



Ontario

Ministry of
Consumer and
Commercial
Relations

Property
Rights
Division

Legal
and
Survey
Standards

Branch

BULLETIN NO. 82013

DATE: May 28, 1982

TO:
ALL LAND REGISTRARS

THE LAND TITLES ACT
R.S.O. 1980 C.230
SECTION 169

WITHDRAWAL OF LAND FROM
THE LAND TITLES SYSTEM

1. Application

Section 169 of the Land Titles Act R.S.O. 1980 c. 230 provides for the withdrawal of land from the land titles system upon the application of the registered owner. The form of application is prescribed by section 36 of O.Reg. 75/82. The Act provides that the registered owner must prove to the land registrar that special circumstances exist that under the withdrawal of the land expedient, and that all persons interested in the land consent to its withdrawal. The legal description of the land contained in the application must be acceptable for registration in both systems.

The withdrawal will not be approved unless the land was previously recorded in the registry system (i.e. that the original Grant from the Crown was not registered under the Land Titles Act.) Also, if the land was brought into the land titles system pursuant to section 143 of the Land Titles Act, the application for withdrawal will not normally be approved.

2. Order and Certificate of Withdrawal of Land Registrar

When an application is received which complies with the requirements as set out above to the satisfaction of the land registrar, the land registrar will prepare and sign an order according to Form 47 of O.Reg. 75/82 which states that the land is to be withdrawn from the land titles system and that a certificate to this effect is to be registered in the land registry office for the appropriate registry division. A certificate of withdrawal according to Form 48 of O.Reg. 75/82 is then prepared which will contain an adequate description of the land for registration in the registry system and will set out all the encumbrances which affect the land up until the time of its withdrawal from the land titles system. The certificate of withdrawal must be signed by the land registrar and approved and countersigned by the Director of Titles.

106

3. Registration

The application will be registered when it is received by the land registrar. When the order and certificate are ready for registration, the land registrar must check, between 4:30 p.m. or office closing time, if later and before the office opens the following morning, to ensure that the applicant remains the owner and that there are no new encumbrances on title not listed in the certificate. If there is none, he will register the order before the office opens the following morning and the certificate will be registered immediately thereafter in the land registry office for the appropriate registry division. The registration number of the certificate should be mentioned in the entry for the order in the parcel register.

Sample entries are attached as Schedules "A" and "B."

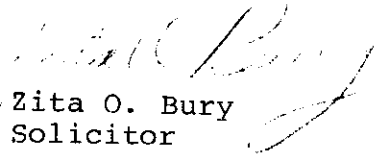
Upon registration in the registry system, the certificate should be recorded in the current abstract index for the land as it was designated immediately before its registration under the Land Titles Act. Where the property has been described in accordance with a plan of subdivision or other plan registered in the land titles system, a reference should be made in the "Land and Remarks" column to both its description in the registry system and its former land titles description.

4. Fee

The Director of Land Registration has set the fee for the registration of the application to withdraw land from the Land Titles Act, including the registration of an order and certificate, where applicable, at \$25.00, which is payable when the application is registered.

This bulletin replaces Bulletin No. 77025 dated September 2, 1977.

ZOB/oal


Zita O. Bury
Solicitor

Schedule "A"

82013

APPLICATION TO
WITHDRAW LAND

SCHEDULE "D"

Under 34567 dated 16th May 1982, registered 18th May 1982, ABC Limited, above-named, applies under Section 169(1) of The Land Titles Act, to have the above lands withdrawn from the Land Titles System.

"Signature"
Land Registrar

ORDER OF THE
LAND REGISTRAR

Under 35060 dated 20th May 1982, registered 20th May 1982, being an Order of the Land Registrar for the Land Titles Division of Blank, with the approval of the Director of Titles, the above land was withdrawn from the Land Titles System.

Certificate of Withdrawal under Section 169(2) of The Land Titles Act was registered in the Land Registry Office for the Registry Division of Blank as No.677432.

"Signature"
Land Registrar

Parcel Closed

LOT 16 CONCESSION XXII NEMO TOWNSHIP

REGISTRATION NUMBER	INSTRUMENT	DATE OF INSTRUMENT	REGISTRATION DATE	GRANTOR	GRANTEE	CONSIDERATION ETC.	LAND AND REMARKS
677432	SCHEDULE "E" Certificate of Withdrawal	20 May 1982	20 May 1982	The Land Registrar for the Land Titles Division of Blank, with the approval of the Director of Titles	ABC LIMITED		The Land Titles Act ceases to apply, and The Registry Act applies again to that part of Lot 16, Concession XXII Township of Nemo, designated as Lot 25 on Plan M-50 registered in the Land Titles Division of Blank, the Land Registry Office for the Land having been registered as parcel 25-1 in the Register for Section M-50.
							Subject to the following: 1. Notice 366420 2. Charge 427600
							The above instruments being registered in the Land Registry Office for the Land Titles Division of Blank.