

Legend

- Adjacent Property Line
- Surveyed Boundary
- Property Boundary per 3 OS 122, 13 OS 47, 14 OS 9 and 36 OS 24
- Set 3/4" Iron Pipe And Tag LS 4397 Unless Otherwise Noted
- ⊕ Set 1/2" Rebar and Tag LS 4397
- (C) Fd. Monument As Noted
- M Measured Bearing or Distance
- (R) Record Bearing or Distance

References

- R1 19 PM 21
- R2 523 OR 229
- R3 583 OR 324
- R4 DN 2020-0035415
- R5 3 OS 122
- R6 13 OS 47
- R7 14 OS 09
- R8 36 OS 24
- R9 2006 Maps 20

Monument Notes

- (A) Found 3/4" Iron Pipe - No Tag.
- (B) Found 3/4" Iron Pipe and Tag LS 5379 per 36 OS 24.
- (C) Found 3/4" Iron Pipe and Tag LS 4397 per 19 PM 21.
- (D) Found 3/4" Iron Pipe and Tag LS 4794 per 2006 OS 29. Held for line.

Notes

1. All dimensions are in feet and decimals of feet.
2. The Basis of Bearings for this map is S 89° 12' 56" W calculated between the iron pipe monuments at A and B per 36 OS 24.
3. Searched for all relevant monuments near the surveyed property. The found monuments are shown.
4. The field surveying for this map was done September 18, 2020 and October 1, 2020.

Boundary Establishment Doctrines and Surveyor's Opinions

Junior Senior relationships between adjoining grants are recognized by the courts as the second most superior boundary establishment doctrine.

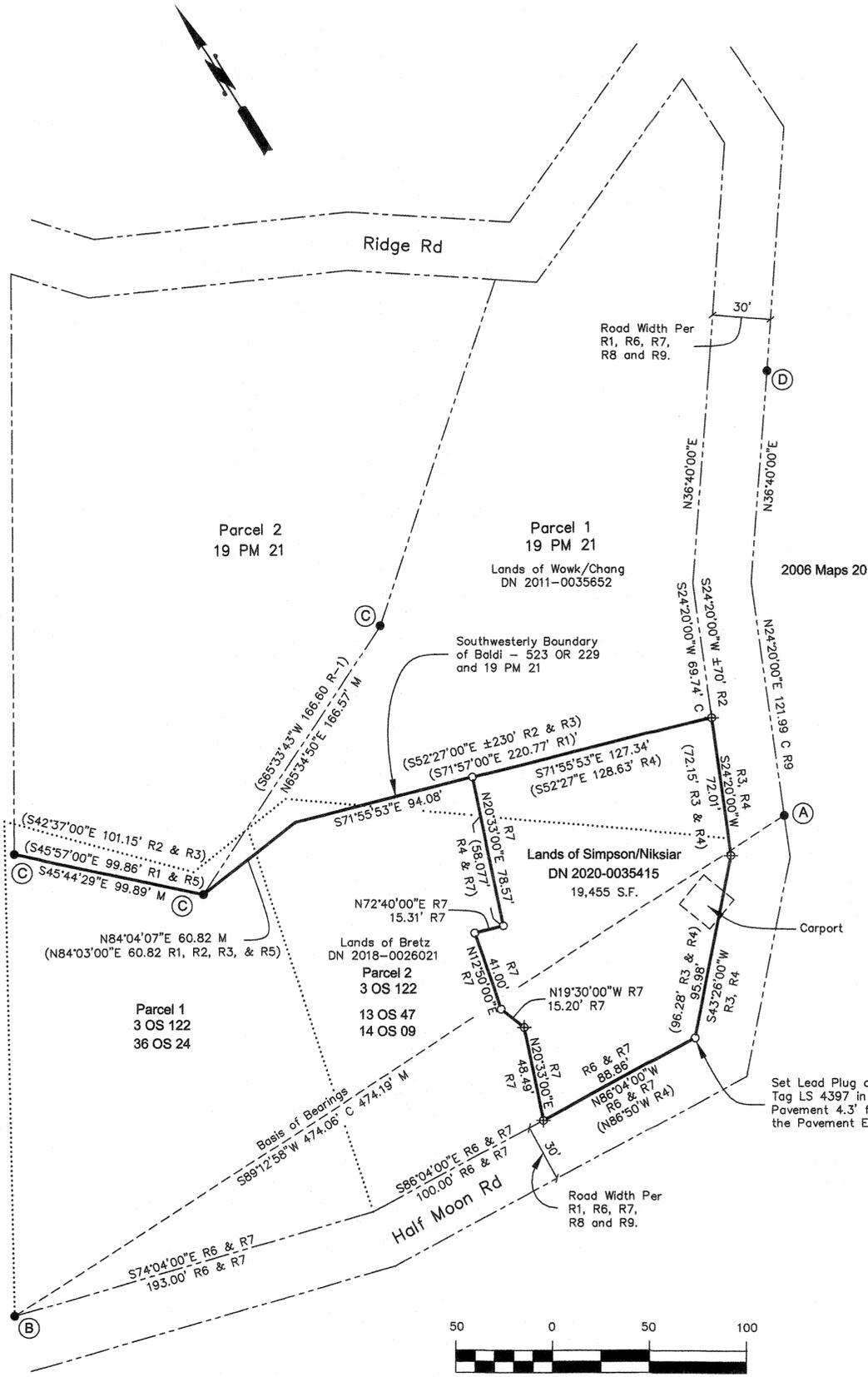
In 1946 the five parcels shown on this map were owned as one parcel by Wilson J. Kline and his wife. On June 26, 1946 the Klines sold the northeasterly portion of their parcel (later Parcels 1 and 2, 19 PM 21) to R.J. Baldi and his wife. The deed to the Baldi was recorded July 2, 1946 in Book 523 of Official Records at page 229, Marin County Records. Succeeding owners of the Baldi parcel divided the land into two parcels in 1981 (19 PM 21). The original surveying and monumenting of the Baldi parcel was completed in 1980 before the Parcel Map was filed.

On May 12, 1948, the Klines sold the remaining southwesterly portion of their parcel to Charles Milton Clark. The deed to Clark was recorded May 14, 1948 in Book 583 of Official Records at page 324, Marin County Records. The deed to Clark described his northeasterly boundary as the southwesterly boundary of the Baldi parcel.

Both the Baldi deed and the Clark deed were poorly written and contain numerous errors in the bearings and distances recited. However, the Grantor's intent was determined clearly and the boundary between the Baldi parcel and the Clark parcel was accurately monumented as shown on 19 PM 21.

Mr. Clark divided his property into three parcels and sold them using metes and bounds descriptions. There are several surveys of the Clark parcels. These surveys are filed in 3 OS 122, 13 OS 47, 14 OS 9 and 36 OS 24, Marin County Records. These surveys appear to have been "staked from the deed" - that is they followed the bearings and distances in the Clark deed without establishing the southwesterly boundary of the senior deed to the Baldi parcel.

According to the courts, the intent of the parties who execute Grant Deeds is paramount. I believe it was Clark's intent to dispose of all the land he had acquired from Kline when he created the three parcels and sold them. Therefore, gaps and overlaps do not exist as shown on 36 OS 24. The sidelines of the Clark parcels extend to, and terminate at, the southwesterly boundary of the Baldi parcel.



Surveyor's Statement

This map correctly represents a survey made by me or under my direction in conformance with the Professional Land Surveyors' Act at the request of John Simpson in September, 2020.

David White
Date White LS 4397



County Surveyor's Statement

This map has been examined in accordance with Section 8766 of the Professional Land Surveyors' Act this 17th day of April, 2021.

Tracy W. Park, PLS 8176
County Surveyor

David O. Knell
By: David O. Knell, PLS 5301
Deputy County Surveyor



Recorder's Certificate

Filed this 23rd day of APRIL, 2021, at 9:15 AM in Book 5021 of Maps at Page 68, at the request of the Marin County Department of Public Works.

Serial No. 2021-0027431, Fee \$84-
Shelly Scott
County Recorder By: Deputy Recorder

Record of Survey

Lands of Simpson/Niksiar
DN 2020-0035415
Marin County Records

NOVATO MARIN COUNTY CALIFORNIA
Scale: 1" = 50' September, 2020

WHITE & PRESCOTT
1400 Grant Avenue
Novato, CA 94945
415-506-4268

A.P.N. 146-211-25 SHEET 1 OF 1