

1971 Swift Deed Book 22 Page 295 in Westmore VT Land Records

September 29, 2016

Original Deed

MARGARET DEED

KNOW ALL MEN BY THESE PRESENTS THAT I, Emerson E. Swift of Gilroy in the County of Santa Clara and State of California Grantor, in the consideration of One dollar and other valuable considerations paid to my full satisfaction by Jean Swift Phinney of Los Angeles in the County of Los Angeles and State of California Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee Jean Swift Phinney and her heirs, administrators or assigns, forever, a certain piece of land in Westmore in the County of Orleans and State of Vermont, described as follows, viz: It being a portion of the Grantor's property on the westerly side of Willoughby Lake. The land and premises hereby conveyed are more particularly bounded and described as follows.

Land Description

Commencing at an iron pipe driven into the Westerly shore of Willoughby Lake representing a point in the boundary line between the premises hereby conveyed and the premises of one Sherrill Kent; thence North 32° 18' West in a straight line along the Kent boundary line 388 and five-tenths feet to an existing pipe driven into the ground representing a corner of the Kent premises; thence South 50° 38' West along the Kent Northerly boundary line in a straight line 56 and eight-tenths feet to an iron pipe driven into the ground adjacent to the small brook which is the outlet to the spring; thence North 30° West up the brook to a point where the brook veers Northerly from this boundary line and thence continuing in a straight line along said course a total distance of 294 and four-tenths feet to an iron pipe driven into the Southerly edge of the Cottage Road, so-called; thence along said Cottage Road in a general Easterly direction approximately 285 feet to a point thereon opposite of the premises of one H. C. Mack; thence South 16° West in a straight line therefrom 31 feet to an existing iron pipe representing a corner of the premises of one C. H. Willis; thence South 0° 51' West 56 and six-tenths feet in a straight line to an existing iron pipe representing a corner in the boundary line of one C. H. Willis; thence South 33° 30' East in a straight line 392 and eighty-hundredths feet to an iron stake driven into the ground near the Westerly shore of Willoughby Lake and thence continuing said course to the mean low water mark of said Lake; thence in a Southwesterly direction along the Westerly shore of said Lake to the point of beginning. The two iron pipes near the water's edge being 75 feet in a straight line distant from each other.

Reference is hereby made to Westmore Land Records for further and more complete description of the land and premises hereby conveyed.

Transcript of Land Description

Commencing at an iron pipe[Pin C] driven into the Westerly shore of Willoughby Lake representing a point in the boundary line between the premises hereby conveyed and the premises of one Sherrill Kent; thence North 32 degrees 18' West in a straight line along the Kent boundary line **388 and five-tenths feet** to an existing pipe driven into the ground representing a corner of the Kent premises[Pin D]; thence **South 50 degrees 38' West** along the Kent Northerly boundary line in a straight line 66 and eight-tenths feet to an iron pipe driven into the ground adjacent to the small brook which is the outlet to the spring; thence North 30 degrees West up the brook to a point where the brook veers Northerly from this boundary line and thence continuing in a straight line along said course a total distance of 294 and four-tenths feet to an iron pipe driven into the Southerly edge of the Cottage Road, so-called; thence along said Cottage Road in a general Easterly direction approximately 285 feet to a point thereon the "point thereon" is the midpoint of the public ROW opposite of the premises of one H. C. Mack; thence south 16 degrees west in a straight line therefrom 31 feet to an existing iron pipe representing a corner of the premises of one C.H. Willis [Pin S]; thence South 0 degrees 8' West **56 and six-tenths feet** in a straight line to an existing iron pipe[Pin R'] representing a corner in the boundary line of oneDC.H. Willis; thence South 33 degrees 50' East in a straight line 392 and eighty-hundredths [sic] feet to an iron stake driven into the ground[Pin R] near the westerly shore of Willoughby Lake and thence continuing said course to the mean low water mark of said Lake; thence in a Southwesterly direction along the Westerly shore of said Lake to the point of beginning. **The two iron pipes near the water's edge being 75 feet in a straight line distant from each other [CR =65.9' per Horizons survey].**

Significant Points

- The 1971 Swift deed follows the 1970 Brown map exactly.
- The back border in this deed [S 50-38 W] contradicts the back border in the Kent deed [S 53 W].
- The 388.5' from beach to D [this deed] compares to the 388.1 [Horizons survey] from C to D.
- From the previous observation, it appears that Emerson Swift considered C at the two cedar trees to be the second iron pipe when he claims "two iron pipes...75 feet...distant from one another."