

Diagram 8

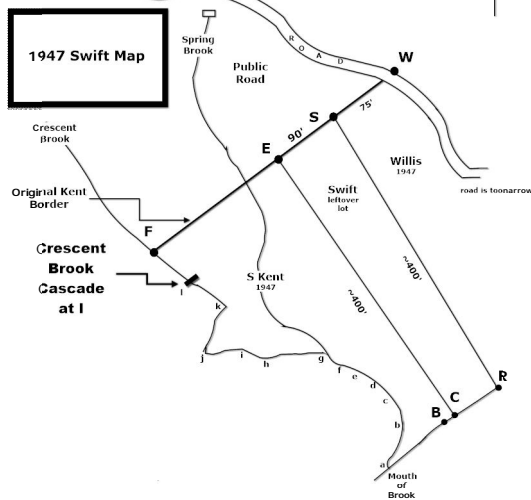
In scientific parlance Stake A would be considered anomalous. It fits none of the criteria of the Kent deed or the 1947 Swift Map. 10 points of evidence militate against A and thus the Swifts' claim to F'A as the back border.

Arguments Against Stake A and the F'A Border

Chronological Sequence of Events [Fig. 1-4]

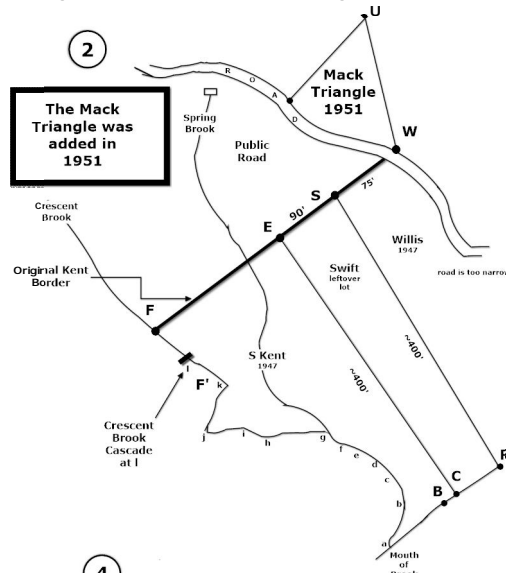
1

1947 Swift Map



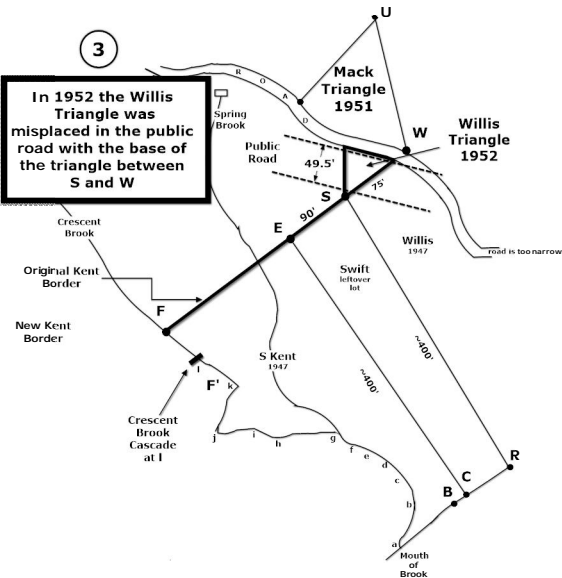
2

The Mack Triangle was added in 1951



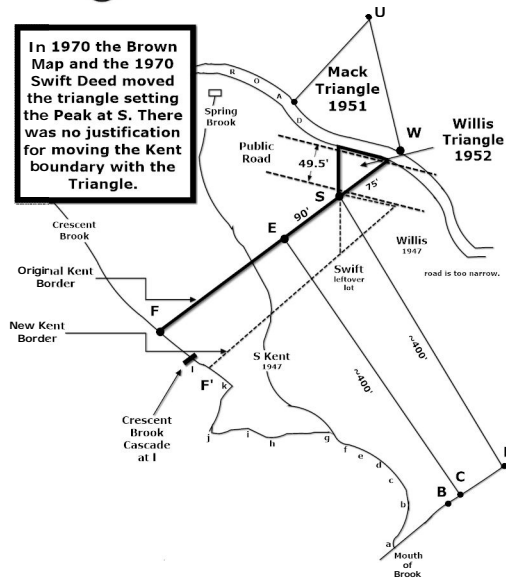
3

In 1952 the Willis Triangle was misplaced in the public road with the base of the triangle between S and W



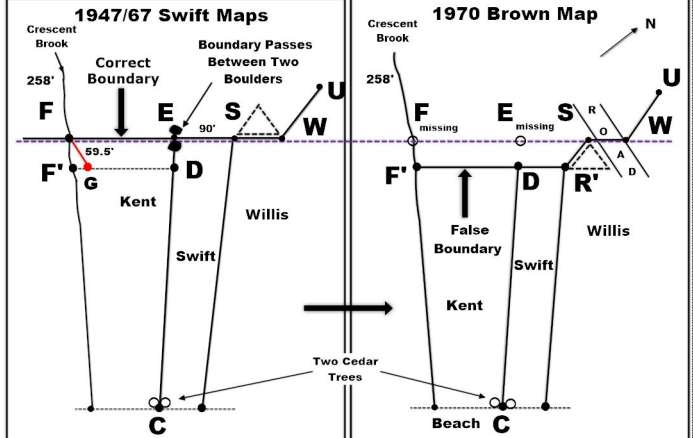
4

In 1970 the Brown Map and the 1970 Swift Deed moved the triangle setting the Peak at S. There was no justification for moving the Kent boundary with the Triangle.



The 1970 Brown Map illustrates the Deliberate Relocation of the Kent back border from FE to F'D. This action alone with the discovery of missing stakes F and E in 1971 by grantee Sherrill Kent suffice to win this lawsuit unambiguously.

1947/67 Swift Maps



Evidence Against Stake A

- 1 The 1947 Swift Map as represented to grantee Sherrill Kent shows the Kent Property with the back border ~50' above the Crescent Brook Cascade [confirmed by survey].
- 2 In 1951 the Mack Triangle was added and may be used with the Cascade as points of reference for the FE back border. This data alone asserts that the original back border extended from F to E. The 90' between S and E and 235' from F to E on the 1947 Swift Map are confirmed by survey and also preclude stake A as being valid.
- 3 In 1952 the Willis Triangle was misplaced in the public road. The misplaced triangle is the cause of the present dispute. Emerson Swift elected to capitalize on the error with the creation of a fabricated F'D border. The fabrication undermines the Swifts' subsequent F'A border. One error is compounded by a second. The forgery was then reinforced by a series of fraudulent deeds and maps.
- 4 In 1970 the Brown Map was published with the Kent back border deliberately relocated from FE to F'D. There was no justification for the relocation.
- 5 In the same year a 1970 Swift deed [Book 22, Page 291] clearly coordinated with the Brown Map also reveals the deliberate change of the Kent back boundary from FE to F'D. A traverse from the data of Swift deeds may be used to locate the original stake F within a radius of 3.5'. The distance from F to E according to the traverse is 231' compared to the survey distance of 235'. This data also precludes the validity of stake A.
- 6 From 1971 to 1984 Emerson Swift continued the fraud with the publication of 4 deeds claiming the distance from the two cedar trees to Stake D was 388.5'. He mentioned nothing of an alternative stake A, yet he would have been responsible for its placement.
- 7 Then, in 2012 Shane Clark of Truline Land Surveyors claims to have found Stake A representing the true northeast corner of the Kent lot. The timing is suspicious as the finding follows a few months after Swifts acknowledged that stake Q on the beach was bogus [It also would have been discovered by Sherrill Kent or other surveyors]. Stake A is ~190 feet from the brook and just happens to mimic the Kent deed which records "approximately 190 feet" from F to E. Stake A obviously satisfies the court priority of metes and bounds.
- 8 In 2013 Defendants Joshua Swift and Bruce Tanner told Sam Kent and Walter Bartlau to ignore D in favor of A. Stake D is 206.7' from the brook. Numerous factors militate against stake A making it of questionable merit. Finally, the evidence for FEC is overwhelming. Stake A is bogus.