

Absolute Proof that Swift Deliberately Removed Kent Stake F and Created a False Boundary

Diagram 6

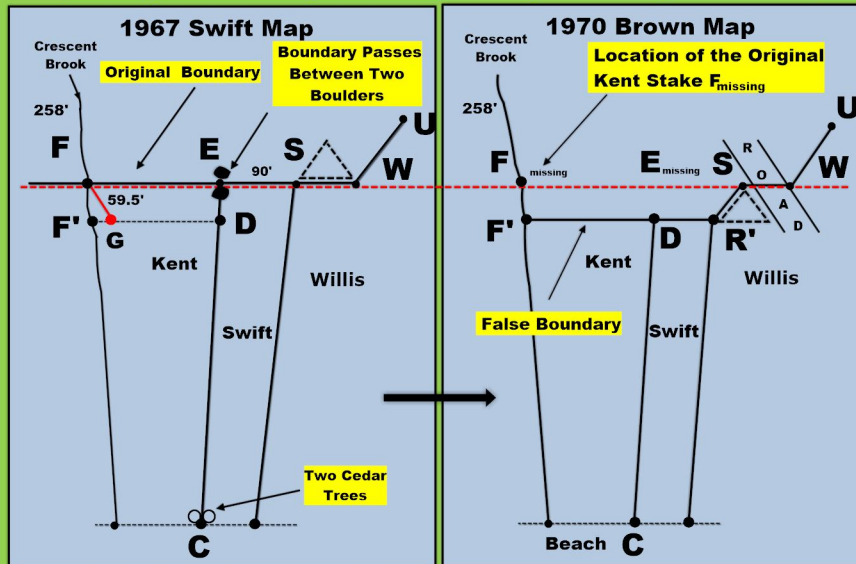
The Falsified 1970 Swift Deed was Produced in Conjunction with the Falsified 1970 Brown Map

The Incriminating Paragraph

"...thence from said iron pipe down the brook 258 feet and thence continuing in a straight line near and approximately parallel with said brook 59 and five-tenths feet to an iron pipe driven into the ground [Stake G], said iron pipe being South 59 degrees East from where said last mentioned boundary line leaves the brook"... [Stake F]

[parenthetical information and emphasis added]

Cause of Dispute: In 1952 Swift sold Willis a small triangle of land [Book 19, Page 80] and placed it in the road. In 1970 he moved the triangle with the boundary. There was no justification for moving the boundary.



"the *last-mentioned boundary line leaving the brook* refers to Stake F in the middle of the brook. Stake F identifies the Kent northern boundary line as F to E.

In the early 1970s Sherrill Kent discovered that the property stakes were missing. For years he repeatedly told immediate and extended family members that the back border passed between two boulders and that the beach boundary was marked by two cedar trees.

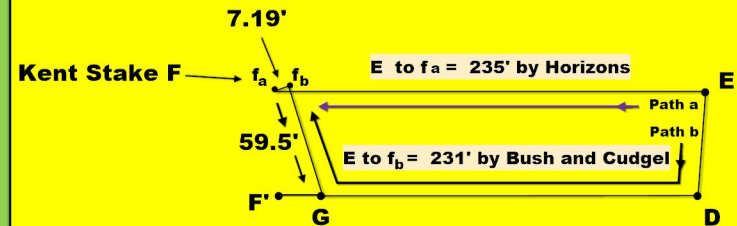
1970 Swift Deed

Analysis of the 1970 Swift deed reveals the deliberate removal of Kent Stake F and creation of the false F'D boundary on the 1970 Brown Map. With Stake C at the two cedar trees -- held traditionally by both Kent and Swift Families to mark the common boundary -- the evidence unequivocally establishes FEC, Crescent Brook, and the lake front as describing the Kent lot.

1970 Brown Map

The Kent FE Boundary is aligned with S and W on the 1967 Swift Map. On the 1970 map the Boundary is moved to F' D, and Stakes F & E are missing. From the 1970 Swift deed, a traverse places Stake F within a 3.6' radius of its original position on the 1967 Swift Map.

A Traverse Locates Missing Stake F within a 3.6' Radius



The bearings and distances for ED [Horizons Engineering], GF [1970 Swift deed, Book 22, Page 291] and DG [1971 Swift deed, Book 22, Page 295], reveal that the Kent back border was deliberately changed from FE to F'D in conjunction with the 1970 Brown map. [Traverse by Travis Saunders of Bush and Gudgeon, Inc. St. George, UT.]

Independent Measurements of E to F

EF = 235' from the Horizons Engineering Survey
EF = 231' from the Bush and Cudgel Traverse
EF = 233' scaled from the 1947 Swift Map

EF = 235'
Surveyed

EF = 231'
Traverse

The 1970 deed says that G "was set". Since the distance between point X and G was 59.5 feet, F was probably that point for a measurement to 3 significant figures and a tenth of a foot. Both F and G were missing in 2014. The paragraph referring to the 59.5' is also absent in the 2004 Tanner Deed [Book 37, Pages 74-77].