



Ontario

Ministry of  
Consumer and  
Commercial  
Relations

Ministère de la  
Consommation  
et du  
Commerce

Registration  
Division  
  
Division de  
l'enregistrement

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Toronto, Ontario  
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~~XXXXXXXX~~  
314-4886

February 17th, 1995

**EM199504**

**MEMORANDUM TO:** Land Registrars

**FROM:** Doug Aron  
Examiner of Surveys

**RE:** Transfers and Abandonments of CNR Rights-of-Way

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Last November I wrote to you concerning the transfers and abandonments of railway rights-of-way. In particular I attached a set of guidelines concerning the requirement for surveys prior to these type of transactions taking place.

Since that time numerous Land Registrars and Regional Surveyors have been approached by CNR, or their contract surveyors, concerning the transferring of portions of their rights-of-way to the Province of Ontario. This Office has tried to coordinate these activities across the province through the Regional Surveyors, however, difficulties have arisen along the way and I want to be assured you are aware of what has taken place.

Guidelines for such transfers were developed in concert with CNR in order to facilitate only those transfers to the Province of Ontario. Essentially, these guidelines relaxed the guidelines attached to my November memorandum. They did, however, include requirements for reference plans in certain circumstances although, more importantly, they called for discussions between the CNR, the appropriate Land Registrar(s), and the Regional Surveyor. The purpose of such a discussion would be to go over the specific transfer, the type of description that would be required, and any related issues.

Subsequent to the development of the guidelines, and CNR's acceptance, CNR indicated that they may in fact be transferring portions of the rights-of-way to others, not necessarily the Province. CNR was advised that the purpose of the guidelines was for CNR - Province transfers, and that any deviations required further discussions with this Office and the Land Registrar(s).

Surveyors, under contract to CNR, have indicated to us that they were to have the documentation and transfers completed within a very short period of time. In order to accommodate their desire for tight transfer dates, I agreed to accept an undertaking signed by Gord Clarke, Coordinator of Surveyors at CNR, agreeing to provide the necessary reference plans within a six month period. The number and extent of the reference plans was to be identified to the Regional Surveyor, by CNR's contract surveyors, prior to tendering the documents for registration.

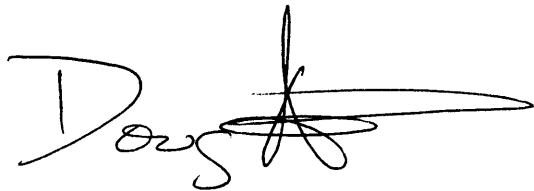
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It is my understanding that the staff of the Land Registry Offices are being approached by CNR without the involvement of the Regional Surveyors, who would normally review the documents for appropriate descriptions and required surveys. I would ask that this situation be avoided and the Regional Surveyor be consulted as they may have information which could be of assistance.

I have attempted in this memorandum to summarize the discussions with CNR, however, to ensure everyone has the same information when dealing with CNR and/or its contract surveyors, I am attaching copies of the relevant correspondence.

If you have any questions please contact the Regional Surveyor in your area or myself.

A handwritten signature in black ink, appearing to read "Doug", with a large, sweeping flourish extending to the right.

Copy of memo only to:

I. Veitch  
K. Murray  
Regional Managers  
Regional Surveyors  
H.O. Managers

Att.