

Summary of Fraud Engaged in by SFT to Encroach on Kent Property on the Beach

Illegal Alteration of Survey Monuments

Too encroach on Kent property members of the SFT removed, moved, created or ignored a total 14 survey monuments. Six monuments were altered on the beach. The most notorious marker is the missing "Iron in a Boulder" (IAB) on the Phinney property at the far southwest end of the beach. The beach was defined at both ends, the northeast end by a drilled boulder. IAB is thought to have been an 8-foot x 18-inch square obelisk-shaped piece of granite, possibly a major early 19th century survey marker.

The 1921 Clough Map

Three beach lots with frontages of 169, 106 and 100 were marked off between IAB and the mouth of Crescent Brook.

Missing Beach Marker

IAB disappeared from the property of Jean Swift Phinney presumably at some point after 1990 when it was last referenced in a deed of that date. Its absence obfuscates the common boundary now in dispute between the Kent and SFT lots. The presence would easily have neutralized the Defendants' claim to B and affirmed Stake C.

The Creation of Bogus Stake Y

One of the markers used to set off the beach lots was a "cedar tree marked" referenced in 9 deeds, four of which became an iron stake in 1966. CTM marked the point between lot frontages 106 and 100 feet belonging to G. Swift and extended members of the Swifts, the Barton family. Analysis of the site revealed that the marker was moved up the common boundary line and back into the woods about 15 feet to simulate the two 100-foot frontages of the G. Swift and Kent lots. The distance between B and Y is 199.2 feet. The problem for the Defendants is that any argument collapses as there are no cedar trees or remnants thereof within 10 feet of Y.

Shift of Swift Lots

As a followup to the Stake Y ruse, the two beach lots were seemingly shifted 10 feet to the southwest, the second being the Barton lot frontage which increased from 106 to 116 feet. The very transparent plan was to create a pseudo increase of the SFT beach lot from 65 to 75 feet.

SFT Beach Frontage

SFT changed their beach frontage from 57.8' in 1947 to 75' in 1971 to 79.4' in 2004 and back to 75.0' after 81 feet on the shoreline was challenged by the Plaintiff. The surveyed distance is 65.8'.

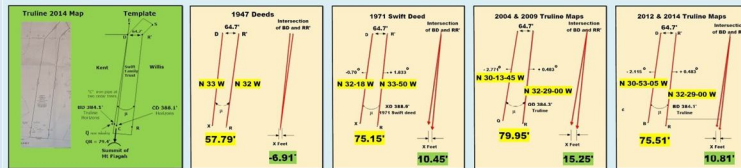
Emerson Swift's 12.5% Factor

Swift deliberately altered 4 boundaries by 12.5%. The deception is now uncovered (the error anyway in misidentifying the footage between R and the two cedar trees), and any claim to 75' is forfeited. 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.

How Swift Family Trust Changed their Beach Frontage from 1947 to Present

Date	Radius r [(BD) + (RR)]/2	Angle BD - RR	D to R'	X Feet	B to R Calculated	B to R Recorded
1947 Deeds	396'	-1	64.7'	-6.91'	57.79'	---
1971 Swift deed	390.7'	1.533	64.7'	10.45'	75.15'	75'
2004 (09) Truline maps	387.6'	2.254	64.7'	15.25'	79.95'	79.4'
2012 (14) Truline maps	387.5'	1.599	64.7'	10.81'	75.51'	75.0'

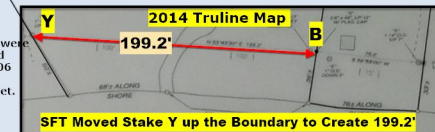
Sources:
1947 Willis deed Book 18, Pages 510-511.
1947 Kent deed Book 19, Page 21.
Swift 1971 deed Book 22, Page 295
Truline 2004, 2009, 2012 & 2014 maps



Monuments
Illegally Altered
by SFT
IAB.....disappeared
Stake Y.....bogus
Stake Z.....moved
CTM.....ignored
Stake B.....created
Stake Q.....withdrawn



Stake Y is Bogus
Iron Stake Y is located about 14.5' back from the tree line where there are no live cedar trees or dead remnants. Thus, Y cannot have been the original location of the Cedar Tree Marked.



The Iron in Boulder was removed to obfuscate the Kent-Swift Boundary

