

# Exhibit 13 - Illegal Manipulation of Monuments by SFT

April 5, 2014

**1. Iron in a Boulder:** This was removed in the last 15 years. It was the lynch pin of all the original measurements along the southwest end of the beach as is now the drilled boulder on the northeast end. It would have proven that the SFT beach frontage had to be 65'. It may have been a massive obelisk-shaped granite block seen on the beach years ago. It was about 9 feet long and perhaps 16-18 inches square with pointed end appearing on the southwest end of the beach near the border of the Phinney-Barton property. The marker appears on the 1921 Clough Map and is referenced in Swift deeds in 1941, 1988 and 1990.

**2. Yellow Iron Pipe:** This stake is not original and attempts to replace the "cedar tree, marked" [CTM] based on arguments in Exhibit 7. Its position would shift the beach 10' to the southwest to accommodate a 75' SFT frontage. The same conclusion may be deduced from Exhibit 6.

**3. Barton Boundary:** The 1921 Clough Map records 169', 106' and 100' from the rod in a boulder to the mouth of the brook. 106' is also recorded in 4 deeds from 1941 to 1995 [Exhibit 7], yet is recorded as 116' on Truline maps. The repositioning could be used to shift the beach 10' to the southwest.

**4. Pin Q:** This stake (recorded as missing in the Truline June 2013 map) represented the SFT claim to 81' of beach frontage from 1991 to 2012. It originated from a mis-guided *Bumps 1985 Map* in which the distance between the midpoint of the brook to the yellow iron pipe on the Galvin Swift frontage was recorded as 105.7'. The total: 105.7' [Galvin Swift] + 100' [Kent] + SFT [75'] = 280.7' = 100' [Galvin Swift] + 100' [Kent] + 80.7' [SFT]. As the Swift attorney wrote, it was "clearly an error," and Joshua Swift said, "we really appreciate your pointing that out to us." No further comment needed!

**5. Pin B:** There has been no physical evidence for any iron stake except for the iron rod set by Truline in 2012. The evidence [Exhibit 4] indicates that Emerson Swift held the two iron stakes in the 1963 deed to be R and C.

**6. Pin A:** This too is a falsely placed iron pipe based on completely fabricated deeds [see Exhibit 3] conveniently discovered in 2012 but assuredly part of the Future Intent set forth in Exhibit 1.

**7. Pin D:** First referred to as "an existing pipe" in the 1970 Swift deed [Exhibit 3]. Witnesses and pictures confirm that it was a bent pin close to the ground in the winter of 2012 and then replaced with a straight (visible) loose iron pipe sometime between June 30 and July 1 of 2013. Swifts then said it could be removed; it remains in place.

**8. Pin E:** Removed sometime in the late '60's or early '70's according to Sherrill Kent, who stated that "all the Kent boundary markers had been pulled."

**9. Pin F:** Original boundary stake missing probably at some point after 1970. This is referred to as "the last mentioned boundary line...where it comes out of the brook" in the Swift 1970 deed [Exhibit 8].

**10. Pin G:** Referred to as the other end of Pin F as "a straight line...parallel with the brook 59 and five-tenths feet to an iron pipe driven into the ground" [emphasis added]. The 1970 deed distinguishes between "existing" and "driven." Pin G is now either missing or ignored, but replaced by Truline maps with a designated point in the brook.

