

Welcome to our Autumn Edition of, The Survey Datum for 2016.

We have been watching our office space and surrounds slowly evolve at Gulfview Road Blackwood. There has been a crane theme recently with various deliveries (see photo), which are all aimed to help build our new and improved car parking area. It should be all finalised soon-as long as it stops raining!



We have enjoyed the office shift to the hills and to add to the "Working in the Hills Vibe", we've enjoyed a visiting Koala in the adjoining significant gum tree (massive, see below). It seems to have decided this is a pretty good tree for the long term.



This Newsletter contains an interesting conversation on SA's take (or non-take) on Adverse Possession and we explain a little more on the term "Searching" when it comes to Boundary Surveys.

We also provide an introductory explanation of the terms Latitude and Longitude. With GPS technology about, you may have heard them referred to, but may not fully understand.

Thanks so much for your interest and support. We wish you and your families a safe and warm winter ahead.

Michael—Ed

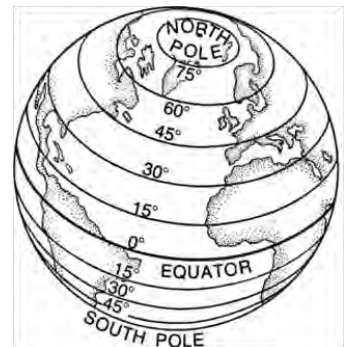
What is this Longitude and Latitude?

Longitude and Latitude lines are an invisible grid system that covers the world to enable us to pin point an exact location of a place.

To explain in brief.

The Parallel of Latitude lines (official name for Latitude lines) circle the earth, parallel to each other.

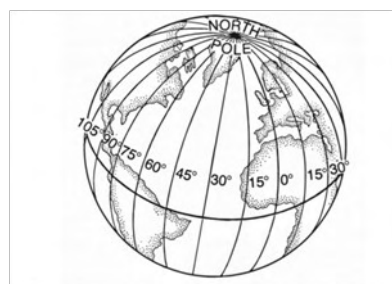
They are measured in degrees ($^{\circ}$), yes, like the protractor you used in school. The equator is at 0° . North Pole at 90° to the north and the South Pole 90° to the south.



Between each degree there are 60 minutes ($'$). Between each minute there are 60 seconds ($''$).

Latitudes of interest might be Tropic of Capricorn 23.5°S , Antarctic Circle 66.5°S , Tropic of Cancer 23.5°N and Arctic Circle 66.5°N .

Adelaide sits just below latitude line 34°S at $34^{\circ} 55' 43''\text{S}$ (-34.9286600 in decimal degrees or $34^{\circ}55.7196''\text{S}$ in degrees and decimals minutes)



Longitude Meridian lines, run North/South intersecting at the poles. They use degree/minute/second measure also.

0° longitude runs through the Royal Greenwich Observatory in England. The lines are counted from this point west and east.

Michael Grear Surveys site in Blackwood can be found @ Latitude $35^{\circ} 0' 55.24''\text{S}$ Longitude $138^{\circ} 36' 59.14''\text{E}$

If you were putting this into a 'find me website' the minutes/seconds would need to be converted to a decimal place. Also, the latitude number would become a negative (as South and West coordinates are negative to the 0°).



Take a look at the **Michael Grear Surveys** website for more information and past issues of **The Survey Datum**

@ www.mgsurveys.com.au



What is Searching?

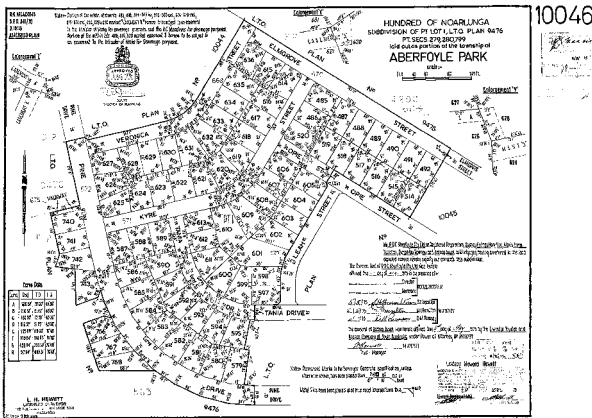
What is 'the search of data at the LTO (Lands Titles Office)' and is this just getting a copy of the Certificate of Title?

The legislation relating to carrying out Boundary Surveys (Survey Regulations 2007) requires that;

A surveyor must, before carrying out a Cadastral (boundary) Survey, obtain all information –

- (a) that is likely to provide evidence of the boundaries of the land to be surveyed; and*
- (b) that is reasonably accessible.*

For us, this means completing a thorough, office based, online search for survey plans and information including recently lodged surveys, survey mark details, and Certificates of Title at the Lands Titles Office. This search often covers areas well beyond the house, street or block where the parcel of land is to be surveyed.



Once this search is completed, a strategy can be devised on how to measure to all the survey marks and occupational evidence (i.e. fencing). This is required to correctly reinstate the position of the boundaries as originally surveyed.



Possession Is Nine Tenths Of The Law!

9 10

This might be what you see your toddler demonstrating, (although I think that my kids were... *What's mine is mine, what's yours is Mine!*), but it is not the case with property ownership in South Australia. Mark explains this further...



Adverse possession is the common law principal that long standing, undisturbed occupation of a parcel of land implies acquiescence by both parties within that occupation. (*Acquiescence means: to accept or agree to allow something to happen by staying silent or not arguing.*) However there is no law here in SA for adverse possession. The Real Property Act 1886 states that:

... no person shall acquire any right or title to land under the provisions of this Act by any length of adverse possession, nor shall the right of the registered proprietor to recover possession of any such land be barred by any length of adverse possession (RPA Sec251).



My family has been farming on this land for more than 60 years. I think we can call it ours!

Where a building or permanent structure has been built on or over an existing boundary **no matter how long ago**, the matter will be dealt with by the Encroachments Act. The outcome may be the purchase of the encroaching land and rectification of the boundary.

If this is something that you feel affects you and your property, please give us a call; we'd be happy to investigate it with you further.

Michael Gear Surveys

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Answer to last Editions Quiz....

The new premise of

Michael Gear Surveys is found @

Latitude **35° 0' 55.24" S**

Longitude **138° 36' 59.14" E**

Check out the article on Longitude and Latitude (page 1) for some more explanation.

Quote ... When you come to the end of your rope, tie a knot and hang on.

- Franklin D. Roosevelt