

Diagram 9: This Exhibit reveals that the author of this deed, presumably Emerson Swift, 'slipped' in writing the "last mentioned boundary," because the incriminating paragraph disappears in subsequent land descriptions including the 2004 Tanner deed. The "last mentioned boundary" is, very likely, the original back boundary claimed by the Plaintiff. The Traverse pinpoints Stake F and corroborates Sherrill Kent's assertion that it had been removed. Three independent measurements for the distance from E to F are in close agreement. The precision of 59.5' to a tenth of an inch is consistent with a measurement between two stakes, one of which was at the "last measured boundary".

# Bogus Monument G Reveals the Original Location of Stake F

## 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* [Stake F] leaves the brook" ... [parenthetical information and emphasis added]

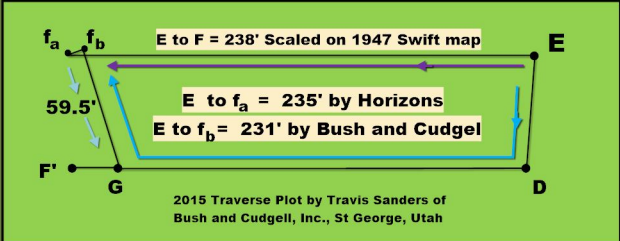
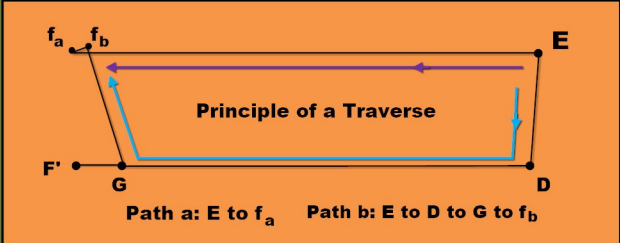
1970 Swift deed [Book 22, Page 291]

The 1970 deed says that G "was set". Since the distance between F and G was 59.5 feet, F was probably present in 1970 to measure that distance to a tenth of a foot. Both stakes are missing in 2014, and the section above referring to the 59.5' is missing in the 2004 Tanner deed.

## Data Sources:

Path A: 2017 Horizons Survey  
Path B: Bearing and distance for ED [Horizons]  
DG and GF [Swift 1970 & 1971 deeds].

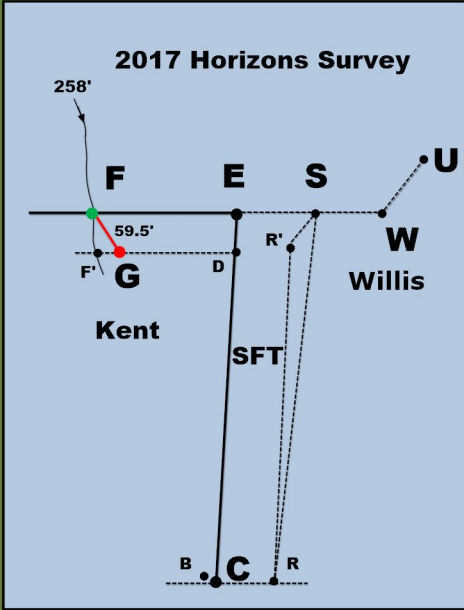
## Two independent paths localize the original stake F



## Independent Measurements of E to F

EF = 235' from the 2014 Horizons Engineering Survey  
EF = 238' scaled from the 1947 Swift map  
EF = 231' from the 2015 Traverse by Bush and Gudgell, Inc. Travis Sanders  
In the 1947 Kent Deed Emerson Swift reported "approximately 190 feet".

EF = 235' Measured	EF = 238' Scaled
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**Conclusion:** The "last mentioned boundary" coincides with the location of  $f_b$  which is 231 feet from Stake E or no more than 4 feet from Crescent Brook. Given that the Defendants removed the incriminating paragraph from future land descriptions, and given that Stake G is missing, it is most probable that the boundary referred to was, in fact, the original Kent back boundary.