

# Kent Property Map Secured by Stakes C and E

## C is Secured by Iron Pipe at Two Cedar Trees



Iron Pipe C was discovered under a 5-inch cedar root of the north east most tree of 2 cedars held by Sherrill Kent since 1947 to be the common Kent-Swift boundary. The picture to the far right shows a vertical chain roughly aligned with Iron Pipe C. The chain binds a wooden sign to both cedars saying Kent with an arrow pointed toward the brook. The sign was set about 20 years ago and had never been challenged by Swift Family Trust until Sam Kent protested Swift's 15-foot encroachment.

## Kent Property Data

**A Two Point Model Defines the Kent Property**  
The Kent property is 4-sided, two sides of which are contiguous, the lake front and Crescent Brook. Thus, given two bearings for the undefined sides, only two points are required to describe the entire property. The first point C is the iron pipe at the two cedar trees. The second point E is established by the 1967 Swift map.

### 1947 Kent Deed Land Description

"Beginning at the midpoint of the present mouth of the brook on Crescent Beach said brook now forming the boundary line between the property of Emerson H. Swift and the land of Isabel H. Swift and Lucy W. Swift. Thence in a north easterly direction along the shore of Willsoughby Lake for a distance of one hundred feet. Thence inland approximately 33 degrees west of north a distance of approximately four hundred feet, this line being the extension of a line passing along the summit of Mt Pisgah. Thence in a south westerly direction approximately 83 degrees west of south a distance of approximately one hundred ninety feet to the main brook. Thence in a south easterly direction along said brook to its mouth and the point of beginning."

### Major Elements of the Kent Deed:

1. Beach Frontage: Exactly 100 feet.
2. Approximately 400 feet to the back border.
3. N 33 W aligns with the summit of Mt Pisgah.
4. The Back Border bearing is approximately S 63 W.
5. Approximately one hundred ninety feet to the main brook.

## Kent Boundary Lengths Defined

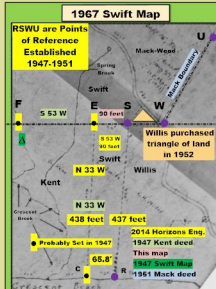
### HOW IT WAS DONE

Emerson Swift approximated all bearings & distances in the Kent deed. His motive for writing a vague deed is revealed by his deliberate 12.5% reductions in 5 border lengths on 2 properties over a period of two decades (Swift reduced the 250-foot road frontage in the 1965 Mack deed by 31 feet or 12.4% to 219 in his write up of the 1991 deed, without making specific calculations the reader would miss the obfuscation in the second deed.) The other 5 border reductions were recorded on later Swift maps and deeds that would be difficult to challenge. To obtain consistent 12.5% reductions - all to Swift advantage - he had to know both the original length and the final length he would later claim. In the case of the Kent property he knew the actual distances but entered approximated distances in the deed. In fact, he is "approximately 190 feet" does not even reach the brook, yet a scale on his 1947 map reveals the distance to be 238 feet compared to Horizons finding of 235 feet. What is NOT approximated in the Kent deed is N 33 W as "the extension of a line passing along the summit of Mt Pisgah." It is very likely that E. Swift and S. Kent recorded N 33 W together in the summer of 1947.

Of the 6 boundaries listed below, 4 represent decreases in border lengths of 2 land corners. The 12.5% **increase** in the SPT beach frontage encroaches on Kent property. The 12.5% for the Willis triangle is open to interpretation.

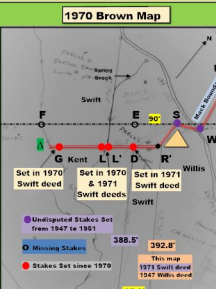
Mack Boundary Stage 1	
250' - 219'	$\times 100\% = -12.4\%$
250'	
Mack Boundary Stage 2	
533' - 468'	$\times 100\% = -15.8\%$
533'	
Kent CE Boundary	
438' - 388.5'	$\times 100\% = -12.8\%$
388.5'	
Swift Beach Frontage	
76.0' - 65.8'	$\times 100\% = -12.3\%$
75.0'	
Kent EF Back Boundary	
235' - 206.7'	$\times 100\% = -12.0\%$
235'	
Willis Triangle	
447' - 390.9'	$\times 100\% = -12.6\%$
447'	

## E is Secured by the Precedence of the 1947 & 1967 Swift Maps



### Significant Points:

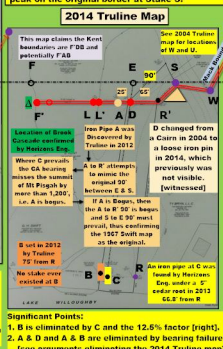
1. The 1967 Swift map registered in the Land Records of the Town of Westmore takes precedence over the 1970 Brown map.
2. The 1947 Swift map from Emerson Swift's notes is identical to the 1967 Swift map.
3. Emerson Swift's deliberate reduction of five border lengths by 12.5% on two separate properties indirectly validates the 1967 map.



### Significant Points:

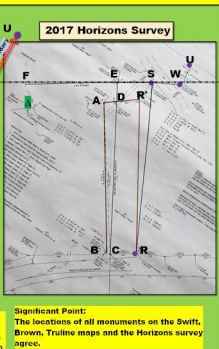
1. The discolored 1970 Brown map is the root of all Truline maps, thus invalidating all Truline maps dated 2004, 2008, 2012 & 2014.
2. Swift deeds [1953, 1970, 1971, 1973a, 1973b, 1988] and Tanner deeds [2004] based on the 1970 Brown map as they relate to Kent property are invalid.

The FUNDAMENTAL ERROR arose from placing the Willis triangle above the FESW border on the 1947/1967 maps. Next, both the triangle and the back border were lowered together to create the 1970 Brown map. There was no justification for lowering the border. Stake S was on the original back border and perfectly aligned with F and E on bearing S 53 W [1947 Kent deed]. Original locations of F & E are argued herein. Logically, the two lots were sold to Willis with the peak on the original border at Stake S.



### Significant Points:

1. B is eliminated by C and the 12.5% factor [right].
2. A & D and A & B are eliminated by bearing future [see arguments eliminating the 2014 Truline map].



### Significant Point:

1. The location of all monuments on the Swift, Brown, Truline maps and the Horizons survey agree.

### Swift's Modus Operandi for Altering Boundaries

6 boundary lengths averaging 12.38 % suggests 1 part in 8 or 12.5 in 100. Statistically,  $\pm 12.38\%$  avg with an SD [standard deviation] = 0.2857 and variance = 0.8167 reflects a deliberate intent to defraud.

CE Boundary	EF Boundary	Swift Family Trust CB Beach Frontage
Date: CE = 388.1' [Horizon Eng.] CE = 388.1' [1971 Swift deed] CE = 438' [Meridian Eng.]	Date: EF = 238' [Swatlow] EF = 235' [Measured] EF = 231' [Traverse] EF = 235.0' [Truline]	Date: CB = 75.0' [Truline] CB = 65.8' [Measured] CB = 65.8' [Truline]
Calculations: $438 - 388.1 = 49.9$ Using Horizons of 12.5%: $12.5\% \times 388.1 = 4.85$ Then: $49.9 - 4.85 = 45.05$	Calculations: $238 - 235 = 3$ Using Horizons of 12.5%: $12.5\% \times 235 = 2.94$ Then: $3 - 2.94 = 0.06$	Calculations: $75.0 - 65.8 = 9.2$ Using Horizons of 12.5%: $12.5\% \times 75.0 = 9.375$ Then: $9.2 - 9.375 = -0.175$
CE = 438' CE = 437' Measured Calculated	FE = 235' FE = 235' Measured Calculated	CB = 65.8' CB = 65.8' Measured Calculated

### TESTIMONIES

John Swift Ph.D. acknowledged to Sam Kent decades ago that the two cedar trees marked the boundary. The 388.5' from beach to Stake D in the 1971 Swift deed compares to the 388.1' measured between C and D by Horizons Eng. The last point suggests that Emerson Swift used the two cedar trees for measuring the distance between C and E. Kent family tradition has held the two cedar trees to mark the common border between Swift and Kent. When Nancy Despain, DDS, was a child she affirms that Sherrill Kent told her the two cedar trees marked the border.

### Three Kent Boundaries

1. The 100-foot beach frontage [C to Kent]: Swift sought to compromise the 100-foot Kent beach frontage by increasing his adjacent beach frontage 12.5% from 66.8 feet to 75' feet.
2. The long border [CE]: Swift entered "approximately 400 feet" [CE] in the Kent deed and on his 1947 & 1967 maps. He also indicated the 85 legs was "400 feet suggesting equivalent CE and RS legs. In fact, Horizons Eng. surveyed distances of 438' and 427' for CE and RS, resp. Then, in the 1971 Swift deed the 438' long CE border was shortened 49.5' or 12.7% to a new CE border 388.5' long.
3. The back border [EF] to Crescent Brook: Swift entered "approximately 190 feet" in the Kent deed which does not even reach the brook, yet a 206-foot scale on his 1947 map reveals the distance to be 238' compared to Horizons surveyed 235' and the Swatlow's Traverse of 231'. The reduction is 12.0% based on EF vs. DF distances.

### MOST SIGNIFICANT

#### Intersection of Two Kent Bearings at E

The bearing line N 33 W passing from Mt Pisgah through C intersects the bearing line S 53 W at a point 50 feet from S. This point of intersection is E which is located in a 1-foot-wide space between two boulders. After the Kent stakes went missing in the early 1970's Sherrill Kent reportedly told family members that the back border passed between two boulders. E would have been one of the missing stakes.

### Two independent paths locate the original Kent stake

E to F = 235' by Horizons  
E to F = 231' by Bush and Cutler  
E to F = 238' by Swift 1947 map scale  
A reasonable surmise from the Traverse is that 59.5' was measured in 1970 between actual iron pipes F and G, but both stakes are now missing. The incriminating 59.5' was deleted from subsequent Swift land descriptions.