

## PARTY WALL AGREEMENT

(Plan No. \_\_\_\_\_)

THIS AGREEMENT is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

### RECITALS

1. Crystal Landing Corp. ("Crystal Landing") is the registered owner of those lots located in Grande Prairie, Alberta and legally described in Schedule "A" attached hereto.
2. Lot "A" and Lot "B" each of which are hereinafter defined, are lots immediately adjoining each other and are sometimes referred to as a "lot" or "lots" as the case may be.
3. There is or will be erected on each of Lot "A" and "B" a dwelling having as to Lot "A" a wall on and adjoining the common boundary line existing between Lot "A" and Lot "B" and having as to Lot "B" a wall on and adjoining the common boundary line existing between Lot "A" and Lot "B".
4. The wall or walls erected or to be erected on Lot "A" and on Lot "B" form, for the purposes hereof, a single wall on both sides of the common boundary line existing between Lot "A" and Lot "B".
5. The wall or walls and the foundations therefore are to be used as a party wall (hereinafter called the "Party Wall").
6. Sections 68 and 71 of the Land Titles Act, Alberta provide that an owner may grant to itself an easement and may enter into a party wall agreement with itself for the benefit of land which it owns and such easement and party wall agreement by be registered against the title to such lands.

The Total Overview To Celebration Wall Surface Arrangements ( theoretical example) Two neighbors, Alice and Bob, share an event wall that separates their homes. If the wall surface is harmed in a storm, they are both in charge of its repair costs. It also has a routine of notices and authorizations that a party desiring to build, should serve on adjacent owners and inhabitants (every one of them, if greater than one exists), and they must offer back. Celebrations may additionally require to incur and defray expenditures, and reimburse each other. When the adjacent proprietor gets the Event Wall Notice, they have 14 days to respond to it. They can either approve the notification (and allow the structure proprietor to proceed with the work) or conflict it (in which case they should not move on with the job until the conflict is fixed). We would certainly also allow an additional 24 to 48 hours for postage in addition to the 14-day notice period and 10-day notice period, respectively. In method, many neighbors simply do not respond since they are not aware of the procedure, are away from their home, or do not fully comprehend what is being asked of them. This does not prevent your job from case - it merely indicates the land surveyor path must be followed rather than the simpler approval path.

## What Celebration Wall Notice Must I Serve For My Task?

We advise offering a drawing demonstrating the placement of the proposed celebration wall with the section 1 (2) notification. If you are intending works that may influence a shared border, we can suggest on whether the

Act applies and work with the notice and award procedure together with your develop programme. Visit our Event Wall surface services page for additional information, or contact us to review your project.

## Do I Need Intending Authorization For A Rear Expansion?

6 months down the line, they are in a far better of economic circumstance and they make a decision to resume the project. They currently desire a feedback to the Event Wall Notification from the Adjoining Proprietor. Thinking that no design adjustment has occurred throughout the six months, the Event Wall Notice that was initially offered is still legitimate to represent the nature of the recommended jobs, and for the Adjoining Proprietor to provide their feedback to. Inspect if your job needs intending permission as well as event wall surface notifications. At least two months prior to the intended starting date for work to the party wall surface.

## What is the 3 Metre guideline for event wall?

The 3 metre rule is the straightforward one. Section 6 uses where you recommend to excavate within 3 metres horizontally of any kind of part of your neighbor's structure or framework and any part of your excavation will extend listed below the bottom of their structures. Basically, close and deeper equals Section 6.

### Example Party Wall Notice Letter

To *Adjoining Owner*  
Of *Your address*

Date \_\_\_\_\_

Dear *Mr. Standley*

#### The Party Wall etc Act 1996 Notice of proposed works – Party Structure Notice.

As the owner/s of Building Owner's building *Carlton Park Avenue* which is adjacent to your premises at *Carlton Park Avenue 1/we, Mr. Smith* of *home address* notify you that in accordance with our rights under section 2 of the Party Wall etc Act 1996 *I/we* intend to carry out building works.

The proposed works are a loft conversion incorporating steel beams which will be placed onto the party wall. *(Plans detailing this may be included for your neighbours benefit)*

The proposed works *do / do not* involve special foundations.

*I/we* intend to start works on *date of works dd/mm/yy* *[if you want to start within the 2 month notice period add - or on the earlier date of [date] with your written agreement]*

If you are content for the works to go ahead as proposed please complete, sign and return the attached letter within 14 days of receiving this letter.

If you do not confirm in writing that you are content for the work to go ahead as proposed we will be 'in dispute' under the Act.

In the event of any dispute between us under the Act, would you be willing to agree to the appointment of an 'Agreed Surveyor'?

If the answer is yes I suggest using *Agreed Surveyor's name* but would be happy to receive your alternative proposal.

If the answer is no, please let me know whom you would appoint as your surveyor.

Yours sincerely

*Building Owner's signature/s*

The alternative of a jointly appointed concurred property surveyor acting impartially between both sides would certainly maintain the structure proprietors fees to a minimum and quicken the procedure, the designated

agreed surveyor has a duty under the Celebration Wall and so on. The celebration wall process is uncomplicated when taken care of properly, but errors with notice composing, timing, or the consultation process can bring about unnecessary delays and disagreements. At Belentino, we work with skilled celebration wall surface surveyors and manage the entire procedure on behalf of our customers as part of every qualifying project. In total, you must enable 2 to four months from serving your preliminary notification to being able to start job, relying on whether your neighbor consents or dissents. This is a preferred alternative particularly if an Adjoining neighbour does not want to position a financial worry on the Structure Proprietor. A person that gets notification regarding desired work might, within one month, provide a counter-notice laying out what extra or changed work he would love to be accomplished for his very own advantage. A person who receives a notification, and plans to give a counter-notice, need to let the Building Proprietor recognize within 14 days. If, after a duration of 2 week from the service of your notification, the person getting the notice has done nothing, a disagreement is regarded as having occurred-- see paragraph 11. When a conflict takes place, a Party Wall Honor has to be made in order to solve the issue and it is usually one year from the date that the honor is served on both events that the jobs need to be begun. Upon the servies of an Award, the circumstance is akin to the job conesnted to under a Notice, with the distinction that the previously objected to concerns have currently been resolved. In various other jobs, an Event Wall Award stands for twelve month (unless spcified or else in the Honor). The <https://jason-edworthy.co.uk/> 'credibility' of a notice and the 'arrangement' are independent offering a Party Wall Notification on the Adjoining Owner does not give automatic authorization to the Structure Owner to start their works. Today, we will certainly be searching in deepness at the period of validity of Party Wall Sees as stated in the Act. We will likewise cover various other particular period that are given in the act upon Celebration Wall surface Notices and make clear how to determine these period.

- In various other works, a Celebration Wall surface Award stands for year (unless spcified otherwise in the Honor).
- When notice under area 1 (2) has been offered on the adjoining owner (s), the recommended new event wall can just be built with permission from the adjacent proprietor.
- While it is acceptable to begin work after notification the notification period has ended, this is not something we would normally motivate.
- If your jobs have actually triggered damages to their property, they can seek a civil claim for payment.
- It is likewise a recommendation record to assist stay clear of disagreements or potential incorrect claims of dilapidation.

The major goal of giving notice under Area 6 is to let the adjoining proprietor understand what is happening and to give them the chance to either concur or differ with it. If the job is going to be really close to the boundary of the properties and can potentially influence the adjacent proprietor, then the Structure Proprietor needs to give them see. They have to do it face to face or by message, and it must go together with certain documents, such as plans and sections of the suggested work and a copy of Section 6 of the Act. This section of the act also allows for notice to be served under area 1 (2) for the building of a new wall surface sitting astride the limit line, thus making it a new celebration wall. As soon as notification under area 1 (2) has actually been offered on the adjacent owner (s), the recommended brand-new event wall surface can only be constructed with approval from the adjacent proprietor. If approval has not been offered for building a brand-new party wall surface, after that the structure proprietor will certainly need to revert to constructing his suggested wall surface entirely on their land and up to the limit line as formerly discussed and according to area 1 (5 ).