

Chapter 250 Revised Statutes, 1989

Land Titles Clarification Act

Proclaimed February 6, 2007



Presentation by
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March 2, 2007





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History

- January 20, 2005 (Fatal Day) – technology created a representation of Crown / private land ownership
- Identified 28,000 + PID encroachments
- Discovery!
 - legislative authority to release Crown interest limited to Section 37
 - no legislative authority to release lands not meeting adverse possession requirements



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Solution: Amendment to LTCA

Purpose:

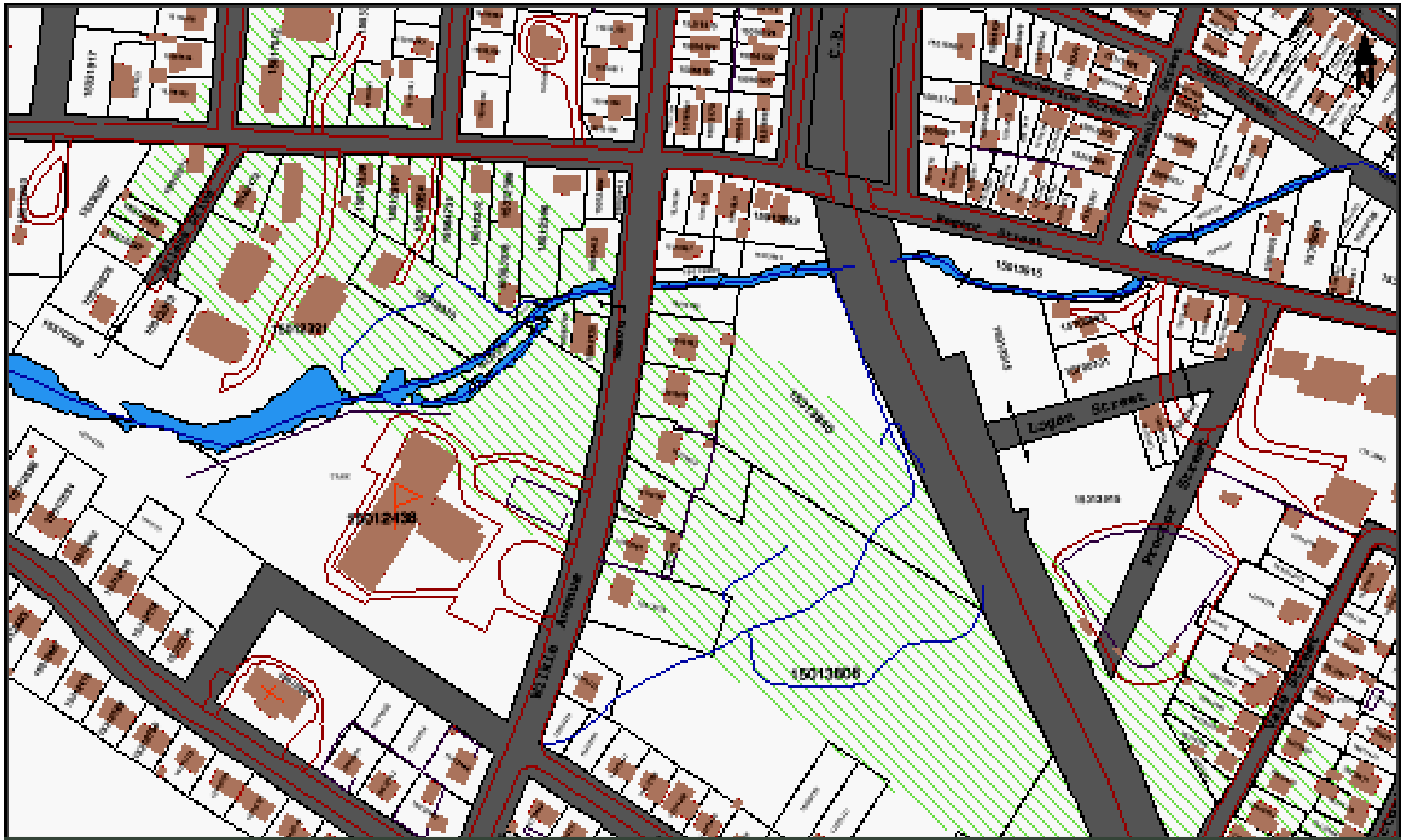
- Facilitate the economic and efficient reconciliation of Crown's interest in certain ungranted land
- Permit Crown to release its interest in certain ungranted land
- Provide clarity in respect of Crown interests in ungranted land



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Applies only to Unacknowledged, Ungranted
Land

- Land that has not been surveyed, managed, confirmed through investigation or used historically by the public as Crown land.



Visual Depiction of Problem



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Benefits

- Flexibility, re: limitation period
- Crown can be proactive
- Efficient
 - may deal with hundreds of PIDs
 - research by DNR may be sufficient
 - release to world at large
- Clarity to public / private land ownership



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Requirements

- Unacknowledged, ungranted
- Exhibits actual use and occupation as of February 6, 2007
- Exhibits no historical public use
- Conveyance by warranty deed
- Governor in Council approval of release



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Differs from Acknowledged Crown Land

- Land surveyed, managed, confirmed through investigation or used historically by public as Crown land
- Only released pursuant to Section 37, *Crown Lands Act* (requires proof of 40 years adverse possession)