

REC \$ 20.00  
 AUD \$ \_\_\_\_\_  
 R.M.F. \$ 1.00

FILED NO. 2627  
 BOOK 45 PAGE 456

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COMPUTER   
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 COMPARED

MICHELLE UTSLER  
 RECORDER  
 MADISON COUNTY, IOWA

Prepared by: Ralph R. Brown 502 15th Street, P.O. Box 250 Dallas Center (515) 992-3728

### BOUNDARY LINE AGREEMENT

This Agreement is entered into this 11th day of November, 1998, by and between **ANNAMAY MORGAN**, as Executor of the Joseph P. Meade Estate pending in Madison County, Iowa, District Court as Probate No. ESPR 10342, and as Trustee of the Revocable Living Trust Agreement, entered into December 21, 1995, by Joseph P. Meade as Settlor (hereinafter referred to as "Meade Estate"); and **CARMELITA MEADE BLACKMAN**, a single person, of West Des Moines, Iowa (hereinafter referred to as "Blackman").

**WHEREAS** the Meade Estate owns the following described parcel of real estate situated in Madison County, Iowa:

The East twenty (E 20) acres of the Southeast Quarter (SE 1/4) of Section Fifteen (15), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and a tract in said Southeast Quarter (SE 1/4) beginning 330 feet West and 887 feet North of the Southeast corner of said Section and running thence South 84°35' West, 590.3 feet; thence North 369 feet; thence North 85°35' East, 590.3 feet; thence South 369 feet to the point of beginning, containing five (5) acres.

**WHEREAS**, Blackman owns the following described parcel of real estate situated in Madison County, Iowa:

The Southeast Quarter (SE 1/4) of Section Fifteen (15) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except the East 20 acres thereof and except a tract beginning 330 feet West and 887 feet North of the Southeast corner of said Section and running thence South 84°35' West, 590.3 feet; thence North 369 feet; thence North 85°35' East, 590.3 feet; thence South 369 feet to the point of beginning, containing five (5) acres.

**WHEREAS**, the boundary line between the Meade Estate parcel and the Blackman parcel has become lost; and

**WHEREAS**, for more than twenty (20) years the existing fence line between the parcels has been accepted by all parties as the boundary line between the two parcels; and

WHEREAS, on October 29, 1998, the Madison County District Court authorized the Executor of the Joseph P. Meade Estate and the Trustee of the Meade Trust to enter into a Boundary Line Agreement with Carmelita Meade Blackman to establish the existing fence line between the properties as the correct boundary line between the properties; and

WHEREAS, pursuant to Section 650.17 of the Code of Iowa, the parties desire to enter into a written agreement determining the boundary line between the parcels as shown by the accompanying Survey, marked Exhibit "A" and attached hereto by James M. Hochstetler of Vance & Hochstetler, P.C., and dated the 8th day of December, 1998.

IT IS, THEREFORE, AGREED by and between the parties as follows:

1. The boundary line between the Meade Estate parcel and the Blackman parcel is determined to be the existing fence line between the parcels as more particularly set forth in the attached Plat by James M. Hochstetler.

2. Pursuant to Section 650.17 of the Code of Iowa, the parties sign and acknowledge this Agreement to establish the boundary by the Agreement, all with the intent that it be recorded in the office of the Madison County, Iowa, Recorder as an instrument affecting real estate, and which shall be binding upon our heirs, successors, and assigns.

JOSEPH P. MEADE ESTATE

By: Annamay K. Morgan  
Annamay K. Morgan, Executor

JOSEPH P. MEADE REVOCABLE LIVING TRUST


By: Annamay K. Morgan  
Annamay K. Morgan, Trustee

Carmelita Meade Blackman  
Carmelita Meade Blackman

STATE OF MICHIGAN :  
: ss.  
COUNTY OF WAYNE :

On this 11<sup>th</sup> day of NOV, 1998, before me, the undersigned, Notary Public in and for the State of Michigan, personally appeared Annamay K. Morgan, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she, as the Executor of the Joseph P. Meade Estate and as Trustee of the Joseph P. Meade Revocable Living Trust executed the instrument as the voluntary act and deed of the person and of the fiduciary herein.

HELEN MCEWAN  
NOTARY PUBLIC - WAYNE COUNTY, MI  
NOTING IN WAYNE, Notary Public  
in and for the State of Michigan



STATE OF IOWA :  
: ss.  
COUNTY OF POLK :

On this ~~11<sup>th</sup>~~ 22<sup>nd</sup> day of NOV December, 1998, before me, the undersigned, Notary Public in and for the State of Iowa, personally appeared Carmelita Meade Blackman, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Carol Sue Henderson  
\_\_\_\_\_, Notary Public  
in and for the State of Iowa

PROB:meade-16

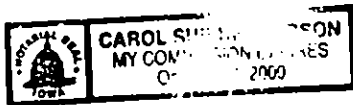


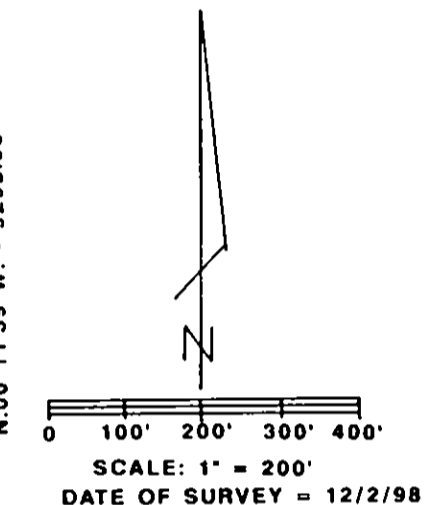
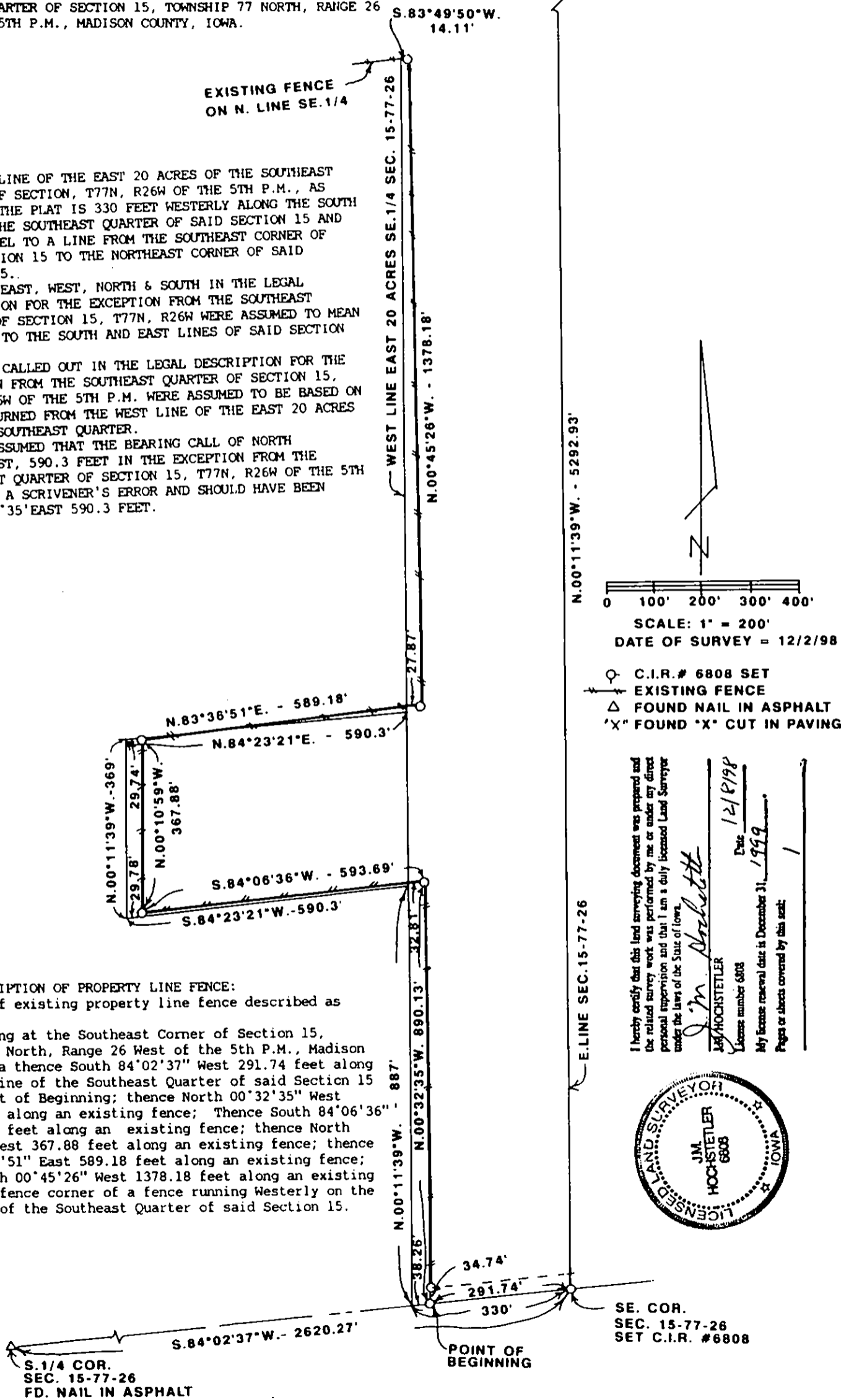
Exhibit "A"

PLAT OF SURVEY FOR BOUNDARY LINE AGREEMENT BETWEEN ANNAMAY MORGAN, AS EXECUTOR OF THE JOSEPH P. MEADE ESTATE; AND CARMELITA MEADE BLACKMAN OF PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA.

NE. COR.  
SEC. 15-77-26  
FD. 'X' CUT IN PAVING

SURVEY NOTE:

1. THE WEST LINE OF THE EAST 20 ACRES OF THE SOUTHEAST QUARTER OF SECTION, T77N, R26W OF THE 5TH P.M., AS SHOWN ON THE PLAT IS 330 FEET WESTERLY ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 AND IS PARALLEL TO A LINE FROM THE SOUTHEAST CORNER OF SAID SECTION 15 TO THE NORTHEAST CORNER OF SAID SECTION 15.
2. CALLS OF EAST, WEST, NORTH & SOUTH IN THE LEGAL DESCRIPTION FOR THE EXCEPTION FROM THE SOUTHEAST QUARTER OF SECTION 15, T77N, R26W WERE ASSUMED TO MEAN PARALLEL TO THE SOUTH AND EAST LINES OF SAID SECTION 15.
3. BEARINGS CALLED OUT IN THE LEGAL DESCRIPTION FOR THE EXCEPTION FROM THE SOUTHEAST QUARTER OF SECTION 15, T77N, R26W OF THE 5TH P.M. WERE ASSUMED TO BE BASED ON ANGLES TURNED FROM THE WEST LINE OF THE EAST 20 ACRES OF SAID SOUTHEAST QUARTER.
4. I ALSO ASSUMED THAT THE BEARING CALL OF NORTH 85°35'EAST, 590.3 FEET IN THE EXCEPTION FROM THE SOUTHEAST QUARTER OF SECTION 15, T77N, R26W OF THE 5TH P.M., IS A SCRIVENER'S ERROR AND SHOULD HAVE BEEN NORTH 84°35'EAST 590.3 FEET.



C.I.R. # 6808 SET  
EXISTING FENCE  
△ FOUND NAIL IN ASPHALT  
'X' FOUND 'X' CUT IN PAVING

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*J.M. Hochstetler*  
J.M. HOCHSTETLER  
License number 6808  
Date 12/18/98  
My license renewal date is December 31, 1999.  
Pages or sheets covered by this plat: 1



LEGAL DESCRIPTION OF PROPERTY LINE FENCE:  
Survey of existing property line fence described as follows:  
Commencing at the Southeast Corner of Section 15, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa thence South 84°02'37" West 291.74 feet along the South line of the Southeast Quarter of said Section 15 to the Point of Beginning; thence North 00°32'35" West 890.13 feet along an existing fence; Thence South 84°06'36" West 593.69 feet along an existing fence; thence North 00°10'59" West 367.88 feet along an existing fence; thence North 83°36'51" East 589.18 feet along an existing fence; thence North 00°45'26" West 1378.18 feet along an existing fence to a fence corner of a fence running Westerly on the North line of the Southeast Quarter of said Section 15.