

Baltimore Polytechnic Institute.

Q. Now, are you familiar, Mr. Perkins, with State Roads Commission Plat #8937?

A. This is the first time I have seen it. This was back in 1950. I can only say it is one of our plats. I didn't do the detail on this. It shows a taking of easement on this particular plat.

Q. Now, referring to the existing right of way line as marked there, can you tell from your experience with the State Roads Commission how that line was determined.

MR. NEWMAN: I object - this is the first time he saw the plat.

A. Well, this 66 foot turnpike width was from our records set up from the center line of this paving as it existed at that time and they took 33 feet from this base line and established that as the turnpike width.

Q. Is there, to your knowledge, any base line with any monument or any way of determining with definiteness the actual line of the state roads right of way other than using the road itself?

A. I know of no other way because there is nothing. There is no metes and bounds on these turnpike widths. There was an act making it a turnpike and if they said 66 feet - and actually in some cases I think roads were not built in the center of these turnpikes. There is nothing you can go on except the existing road and maybe you could go back and say the road went this way at one time unless there was a witness to it. So you have to take what is there and the surrounding descriptions of property as far back as you can get them. There is no metes and bounds you can pin down and there are no monuments. That has been my experience with these turnpikes.

Q. So the line there shown running through the house would be the result of a measurement from the center of the state road.

A. As it existed. 33 feet from the center.

Q. When that plat was made.

A. I didn't make this plat, but that is what it appears to me. That is the way I would have to establish it.

Q. That is the usual practice?

A. Right. Unless we can get some definite location of a road where it may have deviated from this present road, then they investigate that and try to put the line as close to it.

MR. NEWMAN:

Q. Mr. Perkins, you have referred to the width of this road as 66 feet.