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Document 2016 1168 Type 06 014 Pages 3
Date 5/09/2016 Time 12:23:29PM
Rec Amt $17.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Craig Geistkemper
218 NW Street
Earlville, IA 52041

2016-1633

Prepared by: City of Earlville, Linda Gaul, 19 Northern Ave., Earlville, IA 52041 Ph: 563-923-3365
Return to: City of Earlville, Linda Gaul, 19 Northern Ave., Earlville, IA 52041

FENCE, WALL, AND HEDGE AGREEMENT

This agreement made this 4 day of May 2016, by and between Craig & Heather Geistkemper, Party of the First Part and Mark & Cindy Mensen, Party of the Second Part

Whereas, the party of the first part wishes to place a Fence (fence, wall, or hedge) _____ (on the agreed property line or give a distance to the agreed property line), running along the East (North, South, East, West) side of the property of the party of the first part and along the West (North, South, East, West) side of the party of the second part on a parcel of land legally described as follows:

~~Earls North Add PT LT 4 Desc. B41 P41~~

See page 3 for legal description

AND WHEREAS, Section 121.18A Fences, Walls, And Hedges of the Zoning Code of Ordinances of the City of Earlville, Iowa, requires that parties enter into an agreement regarding the placement of said fence, wall, or hedge on the property of the party of the first part due to the fact said fence, wall, or hedge is within close proximity of the property line of the party of the second part.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement and in consideration of the mutual benefits to be gained by the parties, it is agreed as follows:

1. That said fence (fence, wall, or hedge) may be placed on the property line or distance agreed to by both parties. That said fence (fence, wall, or hedge) shall be maintained solely at the expense of the party of the first part.

2. That the respective property owners are responsible for maintenance of the property on their respective sides of the property line.

3. That this said written agreement shall be binding on all current owners of the property and all subsequent owners of the property so long as the fence (fence, wall, or hedge) remains in place.

PARTY OF THE FIRST PART

PARTY OF THE FIRST PART
Craig Geistkemper

State of Iowa)
) SS:
County of Delaware)

On this 4th day of May, 20 16, before me , a Notary Public in and for the State of Iowa, personally appeared, Craig Geistkemper, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her voluntary act and deed.

Notary Public in and for the State of Iowa

PARTY OF THE FIRST PART
Heather M Geistkemper

State of Iowa)
) SS:
County of Delaware)

SCOTT J. WEGMANN
NOTARIAL SEAL
IOWA
COMMISSION NUMBER 725828
My Commission Expires:
12-03-2018

On this 7 day of May, 20 16, before me , a Notary Public in and for the State of Iowa, personally appeared, Heather Geistkemper, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her voluntary act and deed.

ELAINE MARY DIESBURG
NOTARIAL SEAL
IOWA
Commission Number 177512
My Commission Expires
1-19-19

Notary Public in and for the State of Iowa

PARTY OF THE SECOND PART

PARTY OF THE SECOND PART
Mark Mensen

ELAINE MARY DIESBURG
NOTARIAL SEAL
IOWA
Commission Number 177512
My Commission Expires

State of Iowa)
) SS:
County of Delaware)

On this 7 day of May, 20 16, before me , a Notary Public in and for the State of Iowa, personally appeared, Mark Mensen, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her voluntary act and deed.

Notary Public in and for the State of Iowa

PARTY OF THE SECOND PART
Cindy A Mensen

ELAINE MARY DIESBURG
NOTARIAL SEAL
IOWA
Commission Number 177512
My Commission Expires
1-19-19

State of Iowa)
) SS:
County of Delaware)

On this 7 day of May, 20 16, before me , a Notary Public in and for the State of Iowa, personally appeared, Cindy A Mensen, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her voluntary act and deed.

Notary Public in and for the State of Iowa

ELAINE MARY DIESBURG
NOTARIAL SEAL
IOWA
Commission Number 177512
My Commission Expires
1-19-19

That part of Lot Four (4) described as commencing at a point that is sixty six (66) feet East and one hundred ten (110) feet North of the Southwest corner of said Lot Four (4), and running thence North seventy one and one-half (71½) feet to a point five (5) rods South of the North line of said Lot Four (4), thence East seventy four (74) feet, thence South seventy one and one-half (71½) feet, thence West seventy four (74) feet to the point of beginning, in Earl's North Addition to Nottingham, now Earlville, Iowa, according to plat recorded in Book 10 L.D., Page 409