

Evidence for Boundary at Two Cedar Trees

Discovery of Stake C

In 2013 surveyor Nathan Nadeau, L. S., of Horizons Eng. found an iron pipe Stake C, under a 5-inch cedar root of one of two cedar trees held traditionally to mark the Kent-Swift boundary. The find is documented in a letter dated December 11, 2013.

Posthumous Testimony of Sherrill Kent

In the early 1970's Sherrill Kent complained that all the Kent stakes had been pulled. He repeatedly told members of the family that the boundary on the beach was located at the two cedar trees.

Testimony of Nancy Duggan, D.D.S.

When she was a child, Sherrill Kent told Nancy Duggan that the Kent boundary was at the two cedar trees.

Posthumous Testimony of Emerson Swift

In his 1971 deed Emerson Swift measured 388.5' from some point on the beach to Stake D. Since Stake B was not set until 2012, that point must have been at the two cedar trees. As a confirmation the 2017 Horizons survey reported 388.1' from Stake C to Stake D. Emerson Swift considered the two cedar trees to mark the boundary between Kent and Swift land.

Testimony of Jean Swift Phinney

About 30 years ago Jean Swift Phinney affirmed to Sam Kent that the boundary was at the two cedar trees.

265 Feet Along Beach from Cedar Tree Marked to SFT Stake R

The distance across two 100-foot lots to Stake R leaves about 65 feet for the SFT frontage [see Diagram below]. The surveyed distance between R and C is 65.8'.

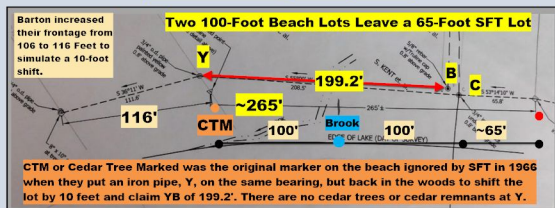
Emerson Swift's 12.5% Factor

Swift deliberately altered 4 boundaries on both Kent and Mack-Wood properties by 12.5%. He increased the SFT beach lot from 65.6 feet to 75 feet. The 2017 Horizons survey reports 65.8' for the C to R distance across the SFT frontage. The distance calculated from Swift's 12.5% factor is 65.6'. A statistical analysis of Swift's data suggests that his alteration of boundaries was deliberate and premeditated.

The Swift Claim to a 75-Foot Frontage Does Not Fit

There is not sufficient space between the present mouth of the brook and Stake R to accommodate both Kent and Swift frontages.

2017 Horizons Engineering Survey



Pictures of Iron Pipe, Stake C, Discovered Under a 5-Inch Cedar Root at the Two Cedar Trees

