIZE +/-:

789 m² / 8492.73 ft² (approx..., as per Teranet Teraview)

PROPERTY DIMENSIONS +/- (ft):

IRREGULAR LOT

Parcel Ownership and Title Status:

Current Land Owner

OWNER NAME:	DOE, JANE
DATE OF PURCHASE:	UNKNOWN
CAPACITY (Joint, Shared etc.):	ROWN
TRANSFER NUMBER:	WR750226
AMOUNT OF LAST PURCHASE:	UNKNOWN

Title Status

LEGAL PARCEL STATUS:	LT CONVERSION ABSOLUTE
LAND TITLES CONVERION DATE:	APRIL 12, 2000

Registered Easements and Rights

Rights and restrictions affecting your property use, and rights over neighbouring lands.

"Subject-to" Easements-Right of ways (if applicable)

It means that another property or party has legal rights to use a portion of your land for a specific purpose.

Reg. Num.	Date	Instrument Type	Parties To	Details
LT60161	2001/05/01	EASEMENT	DUNMILL HOMES INC.	<p>THE SUBJECT PROPERTY (123 FAKE STREET) IS SUBJECT TO THE FOLLOWING RIGHTS: Reserving a right in the nature of an easement of licence in favour of the Transferors, their servants and agents, successors and assigns, for a period of ten (10 years) from the date of registration of this Transfer/Deed of Land, to enter upon the lands described in Box (5) hereof and to make such inspections, to do such work and to make such corrections or installations as necessary...</p> <p>Please see Instrument No. LT60161 for full description</p>
LT42370	2001/01/12	EASEMENT	THE CORPORATION OF THE CITY OF CAMBRIDGE	<p>The Owner(s) hereby grant(s) and convey(s) to The City, its successors, and assigns a free uninterrupted and undisturbed right and easement in perpetuity to enter upon the land(s) of the Owner (s) in Box 5 of the Transfer/Deed of Land attached hereto for the purpose of overland storm water flow, drainage...and access to remove any impediments, obstructions, blockages, placements or other things that would delay, obstruct or prohibit such drainage...</p> <p>Please see Instrument No. LT42370 for full description</p>

Summary

Two easements exist on title for the Subject Property (123 Fake Street).

The first easement (LT60161), existed on title of this property in favour of the Dunmill Homes Inc. to allow them access across the entire property, including for the purpose of corrections and installations. This easement is time-limited. It expired 10 years from the registration of the Transfer (10 years from 2001/05/01).

The second easement (LT42370) exists on title for this property in favour of The City of Cambridge. The easement grants The City of Cambridge access to the property for the purpose of maintaining the overland storm water flow. The City will have access to the lands at all time, including their servants, employees, agents, workmen, vehicles and equipment.

Other Registered Documents (if applicable)

Land registry office documents registered on property's parcel register, in addition to plans and easements.

CHARGE (MORTGAGE):	WR750227
LIEN:	NONE
CAUTION:	NONE
RESTRICTION:	NONE
COVENANT:	NONE
AGREEMENT:	1264215, LT42379 (NO SUB AGREEMENT)
NOTICE:	NONE
LEASE:	NONE
ORDER:	NONE
BY-LAW:	NONE
BOUNDARIES ACT:	NONE
OTHER:	LT43603 (APL ANNEX REST COV)

Existing Survey Plans

Additional survey plans are available on ProtectYourBoundaries.ca to describe extent of property ownership.

Survey Date	Company	Address	Survey Type
UNKNOWN 2000/03/20 2001/01/09	UNKNOWN CAMPBELL WYMAN IMAS LTD. VAN HARTEN SURVEYING	123 FAKE STREET, FAKE CITY 123 FAKE STREET, FAKE CITY 123 FAKE STREET, FAKE CITY	SUBDIVISION REFERENCE PLAN OF SURVEY

Confidential Client Information

NAME: JOHN DOE
 COMPANY:
 ADDRESS: 123 FAKE STREET

About this document:

What Documents Are in this Report?

We have provided you with two types of document:

The Parcel Register for your property.

Easement Instruments on title

Where does the information in this report come from?

The Parcel Register, Instruments, and Plans of Subdivision are provided under license by Teranet Inc. Teranet is the exclusive provider of Ontario's online property search and registration. They developed, own and operate the Ontario Electronic Land Registration System – one of the most advanced, secure and sophisticated land registration systems in the world. Protect Your Boundaries is a licensed partner of Teranet.

Boundary Awareness & Buying Your Property:

The Importance of Boundaries when Buying a Property

Your property boundaries are a crucial part of your research and final transaction because they define the extent of the property you are buying. A factual statement of the lot size and dimensions provided by the seller is a good start. However, being able to ascertain where the property officially ends and the neighbour's begins is even more important. Without this knowledge you cannot tell for sure if, for example, the fence represents the boundary, or if the shed or cabana are encroaching on the neighbour's yard.

Isn't that what my real estate agent does?

Yes, however ultimately the responsibility lies with you. It is your right to direct your agent to do boundary due diligence. It's your purchase and your money.

Boundary Risks Buyers Take

When you bid on and buy a property without doing boundary due diligence you are running the risk of buying a property fraught with encroachment or easement issues.

Here are some examples of what goes wrong after you've moved in:

- You new neighbour tells you that your shed / deck / pool / driveway / landscaping / fence is on their property and demand you remove it.
- You find out that the fence on one side is a foot or two in on your property and you want to moved to the property line – against your neighbour's wishes who disagrees.
- You find out that your property is subject to a hydro easement that doesn't let you build a fence to the back of your property.
- You find out that your driveway is subject to an easement that prevents you from parking your cars on it.
- You find out that your neighbour's pool / deck / shed / patio / driveway encroaches on your property. They disagree.
- You discover that one of your fences has been built on an easement and needs to be removed.

All these issues can lead to boundary disputes with neighbours causing you unwanted stress and expense.

How Do I Avoid Boundary Issues?

Your best defense against buying a house and inheriting boundary issues is to conduct thorough boundary due diligence and research before you put your bid in on the property. Here is a short list of things to consider doing when you get serious about bidding on a house.

Step 1: Start with the Property Report for Buyers

This document gives you the official title and ownership information on the property from the Ontario Land Registry office. It will also identify any easements on the property and explain them in easy-to-understand language. Finally it will tell you what survey plans are available for the property.

Step 2: Get a survey of the property.

Ask the seller for a survey. You specifically want a full survey that shows the house and other structures. It's OK if it's an older survey as long as the lot hasn't changed shape/size (most do not), and that the foundation of the building hasn't been altered since the date of the survey. If the seller doesn't have a survey, check your Property Report for the list of surveys we have available on the property.

Step 3: Examine the survey for issues.

Hopefully you chose an agent who understands the importance of boundary due diligence, and has taken our training courses. If so they'll be a step ahead of you on this and will have the knowledge and training to spot any potential issues. If not, here's a link to a video on how to read a survey plan (link to come) for homebuyers.

You will examine the survey plan for the following information:

- **Fence location.** Is it on the boundary or off?
- **Back yard structures and features.** Is the shed, deck, pool, gazebo, landscaping, patio completely inside the boundary?
- **Front and Side yard structures and features.** Are the driveway, walkways, AC unit inside the property line?
- **Easements.** Are there any easements shown on the plan (and in this report) and how do they relate to the structures and features. Look for fences that have been built on an easement.

If you suspect any issues, contact your agent, or us at Protect Your Boundaries and we can help you understand the implication of these issues.

Step 4: Walk the Property.

When you walk the property you're determining the approximate location of the boundary "on the ground" and looking to see if you suspect any structures are encroaching over the line. Follow these simple steps:

- From the survey, take the measurements from the corners of the building to the boundary. Measure them out on the ground to see roughly where the boundary is.
- Step back and look down that imaginary line: do you see anything crossing over the boundary? Look for structures on your property crossing over to neighbouring properties, as well as any on their properties encroaching on yours.
- Fences. Where are the fences relative to the boundaries? Do they look like they are close to or on the boundary?

Step 5: Easements.

Is this property burdened by easements. If so, measure them out on the ground using the measurements on the survey plan. Look to see how the easement is being used compared to our explanation in this report.

What to do next.

If you suspect that the property you are looking to bid on has boundary issues, contact your agent to discuss your best strategy. At Protect Your Boundaries we too are ready to help you evaluate the information and make a good decision.

If there's a boundary issue should I not bid on the property?

Discovering a boundary issue doesn't mean that you're not going to go ahead with the bid. It simply means that you are more aware of the issues and challenges you might face if you do go ahead and purchase the home. Of course you may identify something that is a 'show stopper' for you, like the pool you always wanted, or the beautiful new deck is encroaching on the neighbour's property.

Whenever you are unsure, contact the experts and Protect Your Boundaries.

Doesn't title insurance cover any of these issues?

Title insurance is a great product that covers you, the homeowner, against a myriad of title and ownership-related defects. But it doesn't cover everything, including many encroachment-related defects.

Your best course of action is to do boundary due diligence before you bid, AND get title insurance when you purchase. For more info on title insurance, read our Understand Land Series primer on title insurance [here](#) (link).

Where do I find a Survey Plan of my property?

Right here at Protect Your Boundaries. In this Buyer's Report you'll see a list of plans that we have in our system for your property (they are on the Property Page too). If we don't have one that's right for you we can do a Custom Search to see what we can find.

Glossary and Definitions:

PIN	Property Identification Number
NY/TB/AT/TR/etc.	Instrument Prefixes
LT	Lot or Land Titles Act Instrument Document
PL	Registered Plan ROW Right of way
S/T	Subject To PT Part (usually in reference to lot)
T/W	Together With

BoundaryPlus™: report integrating ownership and boundary information for homeowners

Charge: also known as a mortgage

Easement: an interest or right in land owned by another that entitles its holder to a specific limited use

Instrument: legal "document" available in land registration system

Land titles: the system of land registration in which ownership and interests affecting ownership interests are recorded and guaranteed, subject to statutory and common law exceptions

Legal description: geographic location of property based on lot/concession/township or lot/block/plan

Parcel register: a record of transactions affecting a property and other information including the current owner, a short legal description, and the estate/qualifiers affecting title

Property Identification Number (PIN): unique 9digit number assigned for each Ontario property

Reference plan: graphic "legal description" in plan form

Registered plan: plan with a unique sequential number placed in the official land registration system whereby an action related to land occurs upon registration

Right of way: a right of access or passage in relation to someone else's property

Transfer: previously known as a "deed" of property

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