

S.G. CIRCULAR NO. 9/1955
Refixation Of Displaced Boundary Marks

There are two basic presumptions which must be borne in mind by all field officers:-

- (a) A boundary mark found upright, firm and projecting the correct height above the ground is assumed to be in original position until it is proved otherwise.
 - (b) The base of a boundary mark found to be leaning must be assumed to be in its original position until it is proved to be otherwise and for this reason mark must be re-set in a vertical position above that base before any measurements or observations are taken to or from it.
2. A boundary mark proved to be out of position must be refixed if the amount of displacement is material. It is impossible to lay down hard and fast rules or to prescribe tolerances for this displacement, but consideration of the following factors by field officers will enable the latter to give practical assessment to the meaning of the word "material" in any particular case:-
- (a) The amount of displacement.
 - (b) The locality of the mark in relation to the area and value of the land.
 - (c) The existence and proximity of improvements such as fences, valuable trees, batas etc.
 - (d) The position of the mark in relation to other marks in the immediate vicinity, e.g. a displaced mark forming one of a closely set series on a curve.
 - (e) Is the mark likely or unlikely to be used at some future date as part of the datum for another survey?
3. Field officers should be taught to exercise a common-sense attitude to this question and to avoid expensive refixations which are a waste of time and serve no useful purpose. The attention of field officers and computers should be drawn to S.G. Circular 9/32 and to the following appreciation by Mr. Himely:-

Criteria for boundary mark refixation.

Dept. Reg. 41 (b) states that small differences which do not materially affect the owner's interest and have no practical significance do not justify expensive refixations.

2. S.G. Circular 9/32, para 3, states, inter alia that:

'Generally it may be taken that a mark movement which, if uncorrected, would result in a little overlap of a few inches in agricultural land is of no

material importance'.

and para 4 goes on to say that:

‘On the other hand when resurvey provides proof that a mark has move to an extent, which might in any way affect a land owner’s interests, so that, for instance, it converted his wall in whole or in part into a party wall, or if it affected the area as stated on his title, then undoubtedly it would be necessary to reconstitute the original boundary’.

3. It is generally agreed that the boundary in a party wall should run within the middle third. Taking a 9" brick party wall, the middle third would be 3" , consequently a displacement from the centre of more than 1 ½" would convert the boundary from a party wall boundary to an inclusive boundary. This 1 ½" is 0.19 of a link, consequently it is suggested that a mark more than 0.15 of a link out in "Shop-house" work should be refixed.
4. A displacement along the frontage, of 0.15 of a link of one mark of a shop-house 80 feet deep would give differences in area of 4 square feet, or 1 part in 400, which would not be liable to affect the terms of a scale, though it would alter the area shown in the title, as such areas are shown to the nearest square feet.
5. Apart from shop-houses, party wall boundaries do not often occur, and one is concerned with other property, such as trees, etc the ownership of which might be challenged. For general purposes it might be sufficient to refix marks proved to be out by 0.5 of a link. On one end of a 2 chain boundary this makes an error of 50 square links which, according to Dept. Regs. App. VII para. 9 could be accepted only if the lots separated by that boundary were each over 1 rood.
6. For smaller lots this general value of half a link will have to be modified, e.g. under half a rood, on one end of a 2 chain boundary, quarter of a link displacement will make 25 sq. links difference in area, but area is shown to the nearest 6 ¼ square links, so that refixations would be necessary.
7. For larger lots, that is over 2 acres, the restrictions arising from Dept. Regs. App VIII para. 9 are not nearly so strict, but a displacement of a mark by half a link at right angles to the middle of a 30 chain boundary would give an area error of 750 sq. links which is greater than the tolerance of 1 perch (agreed that this is an extreme case).
8. Any displacement over half a link is such that a intelligent layman might well notice it.
9. I therefore suggest that as a general rule marks out by over half a link in country lots of over 1 acre, or over 0.15 of a link in shop or terrace-house areas, should be refixed, but the arguments of paras 3 & 4 of S.G. Circular 9/32 should at all times be borne in mind and applied particularly in residential and other small lots.

C. NOBLE

Surveyor General,
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Dated: 29th. September, 1955