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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by Ray Tauke, 2401 300th Ave., Earlville, Ia. 52041. Phone: 563-923-3485

AFFIDAVIT OF RECORDING

April 7, 2005

To Who It May Concern:

This is to certify that the attached document is a true and exact copy of the form signed By Dan Vaske and Gerry Knipper.

North Fork Township Clerk
Delaware County

By Ray Tauke
Ray Tauke

Subscribed and sworn before me, a Notary Public, in the State of Iowa, on this 7th day of April, 2005.

Notary Public

SHARON McCRABB
Commission Number 012573
My Comm. Exp. 6-14-05

Sharon McCrabb

My Commission Expires 6-14-05

North Fork TOWNSHIP, Delaware COUNTY

Bernard F. Loeche
Complaining Party

3387 270th St
Worthington, Ia
Address

vs.

ORDER OF FENCE VIEWERS

Edmund Jesenovec
Responding Party

3343 - 265th ST.
Worthington, Ia
Address

Now on this 29th day of March, ~~19~~ 2005, a controversy having arisen between the parties named above, adjoining landowners, as to the erection and maintenance of a partition fence, it comes on for hearing before North Fork Township Trustees, Delaware County, State of Iowa, acting as fence viewers upon the request of one of the landowners, pursuant to Chapter 113 of the Code.

The Trustees, after providing all parties in interest with due notice or accepting waiver of same, after inspection of the property and fences and being fully advised in the premises, FINDS:

That the complaining party is the owner of the following described real estate, to-wit: (Insert full legal description.)
The Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Twenty Five (25) Township Eighty Eight (88) North, Range Three (3) West of the Fifth Principal Meridian.

and

That the responding party is the owner of the following described real estate, to-wit: (Insert full legal description.)

The Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty Five (25), Township Eighty-Eight (88) North, Range Three (3) West of the Fifth Principal Meridian.
and

That there is a partition fence between said tracts of real estate which should be maintained and repaired according to Iowa law,

and

That the Trustees further find that the parties should build, repair and/or maintain their respective portions of said partition fence as is hereinafter ordered.

IT IS THEREFORE HEREBY ORDERED AND ADJUDGED by the Trustees of said Township as follows, to-wit:

1. That the complaining party, his/her grantees and successors in interest shall erect and/or maintain that part of the said partition fence described as follows, to-wit: On even numbered years, will maintain a single strand electric fence across the river from permanent fence to permanent fence Wapsie to

2. That the responding party, his/her grantees and successors in interest shall erect and/or maintain that part of the said partition fence described as follows, to-wit: On odd numbered years, will maintain a single strand electric fence across the river from permanent fence to permanent fence. Wapsie to

3. That said partition fence shall be a "lawful" fence.

4. (Insert other legal requirements to be made of one or both parties including date when work is to be completed.)

5. That the costs of this proceeding to be paid on entry of this Order shall be borne as follows:

Recording Fees $_____ Copy Fees $_____
Trustee Fees $_____ Clerk Fees $_____

Complaining party shall pay $ 180 ; responding party shall pay $ 180 .

IN WITNESS WHEREOF, we have hereunto signed our names as Trustees of North Fork Township, Delaware County, State of Iowa.

Dated at Earlville, Iowa, this 7th day of April, 2005

TOWNSHIP TRUSTEES ACTING AS FENCE VIEWERS

Gerald Knipper
TRUSTEE

Daniel C. Vale
TRUSTEE

TRUSTEE

(At least two Trustees must sign.)

Attest:

Ray Tauke
Township Clerk

APPEALS MAY BE MADE BY FILING A NOTICE OF APPEAL WITH THE CLERK OF DISTRICT COURT WITHIN 20 DAYS AFTER THE DATE OF THIS DECISION.

STATE OF IOWA, COUNTY OF Delaware, SS.

I, Ray Tauke, being first duly sworn on oath depose and state that I am the Township Clerk of North Fork Township, Delaware County, Iowa; that I do hereby certify that the foregoing Order of Fence Viewers was recorded in the Township book under the date of March 29, 2005; and that the foregoing Order is a true and correct copy of said Order as recorded in said Township book.

Ray Tauke
Township Clerk

Subscribed and sworn to before me by Ray Tauke this 7 day of April, 2005.

SHARON McCRABB
Commission Number 002573
My Comm. Exp. 6-14-05

Sharon McCrabb
Notary Public in and for the State of Iowa

(File one copy in the Township book and file one copy with the County Recorder. Each party to the Order should also have a copy for his or her records.)