

October 4, 1978.

Philip Skipp, Atty.  
Chestertown, Md.

Dear Mr. Skipp:

Enclosed is a sketch of my findings with regards to the entrance road from Md. Rte. 20 to the Elks Lodge and others.

Some time ago the tract of land that is now the Everett, Ford, and Nicholson lots was cut out of the overall farm. The description (RAS 14/2) created three new lines; the northwest side of the tract established the southeast side of the road now in question. This description is very close to being mathematically exact. This could indicate a very precise survey, or, more likely, it is because the geometric figure is basically a rectangle plus a right triangle and can be rather easily computed. However, it does mean that the surveyor has little or no leeway in reproducing the lands as it is described.

The Nicholson lot was cut out by survey, and Ford acquired the remainder. Mr. Ford said that he marked the line between his lot and the Nicholson lot when the survey was made. Ford then sold a lot to Everett. This was by a homemade description and was not surveyed. The concrete monuments marked with an "E" were apparently set by Mr. Everett.

At Mrs. Everett's request I ran a traverse and located the various points that I have shown on my sketch. Unfortunately, the key point, the stone called for at the south corner of the original tract, is missing.

In the sketch I have oriented the various deed descriptions to the actual points on the ground. I must emphasize that this orientation is for the purpose of showing the relationship of the points and is not necessarily the correct property lines. First, I assumed that the centerline of Md. Rte. 20 is in the same position as it was at the time of the original survey. Second, I assumed that at the time the Nicholson lot was surveyed the key stone was in place, and that the concrete block set by Mr. Ford was on a line 77' from the stone. Presuming this to be correct, the southeast line of Nicholson would pass 2.2' northwest of the end fence post near Md. Rte. 20, the line between Ford and Nicholson would pass 1.2' northwest of the brick pointed out by Ford as

being on his line, and the northwest side of Everett would be 8-10' northwest of the line of stakes along the line in question.

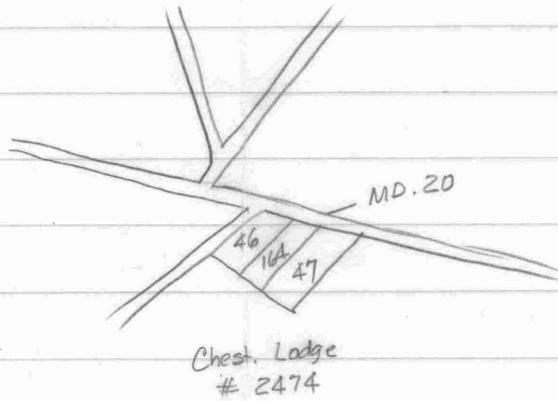
My conclusions are these. The description in RAS 14/2, and to a much lesser degree the descriptions of the Ford and Nicholson lots, are the only things that are available to use to establish the southeast side of the road in dispute. If the line of stakes along the road are correct, the marked line between Ford and Nicholson would be 9-10' off, the southeast line of Nicholson would pass about 8' southeast of the end of the fence along Md. Rte. 20, and the monument near the south corner of Everett would be about 11' off. Although it is impossible to determine the lines with complete accuracy, I feel that the Everetts have claim to some 7-10' of land northwest of the existing stakes.

I am sure that you will have some questions. Give me a call.

Sincerely yours,

William R. Nuttle.

MAP 36



164 Clarence Ford	WHG 25/94 ✓
46 John F. S. Everett	WHG 74/667
47 Albert T. Nicholson	WHG 68/353

Ford - WHG 25/94

Begin NW cor. at inter @ pub rd. and E side of private road

w/ private rd.  $546^{\circ}55'W - 322.6$

$543^{\circ}05'E - 245.6$

$N43^{\circ}20'E - 431.8 \pm$  to @ pub rd.

w/s  $N70^{\circ}05'W - 250.05$  to begin

2A

Being part of RAS. 14/2

Everett - WHG 74/667

Begin NW cor. at inter @ pub rd. and E side of private rd.

w/ private road  $546^{\circ}55'W - 322.6$

$543^{\circ}05'E - 170$

N dir. 370 to @ pub rd.

w/s  $N70^{\circ}05'W - 97 \pm$  to begin

Being part of WHG 25/94

Nicholson. WH68/353

Begin E pub rd. at NE cor. (end of 3<sup>rd</sup> course of RAS 14/2)

w/ E rd. N70°05'W - 112.15	38.20	-105.44
S43°20'W - 431.8±	-314.08	-296.32
S43°05'E - 77 to stone	-56.24	52.60
N46°55'E - 487'±	332.65	355.69

0.53      6.53

N85°21'35"E - 6.55

RAS 14/2

Begin NE cor at inter E pub rd. and S side private road or R/W

w/s (?) S46°55'W (map 1917) - 322.6

w/new line S43°05'E - 322.6 to stone

N46°55'E - 487.1 to E rd.

w/s N70°05'W - 362.2 to begin

Together with R/W over private road

$$\begin{array}{r} 77 \\ 245.6 \\ \hline 322.6 \end{array}$$

E. 7

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September 30, 1980  
248645

REPLY TO:

RECEIVED  
NOV 13 3 11 PM '80  
CLERK-CIRCUIT COURT  
KENT COUNTY

## DESCRIPTION OF THE PROPOSED NEW DIVISION LINE BETWEEN THE LANDS OF JOHN EVERETT AND THE CHESTERTOWN ELKS LODGE SIXTH DISTRICT, KENT COUNTY, MARYLAND

BEGINNING FOR THE SAME at a concrete monument marked "E" found  
northwesternmost corner of the lands of John F. S. Everett (see W.H.G. 74/667);  
said monument being located, North 54° 39' 10" East 203.66 feet from a concrete  
monument found at the southernmost corner of the lands now or formerly of  
Jeffery Moore Garrett (see E.H.P. 58/276);

THENCE, leaving said concrete monument and binding on a new line of  
division between the lands of the aforementioned John F. S. Everett and the  
lands of the Chestertown Lodge No. 2474 Benevolent and Protective Order of  
Elks lands (see E.H.P. 49/746) and passing through an iron spike set in the  
southwesternmost right-of-way line of Maryland Route 20, North 47° 11' 13"  
East 326.55 feet to a point in the centerline of the pave of the aforementioned  
Maryland Route 20; passing in transit the aforesaid iron spike set which is  
located 293.12 feet from the beginning concrete monument marked "E".

I hereby certify that the above description is the result of an accurate  
field run survey. The division line described is reproduced from physical  
points found and the final delineation is at the direction of the Kent County  
Circuit Court.

*James M. Luff* #10320  
Registered Surveyor

11-11-80  
Date

CHESTERTOWN  
P.O. Box 450  
Chestertown, MD. 21620  
78-3372  
tMon 298-1550  
even 823-4103  
the 269-3488

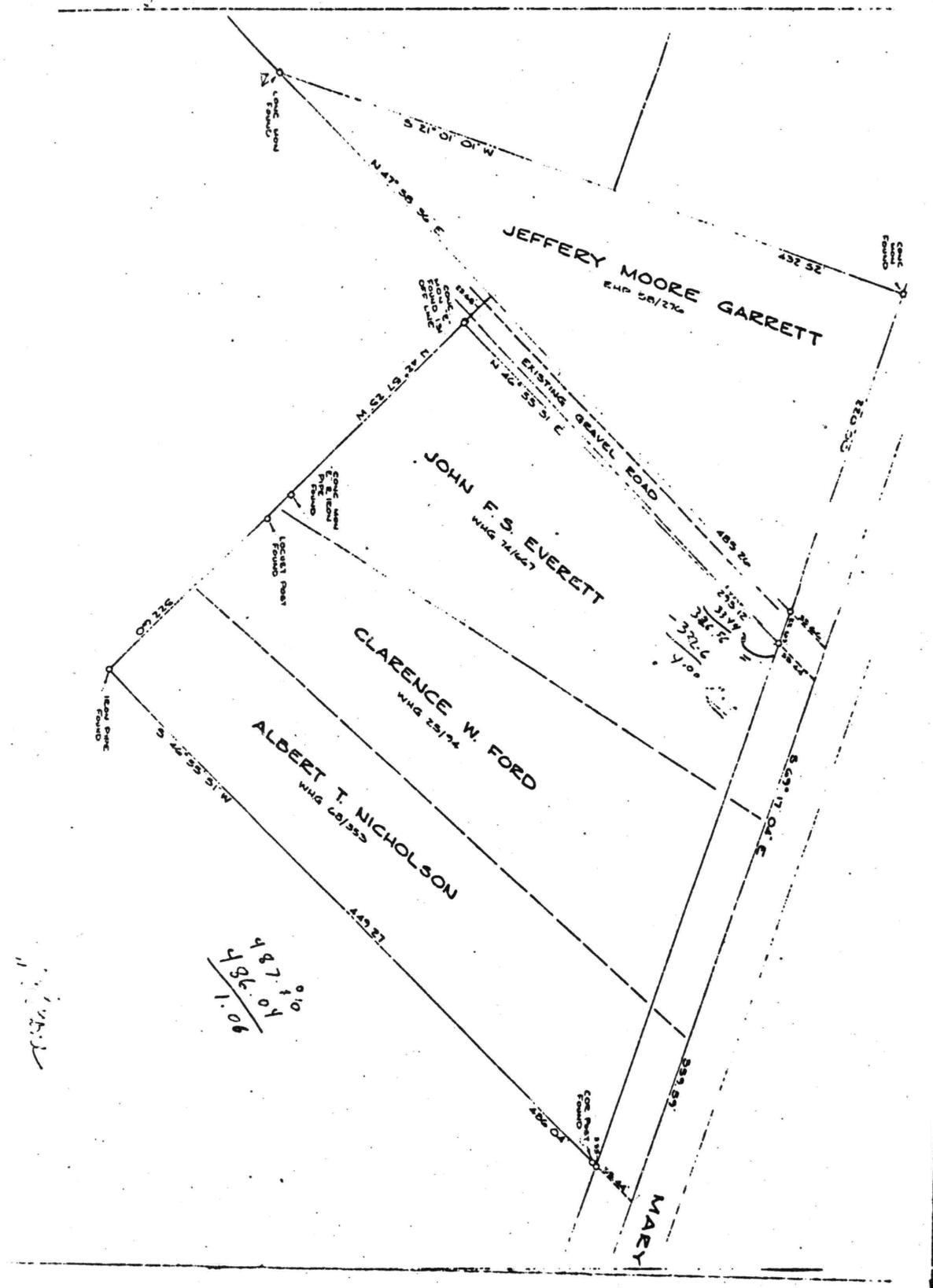
DENTON  
322 Market Street  
Denton, MD. 21629  
478-3408

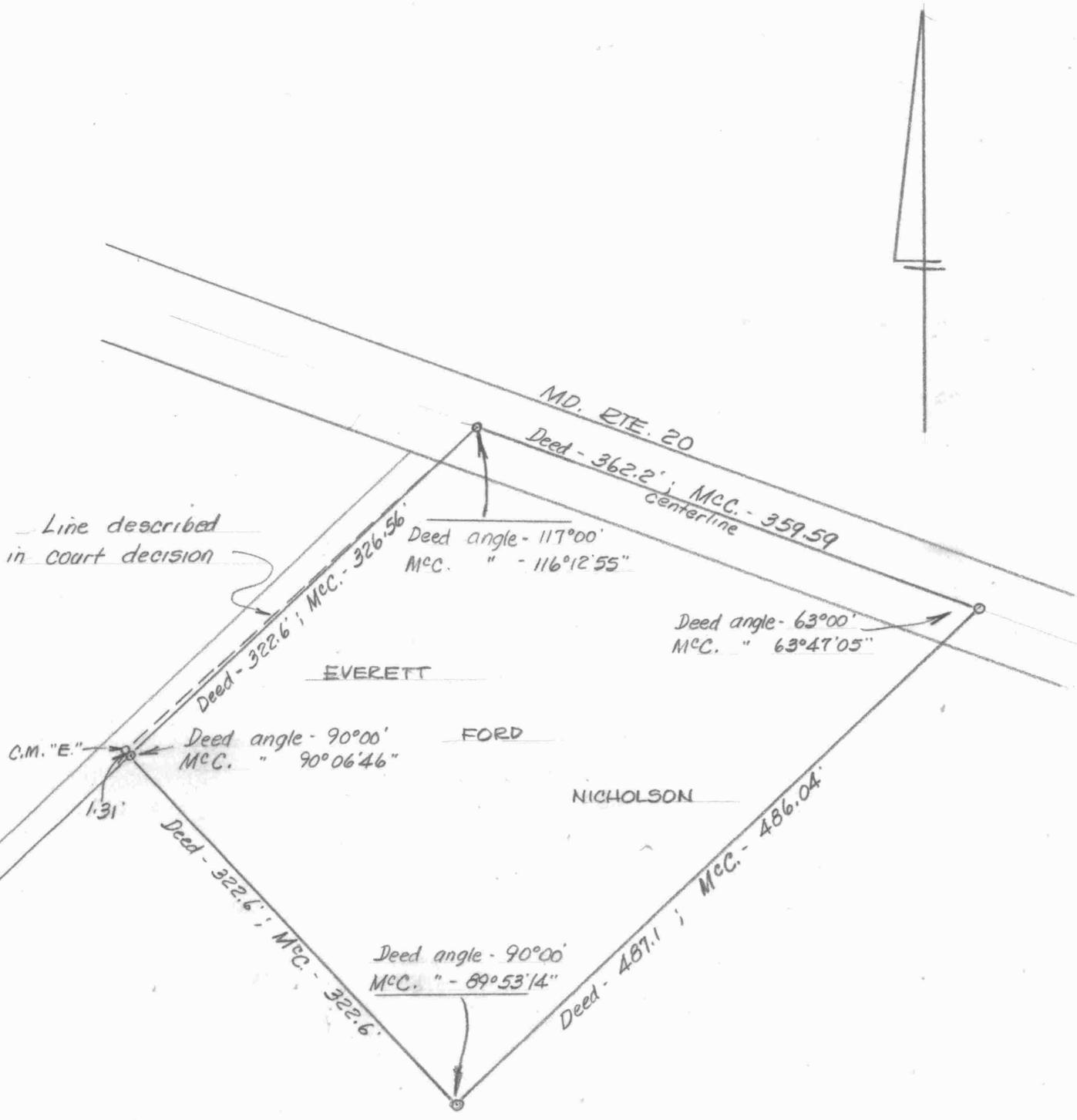
EASTON  
107 N. West Street  
Easton, MD. 21601  
827-3372  
Troppe  
476-2206

LEONARDTOWN  
P.O. Box 207  
Leonardtown, MD. 20650  
475-5327

PRINCE FREDERICK  
P.O. Box C  
Prince Frederick, MD 20678  
535-4510  
Washington  
855-6798

FILED *Nov 13, 1980*  
NO. 4





Deed description found in RA3 14/2  
Error of closure 0.14 (1 3/4")

A SKETCH SHOWING COMPARISON  
OF SEVERAL SURVEYS

6<sup>TH</sup> DISTRICT, KENT COUNTY, MD.

Scale 1"=100' Sept. 1981

William R. Nuttle, Reg. Surveyor  
Chestertown, Md.