Recorded: 9/25/2017 at 9:37:45.0 AM
Fee Amount: $17.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2017 PG: 2647

Preparer: Alan T. Heavens, McClean & Heavens Law Offices, PO Box 120, Elkader, IA 52043.
Taxpayer: N/A.
Return to: Alan T. Heavens, McClean & Heavens Law Offices, PO Box 120, Elkader, IA 52043.

Parcel A in the SE 1/4 of Section 5, T90N, R4W of the 5th P.M., Delaware County, Iowa, according to plat Recorded in Book 2002, Page 3739. and The E 1/2 of the SE 1/4 and the NW 1/4 of the SE 1/4 and The SW 1/4 of the NE 1/4 of Section 5, T90N, R4W of the 5th P.M., according to the Plat of Survey (Retracement) recorded in Book 2016, Page 3504 in Delaware County.	**BOUNDARY AGREEMENT**

For the consideration of one dollar and other valuable consideration, the undersigned Jan F. Keck and Lori A. Keck and James A. Behnke and Barb J. Behnke, do hereby state the following:

1. Jan F. Keck and Lori A. Keck, husband and wife, own the real estate described as follows as joint tenants with full rights of survivorship and not as tenants in common:

   Parcel A in the SE 1/4 of Section 5, T90N, R4W of the 5th P.M., Delaware County, Iowa, according to plat Recorded in Book 2002, Page 3739.

2. James A. Behnke and Barb J. Behnke, husband and wife, own the real estate described as follows as joint tenants with full rights of survivorship and not as tenants in common:

   The E 1/2 of the SE 1/4 and the NW 1/4 of the SE 1/4 and The SW 1/4 of the NE 1/4 of Section 5, T90N, R4W of the 5th P.M., according to the Plat of Survey (Retracement) recorded in Book 2016, Page 3504 in Delaware County.

3. The parcel described in Paragraph 1, owned by the Kecks, borders the parcel described in Paragraph 2, owned by the Behnkes.

4. No other parties are affected by this landowner Boundary Agreement.

5. In 2003, Jan Keck and Merle Hinderman, a predecessor in title to the parcel that the Behnkes now own, built a fence on the northern part of Keck parcel and the southern part of what was then the Hinderman (now Behnke) parcel in a location that both sides believed was the boundary line and treated as the boundary line for more than 10 years.

6. There is also a fence on the northeast boundary of the Keck and Behnke properties which the owners of each property have treated as the boundary line for more than 10 years.

7. Jan and Lori Keck and James and Barb Behnke hereby agree that the true and accurate boundaries of the northern and northeast parts of their parcels described in this instrument are the existing fences.

8. The parties agree to keep all current fences in place and treat these fences as boundary lines regardless of where any survey of the legal descriptions of each parcel may place the boundary lines in these areas.

9. The parties also agree to immediately rebuild any fence that is destroyed or otherwise removed by any person or naturally occurring event.

10. The terms of this Boundary Agreement shall be binding upon all heirs, successors, and assigns of all parcels referenced in this document unless all parties affected agree in writing in a manner required for conveyances of real estate to amend, alter, or terminate this agreement.

Signed this 20 day of September, 2017 by:

Jan F. Keck - Landowner

Lori A. Keck - Landowner

On this 20 day of September, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jan F. Keck and Lori A. Keck to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

ALAN HEAVENS
Commission Number 764924
My Commission Expires
9-30-19

Notary Public in and for the State of Iowa

Signed this 26 day of July, 2017 by:

James A. Behnke - Landowner

Barb J. Behnke - Landowner

On this 28 day of July, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared James A. Behnke and Barb J. Behnke to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
BARBARA A NAUMAN
Commission Number 727604
My Commission Expires
3-26-2019