

DOCUMENT REFERENCES

DEEDS

- D1 BOOK "J" DEEDS 202, MCR, WARREN DUTTON TO TRUSTEES OF TOMALES FIRST PRESBYTERIAN, RECORDED 7-11-1871
- D2 BOOK "U" DEEDS 324, MCR, WARREN DUTTON TO HAGERTY, RECORDED 3-01-1880
- D2A 29 DEEDS 134, M. HAGERTY TO B. ROURKE, RECORDED 3-16-1894
- D3 1 DEEDS 349, MCR, WARREN DUTTON TO R. LAUDGRAF, RECORDED 8-25-1884
- D4 7 DEEDS 615, MCR, LAUDGRAF TO W.F. BASSETT, RECORDED 2-11-1888
- D5 37 DEEDS 89, MCR, WARREN DUTTON TO W.H. VAUGHAN, RECORDED 11-19-1895
- D6 37 DEEDS 87, MCR, WARREN DUTTON TO W.H. VAUGHAN, RECORDED 11-19-1895
- D7 85 DEEDS 214, MCR, DECREE OF PARTIAL DISTRIBUTION, IN THE MATTER OF THE ESTATE OF WARREN DUTTON, DECEASED, RECORDED 1-11-1904
- D8 85 DEEDS 220, MCR, C.D. DUTTON TO J.W. DUTTON, RECORDED 1-11-1904
- D9 87 DEEDS 231, J.W. DUTTON TO G.A. PATTEN, RECORDED 6-15-1904
- D10 94 DEEDS 50, J.W. DUTTON TO C.A. PATTEN, RECORDED 7-01-1905
- D11 94 DEEDS 51, MCR, J.W. DUTTON TO W.F. BASSETT, RECORDED 7-01-1905
- D12 220 DEEDS 85, MCR, A.J. BASSETT TO R. TOMBA, RECORDED 11-05-1920
- D13 13 OR 12, MCR, J.W. DUTTON TO D. BORDESSA, RECORDED 1-05-1923
- D14 450 OR 87, MCR, QUITCLAIM DEED, A.C. WELLS TO A. CERINI & E. GERVASONI, RECORDED 7-21-1943
- D15 469 OR 42, MCR, J.W. DUTTON TO TRUSTEES OF THE TOMALES PRESBYTERIAN CHURCH, RECORDED 9-15-1944
- D16 569 OR 130, C.E. HULBERT TO TOMALES PRESBYTERIAN CHURCH, RECORDED 11-19-1947
- D17 2135 OR 2, MCR, COURT ORDER SALE OF REAL PROPERTY, FROM VIOLA MITCHELL, ADMINISTRATRIX OF THE ESTATE OF WILLIAM H. ABLES, TO ROBERT DE LA VERGNE, FILED 6-05-1967, AND SUBSEQUENT GRANT DEED, 2135 OR 4, RECORDED 6-12-1967, MCR
- D18 DN 1992-072819, MCR, REFEREE'S DEED, HULBERT-THOMSON, ET. AL. TO N. MCGAFFEY, RECORDED 9-16-1992
- D19 DN 1992-072820, MCR, QUITCLAIM DEED, MCGAFFEY TO HULBERT, ET. AL., RECORDED 9-16-1992
- D20 DN 2016-0003802, MCR, SIMPLE REVOCABLE TRANSFER ON DEATH (TOD) DEED, EVA VAN DER HAVE TO MARGARITA ORVIS, CORNELIA NELLY VAN DER HAVE & ALDE FESKANIN, BENEFICIARIES, RECORDED 1-28-2016

MAPS

- R1 PLAT OF THE VILLAGE OF TOMALES, SURVEYED BY H. AUSTIN IN APRIL 1868 FOR WARREN DUTTON, AND FIELD NOTES/PLATS, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R2 OFFICIAL MAP OF MARIN COUNTY, CA, COMPILED FROM RECORDS AND SURVEYS OF GEO. M. DODGE, C.E., DATED 1892, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R3 PLAT OF THE PUBLIC CEMETERY IN THE VILLAGE OF TOMALES, SURVEYED BY H. AUSTIN IN JANUARY 1874, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R4 1 RM 114, MCR, MAP ENTITLED "TOMALES, MARIN CO., CA.," FILED 10-28-1900
- R5 SANBORN MAP COMPANY (SURVEYOR UNKNOWN) FIRE INSURANCE MAP OF THE VILLAGE OF TOMALES, DATED MAY, 1911; ON FILE AT THE PETALUMA PUBLIC LIBRARY AND THIS OFFICE
- R6 CITY OF TOMALES BUSINESS DISTRICT, (MAP MAKER UNKNOWN) DATED 1919, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R7 MAP ENTITLED, "TOMALES, "DUTTON", MARIN COUNTY", (SURVEYOR UNKNOWN). J.C. OGLESBY ARCHIVES, R-A-7-21B, DATE UNKNOWN, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R8 W.G. VOORHIES, PLS 2135, SURVEY #4577, FIELD BOOK 104, JANUARY 1962, ON FILE AT THE ANNE T. KENT CALIFORNIA ROOM, MARIN COUNTY FREE LIBRARY
- R9 2 OS 73, MCR, FILED 12-02-1930 (PER R10)
- R10 2 OS 155, MCR, FILED 1950
- R11 1 PM 77, MCR, FILED 4-06-1967
- R12 4 PM 3, MCR, FILED 6-16-1969
- R13 9 OS 70, MCR, FILED 9-23-1970
- R14 15 OS 14, MCR, FILED 8-29-1978
- R15 18 PM 21, MCR, FILED 6-30-1980
- R16 18 OS 99, MCR, FILED 2-17-1984
- R17 24 OS 23, MCR, FILED 2-26-1988
- R18 26 OS 10, MCR, FILED 6-29-1989
- R19 32 OS 70, MCR, FILED 3-28-1994
- R20 35 OS 60, MCR, FILED 12-19-1996
- R21 36 OS 01, MCR, FILED 3-06-1997
- R22 2002 MAPS 212, MCR, FILED 10-28-2002
- R23 2009 MAPS 63, FILED 4-10-2009
- R24 2018 MAPS 199, MCR, FILED 12-07-2018

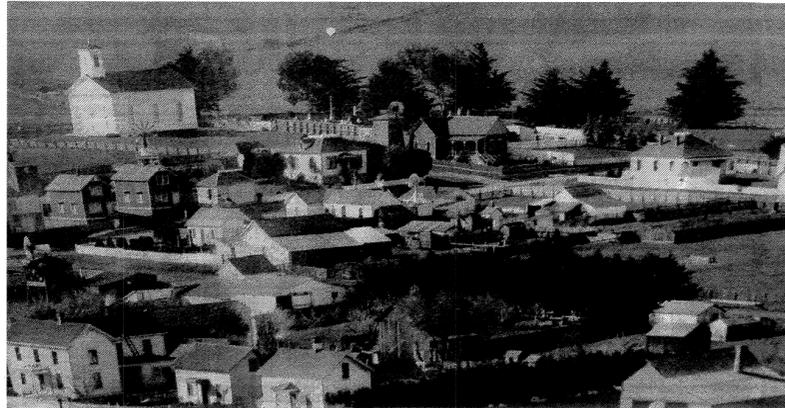


EXHIBIT A - CHURCH ST. AREA - PHOTO TAKEN FEB 27, 1900

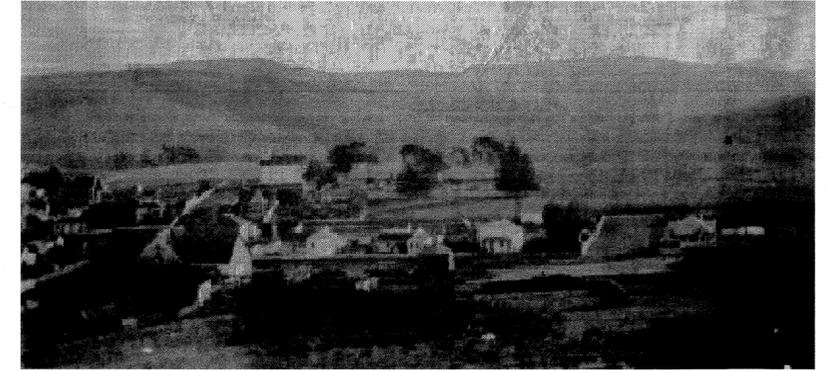


EXHIBIT B - CHURCH ST. AREA - PRE - 1915

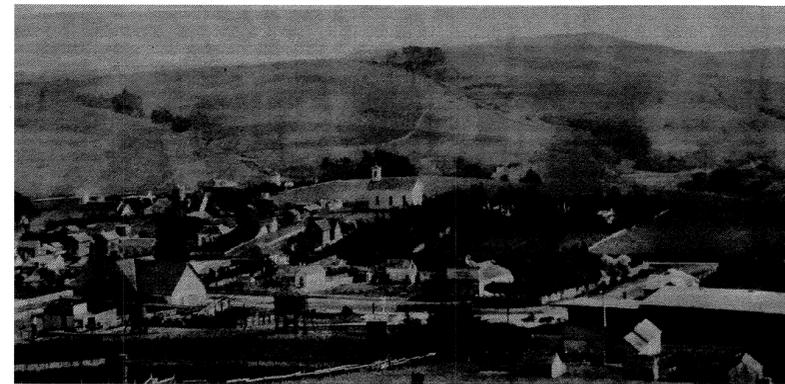


EXHIBIT C - CHURCH ST. AREA - 1915

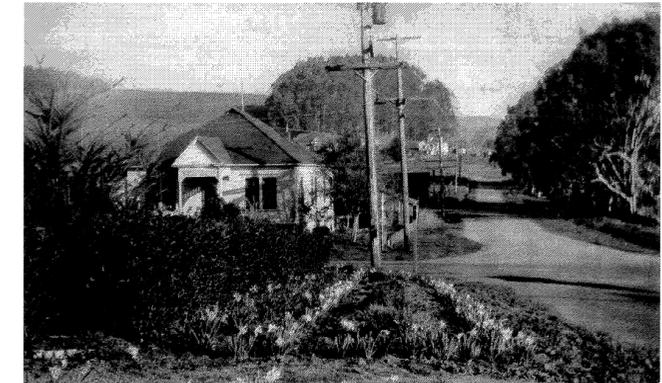


EXHIBIT D - CHURCH ST. / CARRIE ST. INTERSECTION - 1930

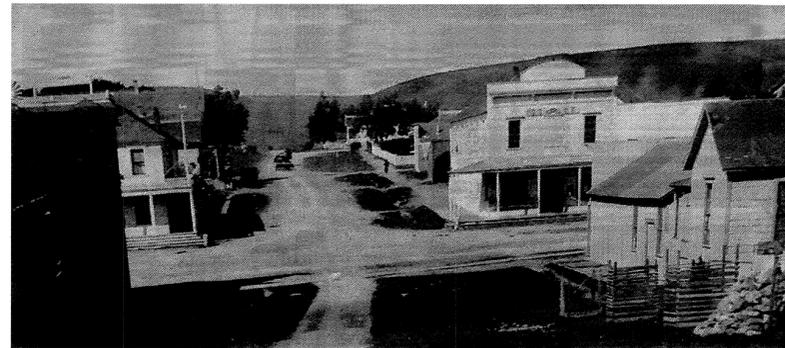


EXHIBIT E - FIRST STREET - CIRCA 1916



EXHIBIT F - TOMALES - 1898

NOTE

ALL PHOTOGRAPHS SHOWN HEREON ARE ON FILE AT THE TOMALES REGIONAL HISTORY CENTER, WHERE THEY CAN BE OBSERVED MUCH MORE CLEARLY.

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF KAY VAN DER HAVE IN MAY OF 2019.

Dean J. Barberio
 DEAN J. BARBERIO, P.L.S. 8659
 8-28-2020
 DATE



COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS' ACT

THIS 31ST DAY OF AUGUST 2020.

TRACY W. PARK, PLS 8176 COUNTY SURVEYOR
David O. Knell
 DAVID O. KNELL, PLS 5301
 DEPUTY COUNTY SURVEYOR



COUNTY RECORDER'S CERTIFICATE

FILED THIS 4TH DAY SEP 2020, AT 8:00 A.M.

IN BOOK 2020 OF MAPS AT PAGE 224 AT THE REQUEST OF MARIN DEPARTMENT OF COUNTY PUBLIC WORKS

DOC. NO. 2020-4202 FEE PAID \$90-

Sheri Scott
 COUNTY RECORDER

BY DEPUTY

RECORD OF SURVEY

OF THE LANDS OF VAN DER HAVE, SOLE BENEFICIARY UNDER THE SIMPLE REVOCABLE TRANSFER ON DEATH DEED RECORDED UNDER DOCUMENT NUMBER 2016-0003802, MARIN COUNTY RECORDS, AND QUITCLAIM DEEDS RECORDED UNDER DOCUMENT NUMBERS 2019-0025660 & 2019-0025661, MARIN COUNTY RECORDS, AND DESCRIBED THEREIN

COUNTY OF MARIN TOMALES STATE OF CALIFORNIA

STEVEN J. LAFRANCHI & ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS - LANDSCAPE ARCHITECTS
 PETALUMA THEATRE SQUARE
 140 SECOND STREET, SUITE 312
 PETALUMA, CALIFORNIA 94952
 707-762-3122 FAX 707-762-3239

DATE: 2020.08.26
 192088ROS

APN 102-062-02

SHEET 1 OF 4

224

BOUNDARY / TITLE HISTORY & BOUNDARY KEYNOTES

THE LANDS OF VAN DER HAVE (VDH) AND ITS ENVIRONS, AND IN FACT, MOST OF THE TOWN OF TOMALES, WAS, IN 1873, OWNED BY WARREN DUTTON, AS SHOWN ON R2. IN THE YEARS PRECEDING THE FIRST FILING OF A MAP OF THE TOWN OF TOMALES (1 RM 114, MCR, R4), DUTTON HAD COMMISSIONED AT LEAST TWO MAPS OF THE TOWN TO BE CREATED – ONE THE RESULT OF A SURVEY PERFORMED BY HIRAM AUSTIN, THE MARIN COUNTY SURVEYOR, IN APRIL OF 1868 (R1), AND THE OTHER BY NOEL MARIOTTE, IN MAY 1876, THE RECORD OF WHICH WAS NOT DISCOVERED.

THE CHALLENGE OF RETRACING THE 1895 BOUNDARY OF THE LANDS OF VDH APPEARS COMPOUNDED BY THE FOLLOWING FACTS:

- THE TWO ORIGINAL 1895 DESCRIPTIONS OF THE LANDS OF VDH (D5 & D6), REFER TO MARIOTTE'S UNDISCOVERED 1876 MAP.
- THE CURRENT DESCRIPTION OF THE LANDS OF VDH (DN 2016-0003802, MCR, D20, A COMBINATION OF THE TWO ORIGINAL 1895 DESCRIPTIONS, AND AN EXCEPTION), REFERS BOTH TO MARIOTTE'S 1876 MAP AND 1 RM 114, MCR.
- THE ORIGINAL DEED DESCRIPTION OF THE LANDS OF MCGAFFEY, VDH'S WESTERLY ADJOINER (85 DEEDS 214, MCR, D7) REFERS AMBIGUOUSLY TO "DUTTON'S SURVEY OF THE VILLAGE OF TOMALES", YET THE CURRENT DEED DESCRIPTION OF THE LANDS OF MCGAFFEY (DN 1992-072819, MCR, D18), REFERS TO 1 RM 114, MCR, ONLY.
- NUMEROUS DISCREPANCIES EXIST BETWEEN AUSTIN'S 1868 MAP AND THE 1900 MAP OF TOMALES (1 RM 114), AND, OF COURSE, UNKNOWN DISCREPANCIES MAY EXIST BETWEEN EACH OF THEM AND MARIOTTE'S 1876 MAP.

YET, WITH THE COMBINATION OF OTHER DESCRIPTIVE WORDS IN THE TWO ORIGINAL DEEDS OF THE LANDS OF VDH, THE RESULTS OF CHAIN OF TITLE AND JUNIOR/SENIOR RIGHTS RESEARCH, AND FIELD EVIDENCE, A RETRACEMENT CAN BE MADE.

DUTTON, VIA THE ORIGINAL DEEDS OF THE LANDS OF VDH (D5 & D6), AND OTHER DEEDS IN THE BLOCKS BORDERING THE INTERSECTION OF DILLON BEACH ROAD (FORMERLY FIRST STREET, AND REFERRED TO AS SUCH THROUGHOUT THESE BOUNDARY KEYNOTES), AND CHURCH AND CARRIE STREETS, HAD, BY THE TIME OF THE FILING OF 1 RM 114, MCR, IN OCTOBER OF 1900, ALREADY CONVEYED PARCELS OF LAND SHOWN AS LOTTED ON 1 RM 114.

YET, UNLIKE IN MARCH OF 1880 (BOOK "U" DEEDS 324, MCR, D2), WHERE DUTTON CONVEYED A PARCEL AT THE NORTHWEST CORNER OF THE INTERSECTION BY A DESCRIPTION REFERRING TO PARTICULAR LOTS IN BLOCK 13 OF MARIOTTE'S 1876 MAP, IN HIS JULY OF 1871 CONVEYANCE (BOOK "J" DEEDS 202, MCR, D1), AND HIS NOVEMBER OF 1895 CONVEYANCES OF THE TWO ORIGINAL PARCELS OF THE LANDS OF VDH, HE OMITTS ANY SUCH PARTICULAR REFERENCES TO MARIOTTE'S 1876 MAP (OR DUTTON'S 1868 MAP). INSTEAD, IN D5, HE OMITTS ANY REFERENCE TO A MAP AND CONVEYS A PARCEL BY A METES AND BOUNDS DESCRIPTION WITH SPECIFIC CALLS TO FIRST STREET AND A NORTHWESTERLY CORNER OF AN EARLIER PARCEL (D3 & D4), WHOSE DESCRIPTION ALSO CONTAINED NO REFERENCE TO A MAP, AND CONTAINS CALLS TO FIRST AND CHURCH STREET "AS NOW FENCED". IN D6, HE OMITTS ANY REFERENCE TO PARTICULAR LOTS OF BLOCK 8 OF MARIOTTE'S 1876 MAP AND CONVEYS A PARCEL BY A METES AND BOUNDS DESCRIPTION WITH SPECIFIC CALLS TO FIRST STREET AND THE NORTHWEST CORNER OF D5, WITH THE SPECIFIC WORDS "NOW OWNED AND OCCUPIED".

IT IS THE OPINION OF THIS SURVEYOR THAT THE UNAVAILABILITY OF MARIOTTE'S 1876 MAP DOES NOT HINDER THE RETRACEMENT OF THE BOUNDARY LINES OF THE LANDS OF VDH, DUE TO THE SPECIFIC CALLS WITHIN THE DESCRIPTIONS IN THE SENIOR DEEDS CONVEYING THE ORIGINAL PARCELS COMPRISING THE LANDS OF VDH. THE WESTERLY ADJOINER (LANDS OF MCGAFFEY), LEAVING ASIDE, FOR THE MOMENT, THE ISSUE OF THE EXCEPTION PORTION OF D17, IS CLEARLY THE JUNIOR DEED, BEING A PORTION OF THE REMAINING LANDS OWNED BY DUTTON WESTERLY OF THESE LANDS CONVEYED BY D5 & D6 IN 1895.

THE POINT OF COMMENCEMENT OF 37 DEEDS 89 (D5), IS "THE NORTHWESTERLY CORNER OF THE LOT OWNED BY W.F. BASSETT". WARREN DUTTON FIRST GRANTED THIS LOT TO ROBERT LAUDGRAF (1 DEEDS 349, D3) IN AUGUST OF 1884, WHO LATER GRANTED IT TO W.F. BASSETT (7 DEEDS 615, D4) IN FEBRUARY OF 1888. BOTH THESE DEEDS STATE A POINT OF BEGINNING AS "THE SOUTH EAST CORNER OF FIRST AND CHURCH STREET, AS NOW FENCED", AND "ALONG THE EAST LINE OF CHURCH STREET 100 FEET" AS THE NEXT CALL. W.F. BASSETT EVENTUALLY ACQUIRED ANOTHER 100 FEET ALONG CHURCH STREET VIA TWO SUBSEQUENT DEEDS, WITH THE DESCRIPTION OF THE POINT OF BEGINNING FOR THE MOST SOUTHERLY OF THESE, IN 94 DEEDS 51 (D11) BEING "COMMENCING AT A POINT ON THE EAST LINE OF CHURCH STREET AS NOW FENCED DISTANT 150 FEET SOUTHERLY FROM THE SOUTH EAST CORNER OF CHURCH AND FIRST STREETS", MAKING IT CLEAR THAT IN ALL THESE DEEDS, THE EAST LINE OF CHURCH STREET REFERRED TO THAT LINE AS IT WAS FENCED.

1 IN JULY OF 1978, JOSEPH GRIPPI SURVEYED (15 RM 14, MCR, R14) THIS EASTERLY LINE OF CHURCH STREET (BEING THE WESTERLY LINE OF 220 DEEDS 365 (D12), IN WHICH A.J. BASSETT SOLD ALL THREE OF THE ORIGINAL PARCELS ALONG THE EASTERLY LINE OF CHURCH STREET IN NOVEMBER OF 1920). GRIPPI FOUND AN EXISTING FENCE LINE EASTERLY OF THE PRESBYTERIAN CHURCH MATCHING WELL WITH THE ORIENTATION OF THE PAVED SURFACE OF CHURCH STREET. HE MAPPED TWO OTHER FENCE LINES THAT HE FOUND FIT WELL WITH THE ANGULAR AND DISTANCE RELATIONSHIPS DESCRIBED IN THE ORIGINAL DEEDS (AND COMBINED IN 220 DEEDS 365). THIS EXTRINSIC EVIDENCE, AND SOME OF THE DOCUMENTARY EVIDENCE MENTIONED ABOVE, LED HIM TO ACCEPT THE FENCE LINE AND ITS NORTHERLY PROJECTION AS THE "PERPETUATED POSITION OF CHURCH STREET AS FENCED CALLED FOR IN ORIGINAL BLOCK DEEDS".

GRIPPI'S RESOLUTION OF THE "EASTERLY LINE OF CHURCH STREET AS FENCED" NOT ONLY REVEALS AN ANGULAR DISCREPANCY WITH THAT SHOWN ON 1 RM 114 (R4), AS WELL AS AUSTIN'S MAP (R1) AND OTHER HISTORIC DOCUMENTS (THE NON-PERPENDICULAR ANGULAR RELATIONSHIP BETWEEN CHURCH AND FIRST STREETS), IT, ALONG WITH THE REST OF HIS MAP, ALSO DISCLOSES A MAJOR DISCREPANCY BETWEEN HIS RESOLVED LOCATION OF CHURCH STREET AND THE LOCATION DEPICTED ON THESE MAPS. 1 RM 114 SHOWS THE WESTERLY LINE OF CHURCH STREET BEING A PROJECTION SOUTHERLY OF THE EASTERLY LINE OF CARRIE STREET. GRIPPI FOUND, BY HOLDING THE RESOLVED LOCATION OF CARRIE STREET, PER 4 RM 3 (R12), WHICH WAS BASED ON EVIDENCE FOUND BETWEEN CARRIE STREET AND MAIN STREET (THIS RESOLUTION HAS BEEN RELIED UPON BY A NUMBER OF SURVEYS IN THE BLOCKS NORTH OF FIRST STREET SINCE THE 1960'S), WHICH HE FOUND CORROBORATED BY FURTHER EVIDENCE HE FOUND AT THE SOUTHEASTERLY END OF VALLEY AVENUE, THAT THE RECORD 1 RM 114 POSITION OF THE NORTHEAST CORNER OF CHURCH STREET AND FIRST STREET TO BE NEARLY 60 FEET EASTERLY OF HIS RESOLVED POSITION (THAT IS, HE FOUND VALLEY AND CHURCH STREETS, ALONG FIRST STREET, TO BE ALMOST 60 FEET FURTHER APART THAN THAT SHOWN ON 1 RM 114, MCR.) MOST OF CHURCH STREET, AS SHOWN ON 1 RM 114, IS EASTERLY OF GRIPPI'S RESOLVED HISTORIC LOCATION OF THE EASTERLY LINE OF CHURCH STREET. IN FACT, THE LOCATION OF CHURCH STREET, SHOWN ON 1 RM 114, USING THE RESOLVED POSITION OF CARRIE STREET, PER R12, OR CHURCH STREET'S LOCATION, PER R24, PLACES THE HISTORIC POSITION OF W.F. BASSETT'S HOUSE, BUILT, PER THE MARIN COUNTY ASSESSOR'S RECORDS, IN 1900, (THOUGH EXHIBIT F, SHEET 1, SHOWS IT WAS ALREADY BUILT IN 1898, AND MAY HAVE BEEN EARLIER AS BASSETT OWNED THE LOT SINCE FEBRUARY OF 1889), IN THE MIDDLE OF CHURCH STREET. CLEARLY THESE LOCATIONS PER R4 & R24 ARE NOT CORRECT.

SINCE 1973, GRIPPI'S RESOLVED LOCATION OF THE EASTERLY LINE OF CHURCH STREET HAS BEEN USED TO REFORM THE DEEDS FOR THE PROPERTIES ALONG THE EASTERLY SIDE OF CHURCH STREET TO INCLUDE THE LANDS BETWEEN THIS HISTORIC "EASTERLY LINE OF CHURCH STREET AS FENCED" AND THE WESTERLY LINES OF THE BLOCK 6 LOTS OF R4 ALONG THIS STREET.

THIS SURVEY ACCEPTS GRIPPI'S RESOLUTION OF THE EASTERLY LINE OF CHURCH STREET, AND ITS NON-PERPENDICULAR ORIENTATION WITH FIRST STREET, AND HOLDS ITS BEARING FOR THE SIDELINES OF THE TWO ORIGINAL LOTS COMPRISING THE LANDS OF VDH (D5 & D6), BASED ON THE EVIDENCE SHOWN ON HIS MAP, AND THE FOLLOWING ADDITIONAL CORROBORATIVE EVIDENCE:

- PHOTOGRAPHS OF TOMALES, EXHIBITS A-C, SHOWN ON SHEET 1, SHOW THE FENCE CORNER AT THE NORTHEAST CORNER OF FIRST STREET (DILLON BEACH ROAD) AND CHURCH STREET, AND THE FENCE THAT RAN ALONG THE EASTERLY SIDE OF CHURCH STREET ALL THE WAY TO THE FENCING SOUTHERLY OF THE PRESBYTERIAN CHURCH (OTHER PICTURES DISCOVERED AT THE TOMALES REGIONAL HISTORY CENTER SHOW THE FENCING SOUTHERLY OF THE CHURCH EVEN CLEARER). THEY ALSO SHOW THE GENERAL LOCALATIONAL RELATIONSHIPS BETWEEN THE FENCE ALONG THE EASTERLY LINE OF CHURCH STREET, CHURCH STREET (DIRT ROAD), THE CHURCH, W.F. BASSETT'S HOUSE, AND THE STRUCTURES AND FENCING ON THE SUBJECT PARCEL, CLEARLY SHOWING THE TWO ORIGINAL PARCELS THAT COMPRISE THE LANDS OF VDH, AND THE GENERAL PARALLELISM OF THESE FENCES AND STRUCTURES.
- EXHIBIT D, A 1930 PHOTO, CLEARLY SHOWS CHURCH STREET AND CARRIE STREET AS NOT BEING OFFSET AS DEPICTED ON 1 RM 114, MCR.

2 THE BEARING OF THE BUILDING LINES OF THE TWO EXISTING STRUCTURES ON THE SUBJECT PARCEL MATCH WELL WITH THE BEARING OF GRIPPI'S RESOLVED EASTERLY LINE OF CHURCH STREET. HOLDING THIS BEARING FOR THE SIDELINES OF 37 DEEDS 89 (D5), ALONG WITH THE RECORD LENGTHS ALONG FIRST STREET, PER D5, PRODUCES SIDELINE LOCATIONS WITH CLEARANCES WITH THE HISTORIC PORTIONS OF THE CURRENT FOOTPRINTS OF THE EXISTING STRUCTURES THAT ARE GENERALLY SUPPORTED BY THE HISTORIC PHOTOS SHOWN AS EXHIBITS A-C ON SHEET 1. IT IS CLEAR IN THE PHOTOS THAT THE WESTERLY FENCE OF THE EASTERLY PARCEL RUNS FAIRLY CLOSE TO THE BUILDING LINE OF THE SOUTHWEST CORNER OF THE MAIN DWELLING. PER A CONVERSATION WITH THE OWNER, A PORTION OF THE FLOOR OF THE PRESENT-DAY SECONDARY DWELLING IS MADE OF VERY OLD CONCRETE AND TIMBERS, AND IS IN ALL LIKELIHOOD THE HISTORIC LOCATION OF THE ORIGINAL WATER TOWER STRUCTURE IN THESE PHOTOS.

3 THE BEARING OF THE EXISTING WIRE FENCE SEPARATING THE LANDS OF VDH WITH ITS WESTERLY ADJOINER MATCHES WELL WITH THE BEARING OF GRIPPI'S RESOLVED LINE. HOLDING THIS BEARING AND THE RECORD DISTANCE ALONG FIRST STREET, PER D5 & D6, CREATES A WESTERLY LINE OF D6 THAT FITS WELL WITH THE ORIENTATION OF BOTH THE EXISTING FENCE, AND THE LINE OF OLD EUCALYPTUS TREE STUMPS FOUND IN THIS AREA. EXHIBITS A-C ON SHEET 1 SHOW TREES ALONG THIS FENCE AT LEAST AS EARLY AS 1900, AND THESE LARGE TREES MIGHT ACCOUNT FOR THE EXISTING FENCE'S DISPLACEMENT WESTERLY OF THIS RESOLVED LINE. THIS SURVEYOR'S OPINION IS THAT THIS EVIDENCE, AND THAT DISCUSSED IN [2], SUPPORTS NOT HOLDING THE "AT RIGHT ANGLES" CALLS OF D5 & D6. DOING SO WOULD LEAD TO A RESOLUTION OF THE SIDELINES OF D5 & D6 RUNNING THROUGH THE HISTORIC PORTION OF THE SECONDARY DWELLING, AND DEVIATING FROM THE WESTERLY LINE OF THE HISTORIC MAIN BUILDING BY NEARLY 10 FEET, AS WELL AS THE ORIENTATION OF THE EXISTING WIRE FENCE AND STUMPS.

4 THE BEARING OF THE BUILDING LINE OF THE PRESBYTERIAN CHURCH MATCHES WELL WITH THE BEARING OF GRIPPI'S RESOLVED EASTERLY LINE OF CHURCH STREET. THE EARLIEST PARCEL CONVEYED BY WARREN DUTTON DISCOVERED DURING THIS SURVEY (7-11-1871) IS THIS CHURCH PARCEL (J DEEDS 202, R1). THIS DEED READS "COMMENCING AT A POINT 10 FEET SOUTHERLY FROM THE SOUTHEAST CORNER OF THE PRESBYTERIAN CHURCH, THENCE RUNNING NORTHERLY ALONG THE LINE OF THE STREET 200 FEET", CLEARLY INDICATING, THOUGH A BIT DIFFICULT TO FULLY INTERPRET, THAT CHURCH STREET WAS LOCATED NEAR THE CHURCH IN 1871. A PLAT OF THE PUBLIC CEMETERY, PRODUCED BY A HIRAM AUSTIN SURVEY FOR WARREN DUTTON IN JANUARY OF 1874 (R3), SHOWS A TIE FROM THE SOUTHWEST CORNER OF THE CHURCH TO THE SOUTHEAST CORNER OF THE CEMETERY WHICH FITS WELL WITH THE CURRENT LOCATION OF THE CHURCH AND THE CEMETERY CORNER, PER R10.

5 THE DESCRIPTIONS OF TWO PARCELS THAT J.W. DUTTON, WARREN'S SON, GRANTED IN JUNE OF 1904 AND JULY OF 1905 (87 DEEDS 231 (D9) AND 94 DEEDS 50 (D10), RESPECTIVELY), SPANNING BETWEEN CHURCH STREET AND VALLEY STREET, SOUTH OF BASSETT'S LANDS, SUPPORT GRIPPI'S FINDINGS. THEY BOTH CONTAIN CALLS AND DIMENSIONS THAT DEMONSTRATE THAT THE TWO STREETS ("CHURCH STREET "AS FENCED" AND VALLEY AVENUE "AS IT IS NOW LAID OUT"), CONTRARY TO THAT SHOWN ON 1 RM 114, WERE NOT PARALLEL (RECTANGLES ARE NOT DESCRIBED IN THESE DEEDS), AND WERE MUCH FURTHER APART THAN THAT SHOWN ALSO.

6 IN 85 DEEDS 214 (D7), A DECREE OF PARTIAL DISTRIBUTION OF THE ESTATE OF WARREN DUTTON, THE REMAINING LANDS OF BLOCK 8 (EXCEPTING D5 & D6), ALONG WITH NUMEROUS OTHER PARCELS, ARE DISTRIBUTED TO J.W. DUTTON, WARREN'S SON. THIS DOCUMENT CONTAINS THE FIRST LEGAL DESCRIPTION OF THESE REMAINING LANDS OF BLOCK 8, BEING LOTS 4, 5, 6 & 7, IN BLOCK 8, ALL OF DUTTON'S SURVEY OF THE VILLAGE OF TOMALES. AS DISCUSSED ABOVE, THE LANDS OF VDH HAD ALREADY BEEN CONVEYED IN 1895 WITH DESCRIPTIONS WITHOUT REFERENCES TO THE LOTTING SHOWN ON DUTTON'S 1868 SURVEY, OR 1 RM 114, MCR. THIS ATTEMPT TO NOW DESCRIBE THE REMAINING LANDS IN THE BLOCK IN REFERENCE TO THIS LOTTING (POSSIBLY TO THE LOTTING OF 1 RM 114, AS DUTTON'S 1868 MAP SHOWS NO LOT 1, AND TWO LOT 5'S, IN BLOCK 8, ALONG WITH A SLIGHTLY DIFFERENT CONFIGURATION IN THE WESTERLY PORTION OF BLOCK 8) SUGGESTS THAT IT MAY HAVE BEEN ASSUMED THAT THE 50 FOOT WIDE PARCEL (D5), AND THE 100 FOOT WIDE PARCEL (D6), THAT HAD ALREADY BEEN CONVEYED WESTERLY OF CHURCH STREET, CORRESPONDED TO LOTS 1, 2 & 3 OF BLOCK 8. THIS LEAVING LOTS 4, 5, 6 & 7 AS WARREN DUTTON'S REMAINING LANDS IN THE BLOCK. BUT WITH CHURCH STREET APPROXIMATELY 60 FEET WESTERLY THAN THAT SHOWN ON DUTTON'S 1868 MAP OR 1 RM 114 (AND NOT PERPENDICULAR TO FIRST STREET), THAT ASSUMPTION WAS INVALID. A MORE ACCURATE DESCRIPTION WOULD HAVE BEEN SOMETHING ALONG THE LINES OF "ALL OF BLOCK 8, EXCEPTING THEREFROM THOSE LANDS DESCRIBED IN D5 AND D6."

THE FIRST APPEARANCE IN THE TITLE RECORD OF THE EXCEPTION PARCEL IN THE CURRENT DEED FOR THE LANDS OF VDH (D16) IS IN SEPTEMBER OF 1944 (469 OR 42, MCR, D14), WHEN J.W. DUTTON GRANTS THIS 10 FOOT STRIP (THE WESTERLY 10 FEET OF LOT 3, 1 RM 114) TO THE TRUSTEES OF THE TOMALES PRESBYTERIAN CHURCH, ALONG WITH ALL OF LOTS 4-8 OF BLOCK 8, 1 RM 114, AND LANDS THE CEMETERY HAD OCCUPIED FOR ALMOST 70 YEARS (THE WESTERLY PORTION OF BLOCK 7, 1 RM 114). A THOROUGH TITLE SEARCH RECOVERED NO DEED IN THE RECORD EVER GRANTING THIS STRIP TO J.W. DUTTON. THOUGH A 1919 MAP OF THE BUSINESS DISTRICT OF TOMALES (R6) SUGGESTS THIS STRIP MAY HAVE BEEN CONTEMPLATED AS EARLY AS THEN, A CONVEYANCE OF IT APPEARS TO HAVE NEVER BEEN MADE TO J.W. DUTTON, AND HENCE, TO ANY OF HIS SUCCESSORS IN TITLE.

IN ADDITION, THE WESTERLY 10 FEET OF LOT 3, AND A LARGE PORTION OF LOT 4, PER 1 RM 114, ARE SHOWN BY THIS SURVEY TO BE LANDS LOCATED WELL WITHIN THE BOUNDS OF THE LANDS PREVIOUSLY CONVEYED BY DUTTON IN NOVEMBER OF 1895 IN 37 DEEDS 87 (D6), DETERMINED PER [1] - [4].

7 THIS SURVEY FOUND A BEST FIT (LEAST SQUARES) LINE OF THE LOCATED EDGES OF LOTS 97-104 OF THE ORIGINAL TOMALES CEMETERY (R3,R9) MATCHED WELL WITH THAT SAME LINE SHOWN ON R10, DERIVED BY HOLDING FOUND MONUMENTS "E" ALONG THE WESTERLY LINE OF THE CEMETERY ADDITION SHOWN ON R10.

8 BOTH R1 AND R4 DEPICT THE WESTERLY LINE OF BLOCK 8 AS BEING THE NORTHERLY PROJECTION OF THE WESTERLY LINE OF THE ORIGINAL CEMETERY PARCEL (R3,R9), WITH BOTH LINES BEING THE EASTERLY LINE OF A 16' WIDE ALLEY. THIS IS ALSO SUPPORTED BY A QUITCLAIM DEED IN JULY OF 1943 (450 OR 87, MCR, D14), WHICH DESCRIBES A "9 ACRE (MORE OR LESS) TRACT OF LAND BELONGING TO DAVID BORDESSA LYING SOUTHWEST OF THE COUNTY ROAD LEADING FROM TOMALES TO DILLONS BEACH, AND ADJOINING THE PRESBYTERIAN CEMETERY ON ITS WEST SIDE". J.W. DUTTON HAD GRANTED THESE LANDS TO BORDESSA, IN JANUARY OF 1923 (13 OR 12, MCR, D13), WITH THE SAME METES AND BOUNDS DESCRIPTION THAT DESCRIBES THESE LANDS TODAY (DN 1992-072820, PARCEL SIX, D19), THOUGH NOW THE DESCRIPTION INCLUDES THE EXCEPTION FOR THE LANDS GRANTED BY HULBERT TO THE TOMALES PRESBYTERIAN CHURCH IN NOVEMBER OF 1947 (569 OR 130, D15) TO EXTEND THE CEMETERY WESTERLY.

THE APPROXIMATE LOCATION OF THE WESTERLY LINE OF BLOCK 8 SHOWN HEREON (POSSIBLE ADDITIONAL EVIDENCE WESTERLY OF THIS BLOCK WAS NOT CONSIDERED, NOR NEEDED TO DEMONSTRATE [9], AS THE OVERLAP IN TITLE LINES, PER [9], IS OVER 28 FEET) WAS DETERMINED BY HOLDING THE RECORD PERPENDICULAR OFFSET LENGTH OF 22 FEET, PER R1, R4, & D15, FROM THE BEST FIT LINE OF THE WESTERLY EDGES OF CEMETERY PLOTS 97-104, DETERMINED PER [7]. BOTH R19 AND R24 MISTAKENLY DEPICT THEIR DETERMINATIONS OF THIS OFFSET LINE AS THE WESTERLY EDGE OF THE 16' WIDE ALLEY, AND HENCE DEPICT THE WESTERLY LINE OF BLOCK 8 APPROXIMATELY 16 FEET EASTERLY.

9 HOLDING THE TOTAL RECORD WIDTH OF LOTS 4-7 (210'), FROM THIS APPROXIMATE LOCATION OF THE WESTERLY LINE OF BLOCK 8, 1 RM 114, PER [8], IT IS CLEAR THAT A PORTION OF THE LEGAL DESCRIPTION WRITTEN IN JANUARY OF 1904 (85 DEEDS 214, MCR, D7) DESCRIBED LANDS DUTTON HAD ALREADY GRANTED IN NOVEMBER OF 1895 IN 37 DEEDS 87 (D6), AND THAT THE DESCRIPTION "WESTERLY 10 FEET OF LOT 3, 1 RM 114", IN ADDITION TO NOT BEING SUBSTANTIATED BY A RECORD TITLE DOCUMENT, ALSO DESCRIBES LANDS PREVIOUSLY GRANTED.

THE APPEARANCE OF THIS EXCEPTION DESCRIPTION IN SEPTEMBER OF 1944 (469 OR 42, MCR, D14) LED SUBSEQUENT OWNERS OF THE LANDS OF VDH TO UNWITTINGLY INCLUDE THIS EXCEPTION LANGUAGE IN THEIR CONVEYANCES (EXCEPTING A STRIP OF LAND WITHIN THEIR PARCEL), AND THE FIRST TO DO SO, VIOLA MITCHELL IN JUNE OF 1967 (2135 OR 4), WOULD TECHNICALLY STILL BE THE OWNER OF THE STRIP, IF, THAT IS, THE DESCRIPTION "THE WESTERLY 10 FEET OF LOT 3, 1 RM 114" ACTUALLY DESCRIBES A PORTION OF AN REAL LOT, SEEING THAT IT DESCRIBES LANDS THAT COULD NOT BE LOTTED AS SUCH BECAUSE THEY WERE NOT OWNED BY THE SUBDIVIDER AT THE TIME OF THE SUBDIVISION. SOME TYPE OF TITLE REMEDY WILL UNDOUBTEDLY NEED TO BE FILED.

10 LIKE 15 OS 14, R22 AND R23 BOTH HELD THE RESOLUTION OF CARRIE AND FIRST STREET PER R12. THIS MONUMENT DOESN'T FIT THE NORTHERLY LINE OF FIRST STREET, PER R12, DUE TO AN ERROR ON R22, WHICH HELD THE RECORD LENGTH (45.00') OF THE EASTERLY LINE OF LOT 3, BLOCK 13, 1 RM 114, MCR, WHEN THIS FRONTAGE CALCULATES TO BE 1.82' SHORTER AFTER ADJUSTING FOR THE 10' ABANDONMENT (1986) BY THE COUNTY OF MARIN.

11 THE LOCATION OF FIRST STREET ACCEPTED BY MANY OF THE RECORDED SURVEYS IN THIS AREA OF TOMALES, IS BASED ON THREE SURVEYS PERFORMED IN THE 1960'S. W.G. VOORHIES, IN AN UNRECORDED SURVEY IN JANUARY OF 1962 (R8), RESOLVED ITS LOCATION BETWEEN MAIN AND VALLEY STREETS, HOLDING THE LINE OF THE FOUNDATION ON THE SITE OF THE OLD CONTINENTAL HOTEL (AND OTHER CORROBORATING TITLE DOCUMENT AND EXTRINSIC EVIDENCE). IN APRIL OF 1967, 1 PM 77 (R11) HELD VOORHIES' RESOLUTION OF FIRST AND MAIN STREET (AS PERPENDICULAR), AND SET IRON PIPES TO MONUMENT SEVERAL PARCELS ON THE EASTERLY SIDE OF MAIN STREET. 4 PM 3 (R12) ALSO HOLDS THIS RESOLUTION OF FIRST STREET, FINDING A NUMBER OF FENCE LINES, DIMENSIONAL RELATIONSHIPS SHOWN ON 1 RM 114, AND SOME MONUMENTATION IN BLOCK 14 OF 1 RM 114 AND IN SECOND STREET SUPPORTIVE OF THIS RESOLUTION, AND SETS A MAG NAIL AT THE INTERSECTION OF THE CENTERLINES OF FIRST AND CARRIE STREETS, AND 100d NAILS ALONG THE CENTERLINE OF CARRIE STREET. IT IS THIS MAG NAIL, AND ONE OF THE 100d NAILS, THAT GRIPPI, IN JULY OF 1978 (R14), USES FOR HIS RESOLUTION OF FIRST STREET, AND, IN CONJUNCTION WITH EVIDENCE PREVIOUSLY DISCUSSED, THE NORTHWEST CORNER OF 220 DEEDS 65 (THE NORTHWEST CORNER OF W.F. BASSETT). THIS MAG NAIL WAS NOT FOUND DURING THIS SURVEY, BUT ITS DERIVED LOCATION FROM EVIDENCE SHOWN ON 4 RM 5, AND FROM EVIDENCE SHOWN ON 15 OS 14, FIT BY APPROXIMATELY A 0.1'. THIS RESOLUTION IS SHOWN ON SHEET 3 AND USED TO DEPICT THE TIES TO THE MONUMENTS FOUND IN THE AREA, AS MOST WERE SET IN RELATION TO THIS RESOLUTION.

12 THIS RESOLUTION OF THE NORTHERLY LINE OF FIRST STREET CREATES AN APPROXIMATELY 3.2'-3.5' ENCROACHMENT

INTO FIRST STREET OF THE BUILDING LINE OF THE HISTORIC HOUSE ON THE NORTHWEST CORNER OF FIRST AND CARRIE STREETS. WHILE MARIN COUNTY ASSESSOR'S RECORDS INDICATE IT WAS BUILT IN 1905, THE EXHIBIT "F" PHOTO ON SHEET 1 SHOWS IT IS ALREADY BUILT IN 1898, PREDATING DUTTON'S RECORDING OF 1 RM 114, MCR. THIS RESOLUTION OF FIRST STREET, PER 4 RM 3, HOLDS RECORD DIMENSIONS, PER R4, FROM A FOUND FENCE LINE NEAR THE NORTHERLY LINE OF BLOCK 13. THE PARCEL THE HISTORIC HOUSE IS BUILT ON, ONE OF THE EARLIEST CONVEYED BY WARREN DUTTON NEAR THIS INTERSECTION, WAS FIRST DESCRIBED IN MARCH OF 1880 (D2) AS "LOTS 1, 2 & 3 IN BLOCK 13" OF MARIOTTE'S MAP OF THE VILLAGE OF TOMALES, AND LATER IN MARCH OF 1894 (D3), IS FURTHER DESCRIBED AS BEING BOUNDED "SOUTHERLY BY FIRST STREET". THIS SURVEY HOLDS THIS HISTORIC HOUSE LOCATION, AND THESE EARLIER DEEDS, AS SUPERIOR EVIDENCE IN THIS AREA, OF FIRST STREET'S LOCATION, AND THAT THE PREPONDERANCE OF THE EVIDENCE SUPPORTS A RESOLUTION OF THE STREET'S SOUTHERLY LINE BY HOLDING THE NORTHWEST CORNER OF THE FOUNDATION ON THE OLD CONTINENTAL HOTEL SITE (MOST NORTHERLY CORNER) AT THE SOUTHWEST CORNER OF FIRST AND MAIN STREETS (ORIGINALLY BUILT IN THE MID-1850'S AND PRESUMABLY REBUILT AFTER AN 1877 FIRE ON THE SAME FOOTPRINT), AND A RECORD 66 FOOT OFFSET FROM THE SOUTHWEST BUILDING CORNER OF THIS OLD HISTORIC HOUSE (THE MOST SOUTHERLY CORNER) AT THE NORTHWEST CORNER OF FIRST AND CARRIE STREETS. THOUGH THIS RESOLUTION DEVATES SLIGHTLY MORE OFF THE LINE OF THE FOUNDATION OF THE OLD CONTINENTAL HOTEL, THE OFFSETS TO THE ALL THE STRUCTURES ON FIRST STREET, AS A WHOLE, TO THIS RESOLUTION OF FIRST STREET (SHOWN IN BRACKETS ALONGSIDE THE OFFSETS PER THE RESOLUTION OF R12, R14 AND OTHERS), DEMONSTRATE A MUCH BETTER OVERALL FIT TO THE PLACEMENT OF ALL THESE HISTORIC STRUCTURES.

13 EXHIBIT E ON SHEET 1 SHOWS A VIEW LOOKING WEST DOWN FIRST STREET IN 1916. THOUGH NOT DEFINITIVE, IT APPEARS THAT THE FRONT PORCH OVERHANG OF THIS HISTORIC HOUSE AT THE NORTHWEST CORNER OF FIRST AND CARRIE STREETS (THAT EXISTS TO THIS DAY) EXTENDS BEYOND THE LINE OF THE OLD FENCE ALONG FIRST STREET BETWEEN VALLEY AND CARRIE STREETS (TODAY'S EXISTING FENCE APPROXIMATES THE NORTHERLY LINE OF FIRST STREET PER THIS SURVEY), WHILE IT APPEARS THE FRONT OF THE HOUSE MAY NOT.

14 EVIDENCE GATHERED IN THE PRESBYTERIAN CHURCH CEMETERY ALSO LENDS SUPPORT TO THIS RESOLUTION OF FIRST STREET. BEST FIT (LEAST SQUARES) LINES OF FIVE OF THE STRAIGHTER LINES OF THE EAST-WEST EDGES OF THE CEMETERY PLOTS WERE DETERMINED, AND USING THE TWO THAT BEST FIT THE RECORD DISTANCE BETWEEN THEM, PER R3 & R9, (BEING THE SOUTHERLY EDGES OF THE PLOTS BETWEEN 2 & 98, AND BETWEEN 5 & 101), AN AVERAGE BEARING WAS DETERMINED. WHICH FIT WITHIN 1 1/2 MINUTES OF THE RESOLVED BEARING OF FIRST STREET, PER [2]. AS SHOWN HEREON, OFFSETTING THIS AVERAGE BEARING LINE, THE RECORD DISTANCE (285'), PER 1 RM 114, FROM THE LINE OF THE SOUTHERLY EDGES OF THE PLOTS BETWEEN 5 & 101, DERIVES A SOUTHERLY LINE OF FIRST STREET THAT IS WITHIN A FOOT OF ITS RESOLVED POSITION PER THIS SURVEY.

15 ALL EXCEPT ONE OF THE CALLS IN THE DESCRIPTIONS FOR THE NORTHERLY LINE OF THE PARCELS GRANTED IN D5 & D6 ARE FOR THE SOUTHERLY LINE OF FIRST STREET, INCLUDING THE CALL "BEGINNING ON THE SOUTHERLY LINE OF FIRST STREET" FOR THE POINT OF BEGINNING OF D5. THE POINT OF COMMENCEMENT OF D5, THOUGH, IS DESCRIBED BY A CALL FOR THE "NORTHWESTERLY CORNER OF THE LAND OWNED BY W.F. BASSETT", WHICH, PER D3 & D4, IS DESCRIBED AS "THE SOUTH EAST CORNER OF FIRST AND CHURCH STREETS, AS NOW FENCED". THUS, AMBIGUITY EXISTS BETWEEN ALL THESE CALLS IN D3-D6 TO THE SOUTHERLY LINE OF FIRST STREET, AND THIS ONE CALL TO THE FENCED SOUTHERLY LINE. WHILE THIS SURVEY (AND R14) HOLDS THE CALL TO THE FENCE ALONG CHURCH STREET TO DETERMINE THE EASTERLY LINE OF D5, IT HOLDS ITS RESOLUTION OF THE SOUTHERLY LINE OF FIRST STREET, PER [2], TO BE THE NORTHERLY LINE OF THE LANDS OF VDH (D5 & D6), BASED ON FINDING NO EVIDENCE THAT WARREN DUTTON INTENDED TO RETAIN ANY LANDS BETWEEN THESE PARCELS AND FIRST STREET, THE CALLS MENTIONED ABOVE AND THE EXTRINSIC EVIDENCE DESCRIBED IN [2]-[14], PARTICULARLY THE REASONABLE FIT OF THIS RESOLUTION OF THE NORTHERLY LINE OF THE LANDS OF VDH, WITH THE EVIDENCE FOUND TO THE SOUTH IN BLOCK 7 OF 1 RM 114, MCR, PER [4].

THIS PREPONDERANCE OF THE EVIDENCE SUPPORTS THE CONCLUSION THAT THE HISTORIC FENCE CORNER AT THE SOUTHEAST CORNER OF FIRST AND CHURCH STREETS WAS USED SOLELY TO LAY OUT A PARCEL (D5) THAT WOULD BE SEPARATED BY 50 FEET FROM AN EXISTING PARCEL (D3), AND SUPPORTS NOT ACCEPTING ALTERNATE RESOLUTIONS OF "THE SOUTH EAST CORNER OF FIRST AND CHURCH STREETS, AS NOW FENCED" DETERMINED BY HOLDING THE EXISTING, MODERN-DAY FENCE ALONG FIRST STREET, OR BY HOLDING THE RECORD DISTANCE OF 200 FEET ALONG CHURCH STREET "AS FENCED" FROM THE EXISTING FENCE CORNER AT THE WESTERLY END OF THE SOUTHERLY LINE OF THE LANDS FORMERLY DESCRIBED IN 220 DEEDS 365 (D12), RESOLVED PER R14. THOUGH THIS SURVEY'S RESOLUTION OF THE SOUTHEAST CORNER OF FIRST AND CHURCH STREETS CREATES A MEASURED DISTANCE OF 206.29 FEET TO THIS FENCE CORNER (THE RECORD DISTANCE IS 200 FEET, PER D12; R14 CREATES A MEASURED DISTANCE OF 209.2 FEET), IT CREATES AN EASTERLY LINE OF D12 WITHIN APPROXIMATELY 1 FOOT OF THE RECORD 200 FOOT DISTANCE. THE NON-PERPENDICULARITY OF FIRST AND CHURCH STREETS PRECLUDES ANY RESOLUTION OF THIS HISTORIC LOT HARMONIZING ALL THE DISTANCE CALLS IN D12 (OR THE FORMER DEEDS THAT COMPRISE IT) AND THE REST OF THE AVAILABLE EVIDENCE.

16 THE ORIGINAL DEED FOR THE PRESBYTERIAN CHURCH PARCEL (BOOK "J" DEEDS 202, R1), READS "COMMENCING AT A POINT 10 FEET SOUTHERLY FROM THE SOUTHEAST CORNER OF THE PRESBYTERIAN CHURCH, THENCE RUNNING NORTHERLY ALONG THE LINE OF THE STREET 200 FEET; THENCE WESTERLY AT RIGHT ANGLES 125 FEET..." HOLDING THIS DEED CALL DISTANCE ALONG THE STREET FITS WITHIN APPROXIMATELY A FOOT OF THE EASTERLY PROJECTION OF THE EXISTING CYCLONE FENCE BETWEEN THE LANDS OF VDH AND THE CHURCH. THOUGH THE FENCE MEANDERS PRESENTLY, A STRAIGHT FENCE RUNNING APPROXIMATELY PARALLEL TO THE CEMETERY PLOTS (AND FIRST STREET) FROM THIS CYCLONE FENCE CORNER (SHOWN HEREON AS A DOTTED LINE) WOULD ROUGHLY MEET THE EXISTING FENCE "I" NEAR THE WESTERLY LINE OF THE LANDS OF VDH, THIS EVIDENCE PROVIDES A PLAUSIBLE EXPLANATION OF THE LOCATION OF THIS FENCE, WHICH IS CLEARLY WITHIN THE 30 FOOT WIDE ALLEY, PER 1 RM 114. THIS SURVEY MAKES NO FURTHER ATTEMPT TO RESOLVE THE NORTHERLY LINE OF BOOK "J" DEEDS 202.

17 COMMON LINE OF THE LANDS OF VDH AND THE LANDS OF MCGAFFEY, PER 2018 MAPS 199, MCR. THIS SURVEY (R24) FAILS TO RECOGNIZE THE SENIOR RIGHTS OF THE LANDS OF VDH, AND PRESENTS A RESOLUTION OF THIS COMMON LINE THAT APPEARS TO MINIMALLY ATTEMPT TO RECONCILE WITH THE BOUNDARY AND TITLE EVIDENCE DISCUSSED ABOVE (ESPECIALLY THE ABSENCE IN TITLE OF A DEED GRANTING THE WEST 10 FEET OF LOT 3, BLOCK 8, 1 RM 114, MCR), WHILE IT "ACCEPTS THE CEMETERY MONUMENTS AND RECORD INFORMATION AS SUPERIOR EVIDENCE OVER ALL OTHER SURVEYS SHOWN HEREON". WHILE THIS CURRENT SURVEY MADE USE OF THESE MONUMENTS TO CORROBORATE OTHER EVIDENCE USED TO APPROXIMATE THE LOCATION OF THE WESTERLY LINE OF BLOCK 8, 1 RM 114, THOUGH DETERMINING THAT LOCATION 16 FEET WESTERLY OF THAT SHOWN ON R24, PER [7] & [8], IT FINDS NO JUSTIFICATION FOR HOLDING A 28 FOOT OFFSET BETWEEN THE NORTHERLY EDGE OF THE MOST NORTHERLY ROW OF CEMETERY PLOTS AND THE SOUTHERLY LINE OF BLOCK 8, PER R10 & R24 (THIS LINE APPEARS TO BE THE NORTH LINE OF NORTH AVENUE ON R10, BUT, UNLIKE THE WESTERLY AND SOUTHERLY LINES OF THE CEMETERY SHOWN ON THE MAP, IS NOT LABELED AS A PROPERTY LINE, AND NO EVIDENCE IS SHOWN TO SUPPORT THIS NON-RECORD 28 FOOT OFFSET), RATHER THAN THE RECORD 35 FEET, PER R4, AND SUBSTANTIATED BY R1 & R3 COMBINED. THE NORTHERLY AND SOUTHERLY LINES OF BLOCK 8, PER R24, ARE BETWEEN 8 AND 9 FEET SOUTHERLY (IN THE AREA OF THE LANDS OF VDH) OF THE RESOLUTION OF THESE LINES SHOWN ON THIS SURVEY, AND THE EASTERLY PROJECTION OF THE RESOLVED SOUTHERLY LINE OF FIRST STREET, PER R24, PRODUCES A FIRST STREET RIGHT OF WAY THAT HAS THE FOUNDATION OF THE OLD CONTINENTAL HOTEL AT FIRST AND MAIN STREETS (ORIGINALLY BUILT IN THE MID-1850'S, SEE [11] & [12]) ENCROACHING MORE THAN 10 FEET INTO THE RIGHT OF WAY.

RECORD OF SURVEY

OF THE LANDS OF VAN DER HAVE, SOLE BENEFICIARY UNDER THE SIMPLE REVOCABLE TRANSFER ON DEATH DEED RECORDED UNDER DOCUMENT NUMBER 2016-0003802, MARIN COUNTY RECORDS, AND QUITCLAIM DEEDS RECORDED UNDER DOCUMENT NUMBERS 2019-0025660 & 2019-0025661, MARIN COUNTY RECORDS, AND DESCRIBED THEREIN

COUNTY OF MARIN TOMALES STATE OF CALIFORNIA

STEVEN J. LAFRANCHI & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS - LANDSCAPE ARCHITECTS
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707-762-3122 FAX 707-762-3239

DATE: 2020.08.26
192088ROS

APN 102-062-02

SHEET 2 OF 4

MONUMENT DESIGNATIONS

- A FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "LS 3775", PER R14
- B FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMP ILLEGIBLE, PER R15
- C FOUND 5/8" REBAR & YELLOW PLASTIC CAP, STAMPED "PLS 7950", PER R24
- D FOUND 3/4" IRON PIPE & WOOD PLUG, NO TAG, U.N.O., PER R19
- E FOUND 3/4" IRON PIPE, OPEN, PER R10
- F FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "PLS 4694", PER R22
- G FOUND 1/2" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "PLS 6702", PER R22
- H FOUND 3/8" IRON SPIKE, PER R21
- I FOUND RAILROAD SPIKE & SCRIBED "X", PER R16
- J FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "RCE 12094", SHOWN FOUND ON R22
- K FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "LS 5814", PER R20
- L FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "LS 5814", PER R21
- M FOUND 1/2" IRON PIPE, OPEN, U.N.O., PER R11
- N FOUND TACK AND BRASS TAG, STAMPED "LS 2771" IN LEAD PLUG, PER R17
- O FOUND NAIL IN PAVEMENT, NO DISCOVERED RECORD
- P FOUND NAIL IN PAVEMENT, NO DISCOVERED RECORD, RESET MAG NAIL
- Q FOUND 1/2" REBAR & YELLOW PLASTIC CAP, STAMPED "LS 2771", PER R18
- R FOUND 3/4" IRON PIPE & WOOD PLUG, WITH NAIL & BRASS TAG, STAMPED "LS 3616", PER R13
- S FOUND 3/4" IRON PIPE, NO DISCOVERED RECORD
- T FOUND 3/4" IRON PIPE & YELLOW PLASTIC PLUG, STAMP ILLEGIBLE, PER R17
- U FOUND 1 1/2" IRON PIPE, OPEN, WITH SPLAYED TOP, SHOWN FOUND ON R22

BASIS OF BEARINGS

THE BEARING SOUTH 15°13'39" WEST AS MEASURED BETWEEN FOUND IRON PIPES AS SHOWN ON 36 OS 60, MARIN COUNTY RECORDS, AND CALCULATED PER THAT MAP. ALL BEARINGS HEREIN MENTIONED ARE RELATED THERETO

DILLON BEACH ROAD RIGHT OF WAY NOTE

ALL MONUMENT AND IMPROVEMENT OFFSETS TO RIGHTS OF WAY ARE TO THE R12 RESOLUTION OF THE RIGHT OF WAYS, EXCEPT THOSE BRACKETED, WHICH ARE TO THIS SURVEY'S RESOLUTION OF THE DILLON BEACH ROAD RIGHT OF WAY; SEE BOUNDARY KEYNOTE [14]

LINE TABLE

LINE	BEARING	LENGTH
L1	S85°59'00"E R1	22.84 R1
L2	N85°59'00"W	30.85
L3	S04°01'00"W	3.01
L4	N30°40'08"E	2.35
L5	S89°33'02"E R21	25.46 (25.48) R21
L6	S76°19'53"E	10.47 (S76°50'07"E)R23 (10.60)R23
L7	N44°02'18"E	0.78
L8	S00°58'07"E	30.0 R14,R20 (30.01)R21

RECORD OF SURVEY

OF THE LANDS OF VAN DER HAVE, SOLE BENEFICIARY UNDER THE SIMPLE REVOCABLE TRANSFER ON DEATH DEED RECORDED UNDER DOCUMENT NUMBER 2016-0003802, MARIN COUNTY RECORDS, AND QUITCLAIM DEEDS RECORDED UNDER DOCUMENT NUMBERS 2019-0025660 & 2019-0025661, MARIN COUNTY RECORDS, AND DESCRIBED THEREIN

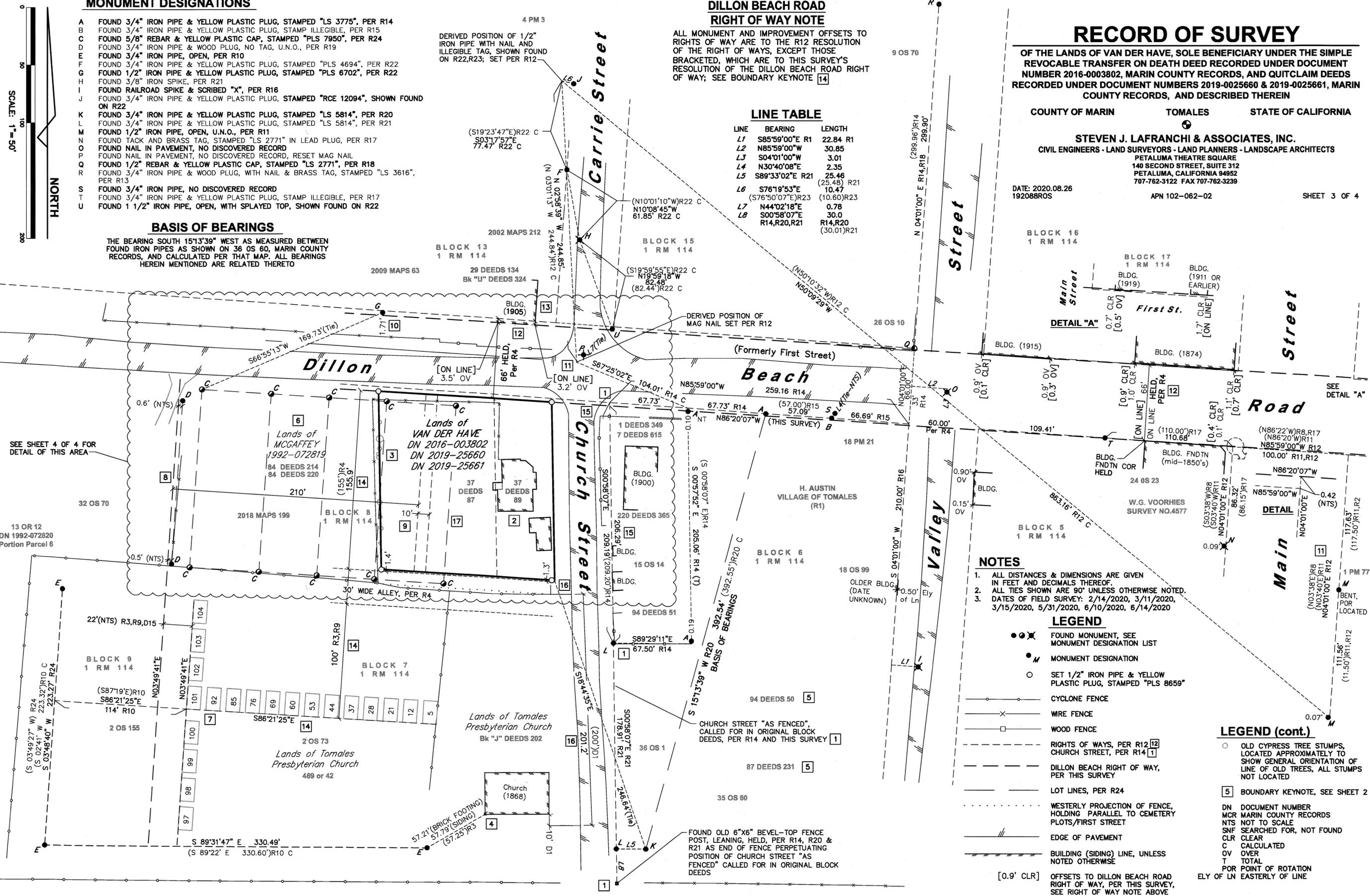
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SHEET 3 OF 4



NOTES

- ALL DISTANCES & DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.
- ALL TIES SHOWN ARE 90° UNLESS OTHERWISE NOTED.
- DATES OF FIELD SURVEY: 2/14/2020, 3/11/2020, 3/15/2020, 5/31/2020, 6/10/2020, 6/14/2020

LEGEND

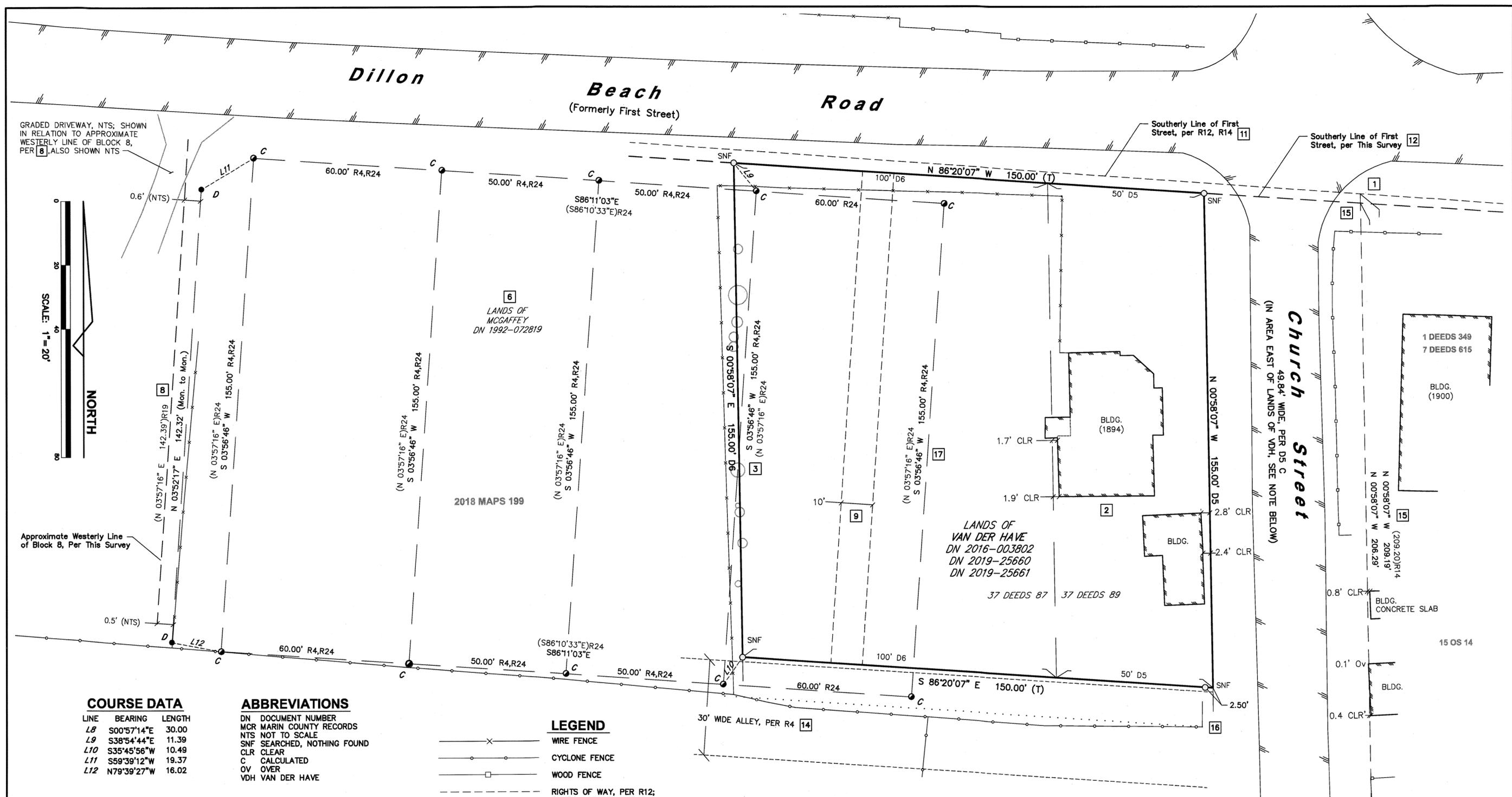
- FOUND MONUMENT, SEE MONUMENT DESIGNATION LIST
- MONUMENT DESIGNATION
- SET 1/2" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "PLS 8659"
- CYCLONE FENCE
- WIRE FENCE
- WOOD FENCE
- RIGHTS OF WAYS, PER R12 [12] CHURCH STREET, PER R14 [1]
- DILLON BEACH RIGHT OF WAY, PER THIS SURVEY
- LOT LINES, PER R24
- WESTERLY PROJECTION OF FENCE, HOLDING PARALLEL TO CEMETERY PLOTS/FIRST STREET
- EDGE OF PAVEMENT
- BUILDING (SIDING) LINE, UNLESS NOTED OTHERWISE
- [0.9' CLR] OFFSETS TO DILLON BEACH ROAD RIGHT OF WAY, PER THIS SURVEY, SEE RIGHT OF WAY NOTE ABOVE

LEGEND (cont.)

- OLD CYPRESS TREE STUMPS, LOCATED APPROXIMATELY TO SHOW GENERAL ORIENTATION OF LINE OF OLD TREES, ALL STUMPS NOT LOCATED
- [5] BOUNDARY KEYNOTE, SEE SHEET 2
- DN DOCUMENT NUMBER
- MCR MARIN COUNTY RECORDS
- NTS NOT TO SCALE
- SNF SEARCHED FOR, NOT FOUND
- CLR CLEAR
- CV CALCULATED
- OV OVER
- T TOTAL
- POR POINT OF ROTATION
- ELY OF LN EASTERLY OF LINE

SCALE: 1" = 50'

NORTH



COURSE DATA

LINE	BEARING	LENGTH
L8	S00°57'14"E	30.00
L9	S38°54'44"E	11.39
L10	S35°45'56"W	10.49
L11	S59°39'12"W	19.37
L12	N79°39'27"W	16.02

ABBREVIATIONS

DN	DOCUMENT NUMBER
MCR	MARIN COUNTY RECORDS
NTS	NOT TO SCALE
SNF	SEARCHED, NOTHING FOUND
CLR	CLEAR
C	CALCULATED
OV	OVER
VDH	VAN DER HAVE

LEGEND

- WIRE FENCE
- CYCLONE FENCE
- WOOD FENCE
- DILLON BEACH RIGHT OF WAY, PER THIS SURVEY
- BOUNDARY LINES, PER THIS SURVEY
- BOUNDARY LINES, PER R24
- WESTERLY PROJECTION OF FENCE, HOLDING PARALLEL TO CEMETERY PLOTS/FIRST STREET
- EDGE OF PAVEMENT
- FOUND MONUMENT, SEE MONUMENT DESIGNATION LIST, SHEET 3
- MONUMENT DESIGNATION
- SET 1/2" IRON PIPE & YELLOW PLASTIC PLUG, STAMPED "PLS 8659"
- OLD CYPRESS TREE STUMPS, LOCATED APPROXIMATELY TO SHOW GENERAL ORIENTATION OF LINE OF OLD TREES, ALL STUMPS NOT LOCATED
- BOUNDARY KEYNOTE, SEE SHEET 2

RECORD OF SURVEY

OF THE LANDS OF VAN DER HAVE, SOLE BENEFICIARY UNDER THE SIMPLE REVOCABLE TRANSFER ON DEATH DEED RECORDED UNDER DOCUMENT NUMBER 2016-0003802, MARIN COUNTY RECORDS, AND QUITCLAIM DEEDS RECORDED UNDER DOCUMENT NUMBERS 2019-0025660 & 2019-0025661, MARIN COUNTY RECORDS, AND DESCRIBED THEREIN

COUNTY OF MARIN TOMALES STATE OF CALIFORNIA

STEVEN J. LAFRANCHI & ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS - LANDSCAPE ARCHITECTS
 PETALUMA THEATRE SQUARE
 140 SECOND STREET, SUITE 312
 PETALUMA, CALIFORNIA 94952
 707-762-3122 FAX 707-762-3239

CHURCH STREET RIGHT OF WAY WIDTH NOTE

IN ADDITION TO NOT ACCEPTING THE LOCATION OF CHURCH STREET, PER 1 RM 114, AS DISCUSSED IN BOUNDARY KEYNOTE [1], SHEET 2, THIS SURVEY ALSO DOES NOT AGREE WITH THE WIDTH OF 60 FEET DEPICTED ON THIS MAP. NONE OF THE DESCRIPTIONS IN THE ORIGINAL BLOCK DEEDS ON EACH SIDE OF THIS STREET INCLUDE CALLS TO THIS MAP. THOSE DEEDS RECORDED BEFORE THE RECORDING OF 1 RM 114, TOGETHER DESCRIBE A WIDTH OF 50 FEET ALONG THE LINE OF FIRST STREET, AND, ALONG WITH ALL THE ORIGINAL BLOCK DEEDS RECORDED SUBSEQUENT TO THIS MAP, CALL TO "CHURCH STREET AS FENCED". THE DIFFICULTY INTERPRETING THE DESCRIPTION IN D1 MAKES DETERMINING A WIDTH OF CHURCH STREET SOUTHERLY OF THE LANDS OF VDH CHALLENGING AND BEYOND THE SCOPE OF THIS SURVEY.