



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

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September 12, 2012

Robert G. Yandow, Town Manager
Town of York, Maine
186 York Street
York, Maine 03909

Re: Surveyor's opinion

Dear Rob;

The Town of York has asked me for an opinion concerning the location of the boundary line between the Horn property and the Inhabitants of the Town of York as shown on the plan titled "Standard Boundary Survey Plan, Land of the Inhabitants of the Town of York, Route One & Ridge Road, York, Maine" dated November 2011, revised 6/26/12 by BH2M, Inc. The property line was established prior to our preparation of the boundary survey plans by a Quit-claim Deed between the Inhabitants of the Town of York and Dewey R. Horn, Harry H. Horn, Samuel Horn recorded in the York County Registry of Deeds in Book 15871, Pages 326 to 328 (ie: the deed was signed by three members of the Horn Family). This boundary line was described in the Deed as being "the southwesterly sideline of a proposed road crossing the land of the Grantors (Horn) as shown on a plan entitled "Proposed Master Plan, York Police Station dated 3/03/10 by SMRT", a copy of which is attached hereto as Exhibit A and incorporated herein by reference".

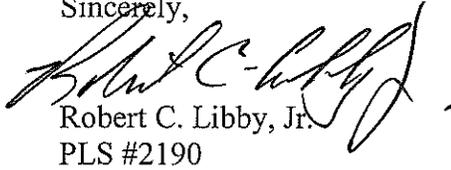
This Exhibit was difficult to decipher and determine the southwesterly location of the proposed road. Please note that the plan attached to the deed as Exhibit A is a reduced copy and contains no dimensions, descriptions, monuments or other survey information. Therefore, SMRT was contacted and the proposed road alignment was provided and used to create the boundary line.

There is some question by the parties involved that this is not the correct boundary. This is simply not correct. The boundary may not be what the parties intended, but it is what they created in the deed transfer. The Record Deed is the only record information available to us to determine this boundary per Professional Survey Standards in the State of Maine. The SMRT layout was used but it had no status in our professional duties other than additional information. If the parties now want a different boundary, only a Corrective Deed, in my opinion, can change the boundaries.

To summarize, I believe the southwesterly boundary line shown on the Survey Plan is the record boundary referred to in the Recorded Deed.

Please feel free to contact me with any further questions. Also, it is recommended that we, as the surveyors, should review any deeds before signing.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert C. Libby, Jr.", written in a cursive style. The signature is positioned above the printed name and ID number.

Robert C. Libby, Jr.
PLS #2190