Preparer
Information: Jerrold B. Oliver

PREC \$ 15 W2

FILED NO. 6925

FILED NO. 6925

BOOK 2003 PAGE 6925

COMPUTER RECORDED AICKI WISLER RECORDER MADISORI COUNTY, 10 WA

FENCE AGREEMENT

This Agreement made and entered into by and between EXCLUSIVE PROPERTIES, L.L.C. and DANIEL LYNCH and SHEILA LYNCH, Husband and Wife.

WHEREAS, Daniel Lynch and Sheila Lynch are the owners of the West Half (½) of the Northwest Quarter (¼) of Section 28, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; and

WHEREAS, Exclusive Properties, L.L.C. is the owner of: The Northeast Quarter (1/4) of Section Twenty-nine (29) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "A", located in the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of said Section Twenty-nine (29) containing 3.000 acres, as shown in Plat of Survey filed in Book 2003, Page 222 on January 14, 2003, in the Office of the Recorder of Madison County, Iowa;

WHEREAS, the parties desire to enter into this Fence Agreement to determine the responsibility for the erection, maintenance and repair for the partition fence between the real estate owned by the respective parties.

IT IS THEREFORE AGREED as follows:

- 1. Daniel Lynch and Sheila Lynch agree that they shall direct, maintain and repair the north half of said partition fence.
 - 2. Exclusive Properties, L.L.C. agrees that it shall erect, maintain and repair the

south half of said partition fence.

- 3. The parties understand and agree that Daniel Lynch and Sheila Lynch have recently erected a new fence to replace the old fence for his portion of the partition fence required to be erected, maintained and kept in repair by them.
- 4. Exclusive Properties, L.L.C. agrees to replace and construct a new fence for that portion of said partition fence required to be erected, maintained and repaired by it.
- 5. Exclusive Properties, L.L.C. agrees to construct said new fence on or before April 30, 2004.

Dated: 9 - 18, 2003.

Daniel Lynch

Sheila Lynch

EXCLUSIVE PROPERTIES, L.L.C.

Robert Trausch

STATE OF IOWA

:ss

MADISON COUNTY

This instrument was acknowledged before me on September 18, 2003, by Daniel Lynch and Sheila Lynch, Husband and Wife.



Notary Public in and for the State of Iowa



| STATE OF <u>IOWA</u> | , COUNTY OF | | |
|---|-------------------|--------------------|--|
| On this <u>/</u> 8 day of | Sept , 200 | 🛂, before me, a No | otary Public in and for the said State, |
| personally appeared | Robert Trausch | , to me pers | onally known, who being by me duly |
| sworn did say that that person is Vice-President and Secretary (Insert title of executing member) | | | |
| of said limited liability company, that (the seal affixed to said instrument is the seal of said) (no seal has been | | | |
| procured by the said) limited liability company and that said instrument was signed (and sealed) on behalf of | | | |
| the said limited liability company by authority of its managers and the said Robert Trausch | | | |
| acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company | | | |
| by it voluntarily executed. | | | |
| Jund B. Clm | | | |
| | Jerrold B. Oliver | v | _ , Notary Public in and for said State. |

JERROLD B. OLIVER
Commission Number 201442
My Commission Expires
August 26, 2006

Acknowledgment: For use in the case of limited liability companies

(Section 558.39, Code of lowa)

© The Iowa State Bar Association 2001 IOWADOCS®

193 ACKNOWLEDGMENT Revised January, 1999