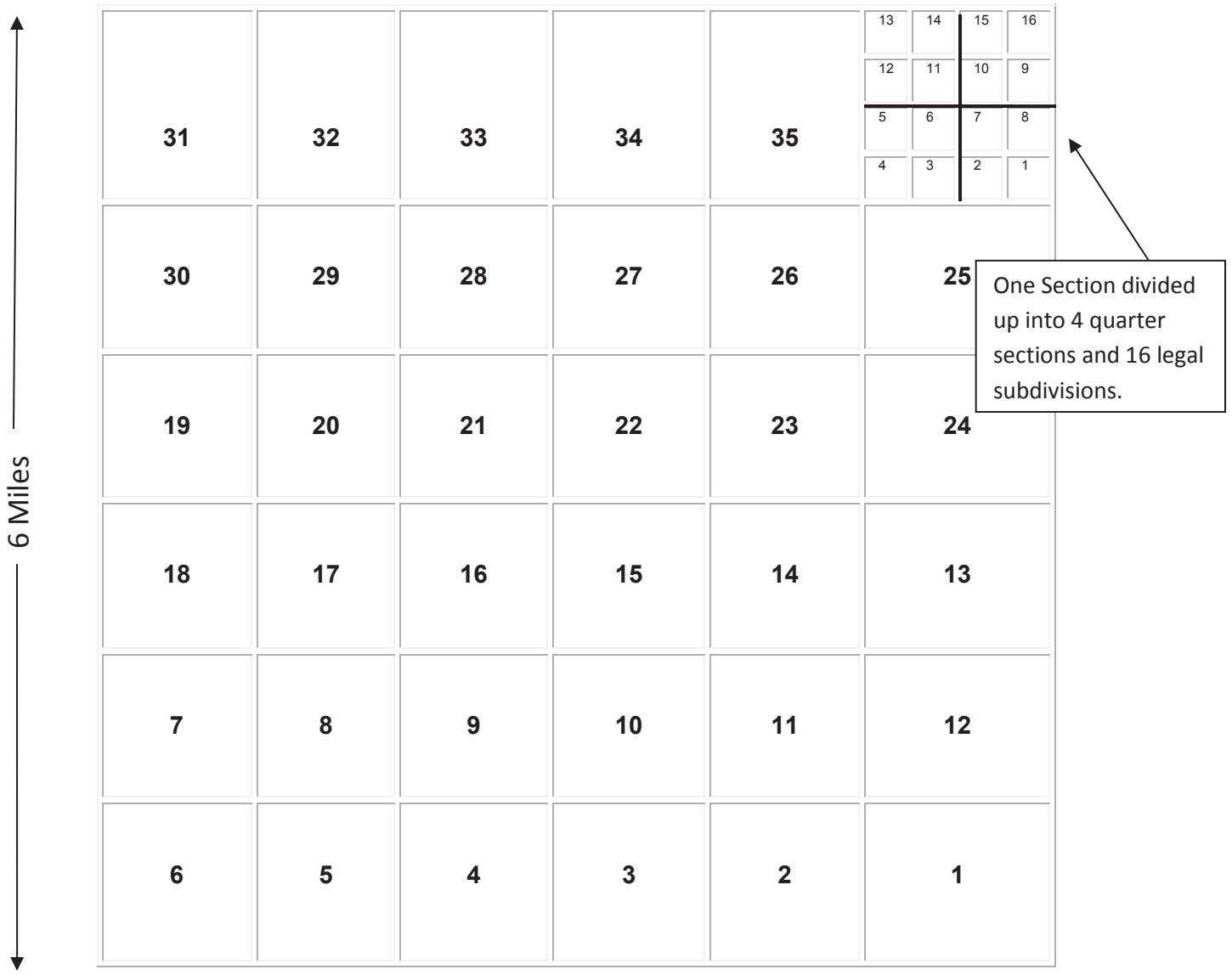
C. THE TOWNSHIP SYSTEM

A THEORETICAL TOWNSHIP



ORIGIN OF THE TOWNSHIP SYSTEM

- Passed April 14, 1872, the *Dominion Lands Act* established the legal framework for what we refer to as the survey fabric in the Province of Manitoba.
- The Act directed that what was then called Manitoba and the North-West Territories (and is now Manitoba) and was not covered by the parish lot system be surveyed into a grid with survey monumentation physically marking the grid on the land.
- This survey was part of the Dominion Government Survey (DGS).

THE TOWNSHIP GRID DESCRIBED

- Each square in the grid (called “townships”) is slightly more than 6 miles x 6 miles

- Each square is divided into 36 one mile x one mile squares called sections.

- The sections don’t actually touch one another; they are separated on all sides by 99 feet set aside for roads. These are called the “road allowances”.

- Each section is again divided into four 1/2 mile x 1/2 mile squares (quarter sections). Theoretically these quarter sections contained 160 acres.

- Each quarter section can be further divided into four smaller squares called “legal subdivisions”. These legal subdivisions contain 40 acres and in theory measure 1320 feet on either side.

- The sections in a township are numbered starting from the bottom right. The numbering snakes upward, initially going left from the bottom right starting position.

- The quarter sections are described by their location in the section. NW, SW, NE, SE.

- The legal subdivisions snake through the section in the same manner as the sections snake thought the township, also starting in the bottom right. There are a total of 16 legal subdivisions in each section.

- Individual townships (the 6 x 6 mile squares) are identified by their township and range.

- “Range” is a numbering system based upon a north south line running through the province. This line is alternately called the prime meridian, the first meridian and the principal meridian.

    A monument commemorating the planting of the first post was erected just off the Trans-Canada highway near Headingley.

- The two ranges (the north/south columns of townships) on either side of this line are numbered as ‘1’, and further identified as being either east or west of the principal meridian (EPM or WPM);

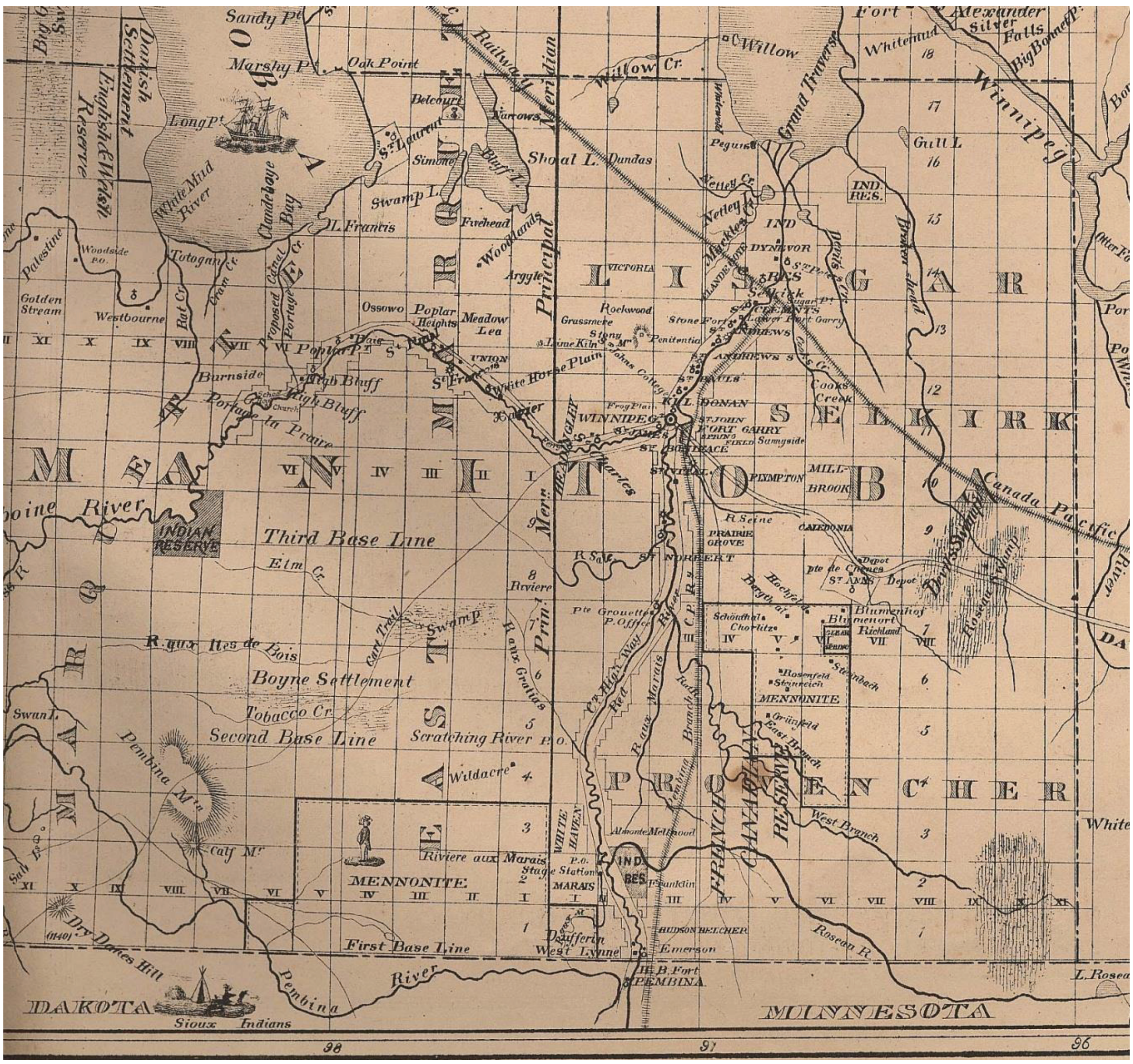
- “Township” is a numbering system which starts at a baseline. In Manitoba the baseline is the border with the United States. The most southerly east/west row of townships is numbered ‘1’ and the numbers increase as one moves north.

- The intent of the township survey was that any piece of land, once surveyed, could be located using a set of co-ordinates, and an individual quarter section is identified by a reference to all of the above.

Example: If one owned the north westerly quarter section in the top right section in the township that was immediately adjacent to the US border and was immediately east of the principal meridian it would be identified as:

> North West Quarter of section 36, township one, range one, east of the principal meridian.
> Or more simply: NW ¼ 36-1-1 EPM.

- It is important to remember that the Dominion Government Survey was done using 19th century technology (massive metal chains 66' long, wooden stakes, in some cases pits and mounds) and as a result, given the challenges of topography, weather and temperature change, some quarter sections are not exactly 160 acres.



D. SUBDIVISION

- As one would expect, the massive river lots and quarter sections do not suit the needs of everyone. In particular, many people want much smaller pieces of land.

- Since the time of the very first surveys, people have been adjusting the borders of their lands.

- The process of taking a large piece of land and cutting it into smaller pieces is known as subdividing the lands.

- The subdivision process can involve the division of a piece of land into the smaller parts that are described using words. This is often called a 'metes and bounds' description. And example would be the splitting of the NW ¼ 36-1-1 EPM into an east and a west half. The resulting parcels could be described as follows:

  The easterly 1320 feet in perpendicular width of NW ¼ 36-1-1 EPM; and
  NW ¼ 36-1-1 EPM excepting thereout the easterly 1320 feet in perpendicular width.

- Subdivision can also take place by the registration of a plan of subdivision. This was the norm for multi-lot splits and is now the norm for virtually all subdivisions.

- In a plan of subdivision, the affected lands will be divided into lots, and where there are a large number of lots, the lots will be grouped by blocks.

- A Lot in a plan of subdivision will be described with reference to the lot, the block (if any), the Plan number, and the Land Titles office with jurisdiction over the lands in question (there are six offices). The description will also include the legal description of the underlying survey fabric (either the river lot or the quarter section from the Dominion Government Survey).

  - So, a subdivision in the above noted quarter section might produce the following: Lot 1, Block 1, Plan 42345 WLTO in NW ¼ 36-1-1 EPM, where the W in WLTO refers to the Winnipeg Land Titles Office.
  - And a subdivision in the outer two mile lot in a parish might look like: Lot 1 Plan 35639 WLTO in OTM 6 Parish of St. John.