

September 25, 2017 Addendum to:

Report on Land Surveying Services Related to the Steinman Family 2006 Real Estate Trust Property, Brown Road & Lower Beech Pond, Tuftonboro, New Hampshire, dated September 7, 2017

To further evaluate a comparison of the physical location of Brown Road as it exist on the ground today and the original 1842 road layout I wanted to look at the entire length of the road instead of a short segment of the road. To provide a base map of Brown Road as it exists today, I plotted three full sized (1" = 200') sheets of the Town of Tuftonboro Tax Maps, sheets 56, 68 and 69 and taped them together. Then in an AutoCad drawing I drafted the centerline of the road described in the 1842 road layout and plotted the drawing at a scale of 1"= 200' on a sheet of mylar. Mylar is a transparent material that can be used as an overlay when comparing maps drawn at the same scale.

Generally speaking, when overlaying the mylar plot of the 1842 road centerline layout on the Tuftonboro Tax Map, the original layout is very similar to the existing Brown Road with two exceptions. The plot of the original road layout is shorter than the existing Brown Road by about 200' and there is a section of about 1,000' of road that does not line up at all.

The entire length of the road is over 6,000'. The 200' difference in the length of the road between the original layout and the road as it exists today is likely due to the differences in surveying and mapping equipment, standards and techniques between the original road layout survey in 1842 and those used to produce the tax map.

The 1,000' section of the road where the road shown on the tax map and road shown on the overlay do not match may be due to a relocation of that portion of Brown Road. In the information provided to me from the Town of Tuftonboro records there is a warrant, petition and layout in 1910 for what appears to be a relocation of a portion of Brown Road. Also, there are sections of stone walls shown on the tax map, in the area of the differing road locations, which match up with the original road layout.

To compare the original road layout alignment with the existing road as shown on the tax maps, I lined up the beginning point of the original layout with the point on the tax map where the town line intersects the centerline of Brown Road. The second point I lined up is the end of the 6th bearing and distance call in the original description with a point midway between the parallel stone walls shown on the tax map. This comparison of the existing road and the original layout fits reasonable well considering the original road survey was done 175 years ago. The comparison seems to confirm that the existing

road is in fact where the original road layout calls for it to be, although a strict adherence to the alignment of the original road layout shows the road centerline to be south of the existing road. It is important to note that the basis for my conclusion is Town of Tuftonboro records, the town tax map and town road records. The 1842 Road Layout went through the appropriate process at the town and is clearly based on a field survey that cites landmarks and land owners. Tax maps are generally based on aerial photography that show roads and stonewalls. As mentioned in my report dated 9-7-2017, stonewalls were commonly built along road sidelines, separating the road right of way from abutting land. Stone walls are considered artificial monuments since they are manmade. The order of importance in determining boundaries that is generally recognized by the courts and used by land surveyors is: 1. natural monuments, 2. artificial monuments, 3. bearings and distances, 4. area. In comparing the 1842 road layout to the road that was constructed, I used artificial monuments such as stone walls that are evidence of the town line and Brown Road right of way. These artificial monuments rank higher in order of importance than bearings and distances when determining the intended road location.

The attached plan is a plot of Tuftonboro Tax Map No. 69 with the 1842 Road Layout traced onto it using the alignment points described above. The beginning point, the center of Brown Road at the Town Line that I described above, is the same beginning point that I used when comparing the original road layout to plans of record mentioned in my original report. As the attached plan demonstrates, the existing Brown Road and the ancient stone walls conform very well to the original 1842 road layout, particularly when considering the original layout was measured and expressed in bearing to the nearest degree and lengths measured and expressed in rods.

Respectfully,

Michael B. Bemis, NHLLS 612