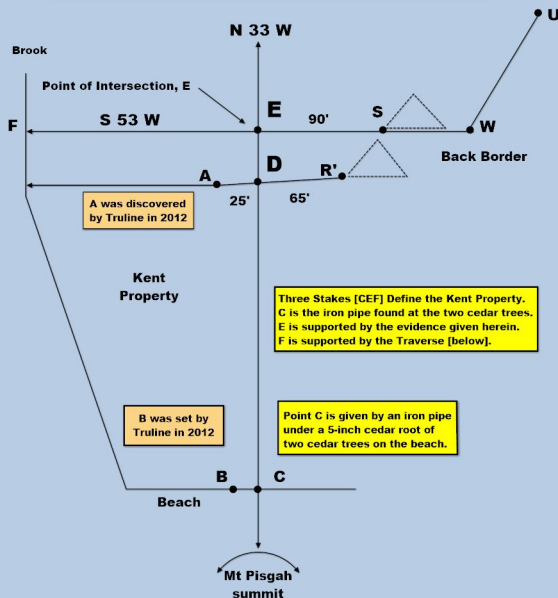## Resolution of Kent Boundaries

The Kent property is four-sided, two sides of which, Crescent Beach and Crescent Brook, are contiguous. It follows that only two points are required to define the dimensions of the property. Point C is a given on the beach. The second point is either D or E on the back border. Evidence favors the latter.

N 33 W

Brook

Point of Intersection, E

F   S 53 W   E   90'   S   W

Back Border

A   D   R'

25'   65'

A was discovered by Truline in 2012

Kent Property

Three Stakes [CEF] Define the Kent Property. C is the iron pipe found at the two cedar trees. E is supported by the evidence given herein. F is supported by the Traverse [below].

B was set by Truline in 2012

Point C is given by an iron pipe under a 5-inch cedar root of two cedar trees on the beach.

B   C

Beach

Mt Pisgah summit

U

Two Independent Paths Localize the Original Kent Stake F

f_a **F** f_b   E to F = 238' [Scaled on 1947 Swift map]   E

59.5'   E to f_a = 235' by Horizons   Path a
S 59 E   E to f_b = 231' by Bush and Cudgel   Path b

F'

G   2015 Traverse by Travis Sanders of Bush and Gudgell, Inc., St George, Utah   D

Three independent methods giving an average distance of 235' with a standard deviation of 3.5' argue for the original presence of E & F.

Sources for the Traverse:
E to D; E to fa: 2017 Horizons Sketch
G to fb: 1970 Swift deed [Book 22, Page 291]
D to G: 1970 Swift deed; 1971 Swift deed
     [Book 22, page 295]; 2004 Truline Map

Court Arguments for E

Point of Intersection

E is the point of intersection of two bearings: N 33 W passing through C from the Summit of Mt. Pisgah and S 53 W exactly 90 feet from S. The point of intersection is either real and intended or coincidental and statistically rare. *E must have existed to measure 90 feet from S.*

Testimony of Sherrill Kent

Testimony of Sherrill Kent: Kent claimed that all Kent stakes were pulled in the early 1970's. There would have been three stakes: C on the beach, E on the back border and F on Crescent Brook. C has been found. The traverse below suggests that F was in place before 1970. Kent asserted that the Back Border passed between two boulders. The position of E is located in a 1-foot space between two boulders. Stake E is also missing but its original existence in 1947 is implied by the "point of intersection" 90 feet from S plus the arguments below.

Map and Deed Evidence for E

The 90 feet from A to R on the 2014 Truline map [also illustrated on the Horizons 2017 Sketch] appears to mimic the 90-foot section between S to E on the 1967 Swift map.

In conformity with the 1947 Kent deed [Book 19, Page 21], the Kent N 33 W bearing CE is "an extension of a line passing along the summit of Mt Pisgah" through C at the two cedar trees on the beach and on to E on the back border. The Swift stake A on the 2014 Truline map is disqualified by an AC bearing that impacts Mt Pisgah more than 1,200 feet from the summit. The AB bearing is over 800 feet from the summit, and the DB bearing misses the summit by more than 400 feet [see Failed Bearings on the 2014 Truline map.]

If A is disqualified then the ADR' mimicry of SE must fall, thus eliminating D and limiting the 90' section to the 1967 map.

The 1951 deed [Book 19, page 75] refers to the Mack triangle of land. The deed describes U to W as: " Thence S 7 degrees E, a distance of 249 feet to the north edge of the public right-of-way to a point *opposite the northernmost corner of the lot on the south side of the right of way now owned by Clodius H. Willis.*" In the field, the "point opposite" was most probably directly across the road. See the 1970 Brown map [at right] with red dot opposite black dot -- across the road]. The public ROW actually fills the space between S and W.

The Willis triangle was sold in 1952 [one year after the Mack triangle] and was incorrectly placed above FESW on the 1947/67 maps. It should have been placed with the peak at Stake S to conform with "opposite the northernmost corner" in the 1951 deed.
The error of placing the triangle above FESW on the 1947/67 map is the root source of the mess causing this dispute. There was no justification in lowering the Kent back border on the 1947/67 maps with the triangle in creating the 1970 Brown map.

The 65-foot edge on the Willis triangle [Book 19, Page 80] does not fit on the Truline maps; that triangle edge is not reported on their 2014 map, but scales at about 54 feet. The 65 is most likely a transposition of 56.

According to survey protocol the 1967 Swift map, which is identical to the 1947 Swift map, would take precedence over the revised 1970 Brown map. Elimination of the Brown map, which is the root of all Truline maps, must necessarily eliminate all Truline maps.

The Crescent Brook cascade is about 40 feet below FESW on the 1947 Swift map and aligned with the new Kent border on the 1970 map emphasizing that the 1970 Brown map was a new construction.

Finally, all Swift and Tanner deeds and Truline maps describing the Kent back border based on the 1970 Brown map are without merit.

1967 Swift Map

N

90'

F   E   S 56' 65'W

Λ   Kent   Swift   Willis

Location of the Crescent Brook cascade [1947 Swift map] confirmed by Horizons Eng.

Explanations for the 400' and 75' claims are based the discovery of deliberate 12.5 % boundary changes by E. Swift [presented elsewhere].

Crescent Beach

1970 Brown Map

W

U

Truline Map data

S   W

A D R'   54'

Λ   64.7'

A is absent on this map, but 25' from D on the 2014 Truline map.

Road