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No. 20 FOR F I Cook TOWNSHIP 13 S RANGE 26 WILL. MER.

To determine the Lines & boundaries between tract of land belonging to Douglas Martin and F. I. Cook

A Deed of Land from E E Lucas and E E. McNully to E E Roop was sold to Martin this tract was excepted in deed to Cook The Deed read as follows. Commencing on west bank of J E Snows irrigating Ditch. 24 feet up a south Easterly direction from SE corner Lot 7 Block C of Town of Dayville thence along said ditch in a South Easterly direction 100 ft. thence South West 200 ft thence North Westerly 100 ft thence North East 200 ft to place.

I began Survey at point of begining followed general direction of Ditch 291 ft and landed at a point just inside Martin Corn at NE Corner of Corrall. Thence S 48 29' E along side Snows Ditch. Now begins the mixup The Deed reads from this point South West but this direction does not agree with the fence which has long been acquiesced in as the South boundary. and if a line were run south west from the NE Corner it would cut of part of corrall & most of Martins House. Mr Lucas who sold the Land was hunted up and stated that the description in the deed was made by guess as faras directions were concerned and that the fences were the boundaries as they intended, & measured out. but the Stakes they set for corners were rotten away & cannot be found. Mr Andy Lilch testified that he build the fence around the property. that part that was below the Dayville Ditch (not Snows ditch) and that the fence was made on the line between the Stakes that were set for the Corners I therefore decide that the fence in this case becomes a monumnent of the original intentions and that the courses as given in the Deed must give way, measuring along the North boundary fence from the NE Corner 200 ft I find that it coincide with the NW Cor Lot 2 Block 1 Cooks addition to Dayville over reaching about 3 ft also that in measuring from SE Corner of tract along the South boundary fence it coincide with SW Corner of Lot 2 Blk 1 Cooks addition, but falls short 25 ft Now as all parties concerned are satisfied with these boundary lines on North and South of tract (ie the fence) and that on the west end the land is owned by Cook. Cooks agrees to give a deed to all his land in Lot 2 Blk one if Martin will agree to consider the NW Corner of Lot 2 Block 1 The NW corner of his tract, and the SW corner Lot 2 Blk 1 The SW corner of his tract, to which he agrees And I therefore Establish the NW and SW corners of Lot 2 Block 1 of Cooks Addition as being the NW & SW corners of the Tract which is called for in deed Distance from NW corner Lot 2 Blk 1 Cook addition to Dayville to NE Cor of tract Surveyed 196 ft Stadia Measure reduced to horizontal

" " SW corner " " " " " " " " SE " " " 217 ft

statements tendered to show that the banks of Snows ditch had been changed somewhat since tract was laid out making the boundaries on East and West uncertain

Surveyed Feb 28 1910

Michael Spears

County Surveyor

Additional Owing to a change in Numbers of Lots in Cooks addition the record enclosed in blue lines is erroneous and should read. Cook and Martin present owners of land joining each other agree to consider and abide by this arrangement & description of Land described in Deed from Lucas to Roop.

Beginning at SE Corner of Lot 7 Block C Dayville on West bank of JE Snows irrigating ditch thence follow general direction of ditch 291 ft (the NE corner of tract) thence SEasterly along west bank 100 ft (the SE Corner) thence S 66 15' W 117 ft to the NW cor Lot 2 Block 1 Cooks addition thence N 24 40' W 100 ft to the SW corner Lot 1 Block 1 Cooks addition thence N 66 15 E 193 ft to NE corner of tract. Farther the Station designated in Survey of Cooks Lands as Station C. and having a deposit of glass buried under 15 inches Bears from NW corner of Martin tract N 24 40' W 74.15 ft see official Survey No 19

Michael Spears

County Surveyor

March 30 1910

Costs

Survey $5

Mileage $7

Taking testimony making out report & getting things into shape for record $5

Record $3.20

Measuring $5

25.20 divided between land owners adjoining as follows

Land owned by Cook	$5.83
" " " Geo Kydd	3.36
" " " Mrs Glover	3.12
" " Douglass Martin	12.31
	24.62

Mrs Glover and Mr Cook settled their share of costs by lump sum

Kydd & Martin did not & there change the cost of apportionment to Kydd & Martin which is Apportionment $5.00

Affidavit to Clerk 1.50

Mileage to Canyon & back to swear in 7.00

13.50

Making Kidds Bill 3.36 + 2.89 $6.25

" Martin Bill 12.31 + 10.53 22.84