

Order Of Fence Viewers

Before the Township Trustees of Walnut Township, Madison County, Iowa.

Upon the Complaint of Delbert Hanner (Complaining Party),
2487 290th St Peru, IA 50222 (address)

vs.

Bick and Angela Mortaza (Responding Party)
2533 290th St (address)
Peru, IA 50222

A controversy having arisen between the parties named above, adjoining landowners, as to the erection and maintenance of a partition fence, it comes on for hearing before Walnut Township Trustees, Madison County, State of Iowa, acting as fence viewers upon the request of one of the landowners, pursuant to Chapter 359A of the Code of Iowa.

The Trustees, after providing all parties in interests with due notice or accepting waiver of same, after inspection of the property and fences and being fully advised in the premises, Finds:

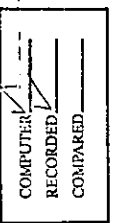
- That the Complaining Party is the owner of the following legally described real estate: NE 1/4 of NE 1/4 of Sec. 9 Walnut Twp.
- That the Responding Party is the owner of the following legally described real estate: North 1/2 of NW 1/4 of NW 1/4 of Sec. 10 Walnut Twp.
- There is a partition fence between said tracts of real estate which should be maintained and repaired according to Iowa law.
- That the Trustees further find that the parties should build, repair and maintain their respective portions of said partition fence as is hereinafter ordered.

It is therefore hereby ordered and adjudged by the Trustees of said Township as follows:

1. The Complaining Party, and all of that party's grantees and successors in interest, shall erect and/or maintain that part of the said partition fence described as follows:
Right hand rule South half of Partition fence
between property described above

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Book 2005 Page 4271 Recording Fee \$ 17.00 By CONNIE L. MILLER Deputy
Michelle Ulsler, Recorder

STATE OF IOWA, ss.
MADISON COUNTY,



2. That the Responding Party, and all of that party's grantees and successors in interest, shall erect and/or maintain that part of said partition fence described as follows:

Right hand rule North 1/2 of partition fence as described above

3. The partition fence in issue shall be a "lawful" or "tight" fence. Mortzoza

4. At this time, the portion of fence assigned to Responding Party needs the following repairs (legal requirements to be made of one or both parties):

Some portions of existing fence are too low and needs to be repaired. Some very poor fence at North end.

5. The work to be done on that portion of the partition fence assigned to the Complaining party has a value of \$ _____ and is to be completed by _____ (date).

6. The work to be done on that portion of the partition fence assigned to the Responding Party has a value of \$ 285/foot and is to be completed by

October 10, 2005 (date). Estimated cost of new fence.

7. The cost of this proceeding to be paid on entry of this Order shall be borne as follows:

Recording Fees \$ _____ Copy Fees \$ _____

Trustee Fees \$ 75.00 Clerk Fees \$ _____

already paid by complaint
Complaining party shall pay \$ 75.00; Responding party shall pay \$ _____.

In Witness Whereof, we have hereunto signed our names as Trustees of Walnut Township, Madison County, State of Iowa.

Dated at _____, Iowa, this _____ day of _____, in the year _____.

Township Trustees Acting As Fence Viewers
(At least two Trustees must sign.)

Gary Boeler
Trustee

Paul Galt
Trustee

Trustee

Attest: Christie Willinger
Township Clerk



State of Iowa, Madison County, ss:

I, Annette Dillingen being first duly sworn on oath depose and state that I am Township Clerk of Walnut Township, Madison County, Iowa; that I do hereby certify that the foregoing Order of Fence Viewers was recorded in the Township book under the date of Sept 6; and that the foregoing Order is a true and correct copy of said Order as recorded in said Township book.

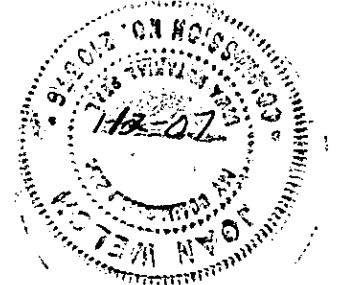
Annette Dillingen
Township Clerk

Subscribed and sworn to before me by Annette Dillingen this 6 day of September, in the year 2005

Joan Welch
Notary Public

- Original: Retained by the Township Clerk
- Copies to: County Auditor
- County Recorder
- Complaining Party
- Responding Party

1301 St Emuson
Annette Dillingen



Document 2005 4271

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Date 9/06/2005 Time 10:35 AM

Rec Amt \$17.00

MICHELLE UTSLER. COUNTY RECORDER
MADISON IOWA

