

LAND STATUS REPORT – Policy & Procedures

Policy

Land Status Report is a process to identify any encumbrances over a certain parcel of <FN> lands.

The purpose is to research, verify and compile information on <FN> lands for distribution to Natural Resources Canada, land surveyors, membership, clients and interested parties in order for them to determine land tenure, accessibility and feasibility of a land transaction.

The following Land Status Forms have been developed and approved to be used by <FN> Land Governance Office to process these requests:

- Land Status Report - FORM
- Land Status Report – LETTER

(See samples below)

Procedures

Use the following process to review the Land Status Report Form:

PART ONE – identify legal description, ownership and registered encumbrances

- Identify if the parcel is registered in the First Nations Lands Registry (FNLRS), include a copy of the Parcel Abstract Report (PAR) and if the description does not refer to a recorded plan, a copy of the description and sketch referred to.
- Review the Reserve General Report in the FNLRS to identify any applicable instruments. Un-surveyed permits/easements for distribution of utilities reflected on the Reserve General are not considered encumbrances against individual parcels of reserve land. No need to list them by registration no. on the land status report but can be identified by a general statement in the comments.
- If the lands are community held land or not reserve, please indicate on this line and use the description that best identifies the lands. Attach a sketch if possible.
- Identify if there are any registered encumbrances, review the PAR and give the instrument number and name of the persons holding the registered interest. (i.e, rights-of-way, easements, mortgages, etc.)
- Review your records to identify if there are any unregistered interests that may affect the parcel, indicate any findings in the comments.

PART TWO – document proposed land transaction details or purpose of request

- Identify the details of the proposed transactions and what the purpose of the request is for
- Review your records to identify if there are any pending transactions such as a not yet registered lease, survey or an estate settlement that may affect the parcel, indicate any findings in the comments.

PART THREE – provide your contact information and signature

- Add Land Governance Office details, including who to contact for more information on the review.

Communication

Use the following process to complete the request:

- Complete Letter and attach copy of Land Status Report (include PAR, if requested)
- Copy for file
- Send to client

Samples

LOGO	<FN> LAND STATUS REPORT	Land Governance Office Address City, P/C
PART ONE: PRESENT LAND STATUS		
THE LANDS BEING DEALT WITH ARE KNOWN AS LOT:	PLAN NO.: <input type="checkbox"/> CLSR <input type="checkbox"/> RC	RESERVE NAME & NO.:
PRESENT LAND STATUS IS:	<input type="checkbox"/> LOCATEE	<input type="checkbox"/> <FN> LANDS
SHOWN IN THE <FN> LANDS REGISTRY AS:		
THE REGISTRY SHOWS THE LANDS HELD BY:	HELD UNDER CP NO.: <IF APPLICABLE>	
ARE THERE ANY REGISTERED ENCUMBRANCES (EASEMENTS, ROW, ETC) THAT AFFECT THIS PARCEL? IF YES, LIST ENCUMBRANCES:		
<input type="checkbox"/> YES <input type="checkbox"/> NO		
ARE THERE ANY UNSURVEYED REGISTERED INTERESTS IN THE VICINITY OF THIS PARCEL?		
<input type="checkbox"/> YES <input type="checkbox"/> NO		
COMMENTS:		
PART TWO: PROPOSED LAND TRANSACTION		
WILL A TRANSACTION BASED ON THIS PLAN BE REGISTERED IN THE <FN> LANDS REGISTRY?		
<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF NO, WHAT WILL THE PLAN BE USED FOR?	IS IT REQUIRED?	
	<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES, WHAT TYPE OF TRANSACTION IS PROPOSED?	<input type="checkbox"/> LEASE <input type="checkbox"/> SUBLEASE <input type="checkbox"/> PERMIT	TERM (YEARS) <input type="checkbox"/> EASEMENT (ROW) <input type="checkbox"/> ALLOTMENT/OR TRANSFER
ARE THERE ANY PENDING TRANSACTIONS THAT MIGHT AFFECT THIS PARCEL? IF YES, LIST ENCUMBRANCES:		
<input type="checkbox"/> YES <input type="checkbox"/> NO		
COMMENTS:		
PART THREE: <FN> CONTACT		
LAND GOVERNANCE MANAGER	PHONE:	
LANDS ASSISTANT	PHONE:	
SIGNATURE:		
VERIFICATION: I HAVE REVIEWED THE PROPOSED SURVEY/LAND TRANSACTION AND HAVE SEARCHED THE <FN> LANDS REGISTRY RECORDS RELATING TO THE PARCELS AFFECTED BY THIS TRANSACTION. ACCORDING TO THESE RECORDS THE PROPOSED SURVEY/TRANSACTION WILL NOT CAUSE A CONFLICT WITH EXISTING REGISTERED INTERESTS.		

LOGO	<FN> Land Governance Office
	Address, City, P/C

[DATE]

Name
Address

Dear _____,

RE: [LEGAL DESCRIPTION and/or PROJECT #]

Further to your request, please find the attached Land Status Report for the above mentioned parcel on <FN> Lands.

Our offices have reviewed the parcel files and conducted a search of the First Nation Land Registry records, including the Reserve General Reports for any standard utility permits in place for the entire reserve.

Therefore, this is to confirm that there are **[no encumbrances / or list encumbrances]** on this parcel of <FN> Lands.

Thank you,

<FN>

NAME
Land Governance Director

Phone: 000-000-0000 ext. 000

Email: @fn.com

Encl. (1)