Book 2018 Page 946
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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By: City of Manchester, Iowa, 208 E Main Street, Manchester, IA 52057 563-927-3636
Return To: Burton Oehler, 120 W Union Street, Manchester, IA 52057 563.920.0412
cc: ~~Burton~~ williamoehler

FENCE AGREEMENT

This agreement made this 10th day of April, 2018, by and between **William B Oehler and Nancy J. Oehler,** Party of the First Part, and, **Alan Seibert, Joyce Seibert and Susan M. Wooldridge,** Party of the Second Part.

WHEREAS, the party of the first part wishes to build the fence on their property line, said fence being on the **east** property line of the party of the first part, in Manchester, Delaware County, Iowa, on the parcel legally described as follows:

The West sixty six (66) feet of the East one hundred thirty two (132) feet of the North one-half (N ½) of Lot L, Iowa Land Company's Subdivision of part of Manchester, Iowa, according to plat recorded in Book 4 L.D., Page 514, except a strip forty (40) feet wide off the North side. (aka 120 W Union Street)

AND WHEREAS, the party of the second part agrees to said fence being on the **west** property line of the party of the second part, in Manchester, Delaware County, Iowa, on the parcel legally described as follows:

The East sixty six (66.0) feet of the North one-half (N ½) of Lot "L" of Iowa Land Company's Subdivision of part of Manchester, Iowa, according to plat recorded in Book 4 L.D., Page 514, except a strip forty (40.0) feet wide off the North side thereof. (aka 116 W Union Street)

AND WHEREAS, the said fence to be on the **east** property line of the party of the first part; and the **west** property line of the party of the second part,

AND WHEREAS, Section 165.25.10(g)(2) "Fence Regulations" of the Zoning Code of Ordinances of the City of Manchester, Iowa, requires an agreement in writing be established for the erection of a fence or wall on the property line.

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 may be built on the property line of both parties. That said fence shall be erected and 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 the party of the first part shall hold the party of the second part and their agents harmless from any and all liability, claims or suits for damages with respect to any claims, demands, or causes of action of any kind or nature with respect to said fence.
4. That this said written agreement shall be binding upon the parties to this agreement, their successors and assigns, and shall run with the land so long as the said fence remains in place.
5. Both parties warrant title to their property is sufficient authority for them to enter into this agreement agree the City is not responsible for any title issues that may arise.

PARTY OF THE FIRST PART

William B. Oehler

William B. Oehler
PARTY OF THE FIRST PART

State of Iowa)
) ss:
County of Delaware)

On this 10 day of APRIL, 2018, before me, a Notary Public in and for the State of Iowa, personally appeared, **William B. Oehler**, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as **his/her** voluntary act and deed.

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
LETICIA M. TIMMERMAN
Commission Number 752824
My Commission Expires
May 16, 2020

Printed Notary Name Leticia M. Timmerman

Nancy J. Oehler

Nancy J. Oehler
PARTY OF THE FIRST PART

State of Iowa)
) ss:
County of Delaware)

On this 10 day of April, 2018, before me, a Notary Public in and for the State of Iowa, personally appeared, **Nancy J. Oehler**, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as **his/her** voluntary act and deed.

NOTARIAL SEAL IOWA — LETICIA M. TIMMERMAN Commission Number 752824 My Commission Expires May 16, 2020

Leticia M. Timmerman
Notary Public in and for the State of Iowa

PARTY OF THE SECOND PART

Alan Seibert

Alan Seibert
PARTY OF THE SECOND PART

State of Iowa)
) ss:
County of Delaware)

On this 12 day of April, 2018, before me, a Notary Public in and for the State of Iowa, personally appeared, **Alan Seibert** to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as **his/her** voluntary act and deed.

NOTARIAL SEAL IOWA — LETICIA M. TIMMERMAN Commission Number 752824 My Commission Expires May 16, 2020

Leticia M. Timmerman
Notary Public in and for the State of Iowa

Printed Notary Name Leticia M. Timmerman

Joyce Seibert

Joyce Seibert
PARTY OF THE SECOND PART

State of Iowa)
) ss:
County of ~~Delaware~~ Linn)

On this 12 day of April, 2018, before me, a Notary Public in and for the State of Iowa, personally appeared, **Joyce Seibert** to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as **his/her** voluntary act and deed.

NOTARIAL SEAL IOWA — BRITTNEY E. AL... Commission Number 790760 My Commission Expires June 26, 2018

Brittney Blanca
Notary Public in and for the State of Iowa

Printed Notary Name Brittney Blanca

Susan M Wooldridge

Susan M. Wooldridge
PARTY OF THE SECOND PART

State of Iowa)
) ss:
County of Delaware)

On this 10th day of April, 2018, before me, a Notary Public in and for the State of Iowa, personally appeared, **Susan M. Wooldridge** to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as **his/her** voluntary act and deed.

Leticia M. Timmerman
Notary Public in ~~and~~ for the State of Iowa

NOTARIAL SEAL IOWA — LETICIA M. TIMMERMAN Commission Number 752824 My Commission Expires May 16, 2020

Printed Notary Name Leticia M. Timmerman