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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: Steve Huegel, 212 Deann Drive, Manchester, IA 52057 563.920.4396

ENV (X)

FENCE AGREEMENT

This agreement made this 8th day of May, 2020, by and between **Steven J. & Heather L. Huegel,** Party of the First Part, and, **Matthew J. and Sarah E. Klostermann,** 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:

Lot Twenty Seven (27) of Schulte's Second Addition to Northtown Estates, Manchester, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 10.
(aka 212 Deann Drive)

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 Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., except any part included in Northtown Estates, Subdivision of part of the North One-half (N ½) of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa, according to plat recorded in Book 4 Plats, Page 13, also except any part included in Schulte's First Addition to Northtown Estates Subdivision, City of Manchester, Delaware County, Iowa, according to plat recorded in Book 3 Plats, Page 166, also except any part included in Schulte's Second Addition to Northtown Estates, Manchester, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 10, and also except the North thirty three (33) feet of the West one thousand five hundred thirty nine (1539) feet of that portion of the North one-half (N ½) of the Southeast (SE ¼) of said Section (20) lying East of the centerline of Lindsay Creek Road (now known as Honey Creek Road), being the South one-half (S ½) of East Honey Creek Drive lying within the City limits of Manchester, Iowa, also Lot A of Schulte's Second Addition to Northtown Estates, Manchester, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 10

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

On this 8th day of May, 2020, before me, a Notary Public in and for the State of Iowa, personally appeared, **Steven J. Huegel**, 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.

TIMOTHY MICHAEL HEIMS
Commission Number 821179
My Comm. Exp. NOV 12, 2022

Timothy Michael Heims
Notary Public in and for the State of Iowa

Printed Notary Name Timothy Michael Heims

PARTY OF THE FIRST PART

TIMOTHY MICHAEL HEIMS
Commission Number 821179
My Comm. Exp. NOV 12, 2022

Heather L. Huegel

Heather L. Huegel, PARTY OF THE FIRST PART

State of Iowa)
) ss:
County of Delaware)

On this 8th day of May, 2020, before me, a Notary Public in and for the State of Iowa, personally appeared, **Heather L. Huegel**, 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.

Timothy Michael Heims
Notary Public in and for the State of Iowa

Printed Notary Name Timothy Michael Heims

PARTY OF THE SECOND PART

TIMOTHY MICHAEL HEIMS
Commission Number 821179
My Comm. Exp. NOV 12, 2022

Matthew J. Klostermann

Matthew J. Klostermann, PARTY OF THE SECOND PART

State of Iowa)
) ss:
County of Delaware)

On this 9 day of May, 2020, before me, a Notary Public in and for the State of Iowa, personally appeared,
* **Matthew J.Klostermann**, 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.

* And Sarah E Klostermann

Timothy Michael Heims
Notary Public in and for the State of Iowa

TIMOTHY MICHAEL HEIMS
Commission Number 821179
My Comm. Exp. NOV 12, 2022

Printed Notary Name Tim Heims

PARTY OF THE SECOND PART

Sarah E. Klostermann

Sarah E. Klostermann, PARTY OF THE SECOND PART