

Prepared by: Jordon, Oliver & Walters PO Box 230 462-3731  
FENCE AGREEMENT

THIS AGREEMENT, made and entered into, by and between, **THOMAS R. HARGER** and **BARBARA A. HARGER**, husband and wife, hereinafter called "Hargers" and **LETA M. HOLLINGSWORTH**, single, and **LETA M. HOLLINGSWORTH**, as Trustee of the Trust created under the Last Will and Testament of N. Bernard Hollingsworth, deceased, hereinafter called "Hollingsworths".

MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

REC \$ 15<sup>00</sup>  
AUD \$ \_\_\_\_\_  
R.M.F. \$ 1<sup>00</sup>

COMPUTER   
RECORDED   
COMPARED \_\_\_\_\_

WHEREAS, Hargers are the owners of the following described real estate:

A plat of survey located in the Southwest Quarter of Section 26, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest corner of Section 26, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 2°04'19" West, 1169.33 feet along the West line of the Southwest Quarter of said Section 26 to a point on the South right-of-way line of Iowa Highway No. 92; thence North 24°23'56" East, 125.75 feet along said R.O.W. line; thence North 74°29'07" East, 302.92 feet along said R.O.W. line; thence North 31°36'44" East, 84.44 feet along said R.O.W. line; thence North 72°14'45" East, 519.87 feet along said R.O.W. line; thence South 35°57'22" East, 57.76 feet along said R.O.W. line; thence North 72°14'45" East, 111.91 feet along said R.O.W. line; thence North 45°43'24" East, 111.74 feet along said R.O.W. line; thence North 72°14'09" East, 386.13 feet along said R.O.W. line; thence North 70°25'08" East, 78.69 feet along said R.O.W. line to an existing property line fence; thence South 0°25'56" East, 1749.66 feet along said property line fence to an existing fence corner, located on the South line of the Southwest Quarter of said Section 23; thence South 87°56'49" West, 1517.50 feet along the South line of the Southwest Quarter of said Section 23 to the Point of Beginning. Said Plat contains 53.332 acres, and is divided into three lots.



WHEREAS, Hollingsworths are the owners of the real estate lying east of the east boundary line of the above described real estate.

WHEREAS, the parties desire to enter into this Agreement to determine the responsibility for the erection, maintenance, and repair of the fence on said boundary line.

**NOW THEREFORE IT IS AGREED AS FOLLOWS:**

1. Hargers agree to erect, maintain and repair all of the fence located on said boundary line between the two tracts of real estate described above.

2. Hargers agree that they will erect, maintain, and repair a fence in compliance with Iowa Code Section 359A.18, except that said fence shall consist of at least five barbed wires.

3. This Agreement shall be binding upon the parties, their heirs, successors and assigns.

Dated this 29 day of Jan, 2001.

Thomas R. Harger  
Thomas R. Harger

Leta M. Hollingsworth  
Leta M. Hollingsworth

Barbara A. Harger  
Barbara A. Harger

Leta M. Hollingsworth  
Leta M. Hollingsworth, Trustee of the Trust  
created under the Last Will and Testament  
of N. Bernard Hollingsworth, deceased

STATE OF IOWA :  
:ss

MADISON COUNTY :

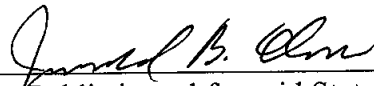
On this 29 day of Jan, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared, Thomas R. Harger and Barbara A. Harger, to me known to be the identical persons named in and show executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Jerrold B. Oliver  
Notary Public in and for said State



STATE OF IOWA :  
:ss  
MADISON COUNTY :

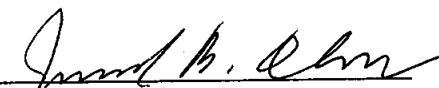
On this 29 day of Jan, 2001, before me, the unsigned, a Notary Public in and for said State, personally appeared, Leta M. Hollingsworth, to me known to be the identical persons named in and show executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

  
Notary Public in and for said State



STATE OF IOWA :  
: ss  
MADISON COUNTY :

On this 29 day of Jan, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared, Leta M. Hollingsworth, to me known to be the identical person named in and who executed the above foregoing instrument, and acknowledged that the person or persons, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

  
Notary Public in and for said State

