

Subject: **SEPARATION OF TITLE**

BACKGROUND

Under Section 75 of The Land Titles Act a registered owner may request a separate land in an existing certificate of title into two or more certificates of title.

A separation may request separate titles for lots, quarter sections or undivided interests in the land.

For example:

- A certificate of title containing multiple lots or quarter sections may be separated into individual lots or quarter sections
- Registered owners of a parcel of land containing undivided interests in the land may request separate titles as to their undivided interest

REGISTRATION PROCEDURE

1. The registered owner(s), or an agent acting on behalf of the registered owner(s), may make application for separation by use of the form developed (see procedure under [CON-1, FORM A](#)) or by submitting the request in a letter. The application form or the letter requesting the separation is registered. Attestation requirements do not need to be complied with.

The SPIN2 document type to be used when creating a Document Registration Request (DRR) form is: Separation of Title

The code used for registration at Land Titles is: SETL

2. **Subdivision Approval** - See procedure on Requirements in Respect of the Subdivision of Land Under Part 17 of the Municipal Government Act [SUB-1](#) to determine if subdivision approval is required. Check with the Land Titles Office Surveys Department to determine if a plan of survey or a descriptive plan will be acceptable.
 - (a) Application of separation affecting lots created by plans registered prior to July 1, 1950 may be subject to Subdivision Approval.
3. **Irrigation District Approval** - Where a title is subject to an irrigation council order or an irrigable unit resolution see procedure on Irrigable Units [IRR-2](#) to determine if approval from the Irrigation District is required for the order or the resolution.

4. Where a person requires separate titles for undivided interests in a parcel of land, the title may be separated using the above procedure. All registrations are carried forward to the new titles created, however if a registration does not affect all lands affected by the separation, it is only carried forward to its respective title.
5. **Fees** - The fee in [Tariff item 11\(4\)](#) is charged on all separations. The fee listed in [Tariff item 12](#) is charged for each new title issued after the first one.