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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

**FENCE AGREEMENT**  
Recorder's Cover Sheet

**Preparer Information:**

Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273

**Taxpayer Information:**

✓ **Return Address**

Jerrold B. Oliver, PO BOX 230, Winterset, IA 50273

**Grantors:**

SEE PAGE 2

**Grantees:**

SEE PAGE 2

**Legal Description:** SEE PAGE 2

**Document or instrument number if applicable:**

## FENCE AGREEMENT

This Fence Agreement made and entered into by and between Michael D. Koch and Cindy L. Koch, Husband and Wife, hereinafter called "Kochs" and Baur Farms, Inc.

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

Parcel "B" located in the West Half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of Section Twenty-seven (27), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 46.00 acres, as shown in Plat of Survey filed in Book 2, Page 796 on May 8, 1997 in the Office of the Recorder of Madison County, Iowa,

WHEREAS, Baur Farms, Inc. owns the following described real estate:

SEE EXHIBIT "A" ATTACHED

WHEREAS, the parties desire to enter into this Fence Agreement to provide for the construction, maintenance and repair of the partition fence located on the boundary line between their respective tracts of real estate.

NOW THEREFORE, it is agreed as follows:

1. The partition fence is described as follows:
  - a. Commencing at the Northeast corner of the Northeast Quarter ( $\frac{1}{4}$ ) of the Northwest Quarter ( $\frac{1}{4}$ ) the fence thence South and Southeast 800 feet.
  - b. From the South termination point of the fence described in subparagraph a thence Southeast, South and Southwest 800 feet.
  - c. From the South termination point of the fence described in subparagraph b thence South and East 800 feet.
  - d. From the termination point of the fence described in subparagraph c,

approximately 800 to the Southeast corner of said Parcel B.

2. Baur Farms, Inc. shall construct, erect and maintain a lawful fence for that portion of the fence described in subparagraphs a and c above. Kochs shall construct, erect and maintain a lawful fence for that portion of the fence described in subparagraphs b and d above.

3. An aerial photo is attached hereto showing the portion of the fence to be constructed, erected and maintained by each party.

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

Dated this 14 day of SEPTEMBER, 2010.

Baur Farms, Inc.

By

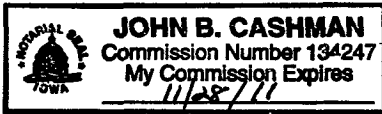
  
James M. Baur

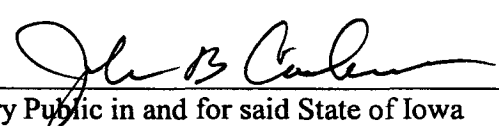
  
Michael D. Koch

  
Cindy L. Koch

STATE OF IOWA, COUNTY OF MADISON

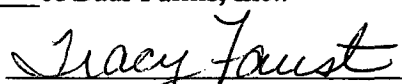
This instrument was acknowledged before me on this 20<sup>th</sup> day of September, 2010, by Michael D. Koch and Cindy L. Koch.



  
Notary Public in and for said State of Iowa

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 14 day of September, 2010, by James M. Baur as President of Baur Farms, Inc..

  
Notary Public in and for said State of Iowa



Farm #:5172  
Tract #:3475



0 500 1,000 2,000 Feet

1 inch equals 660 feet



Prepared by Madison County FSA

## EXHIBIT 'A'

Being the North Half (N 1/2) of the Northwest Quarter (NW 1/4) and part of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section Twenty-seven (27), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and being more particularly described as follows: Beginning at the North Quarter (N 1/4) Corner of said Section Twenty-seven (27); then N89°53'05" West, 1325.82 feet to the Northeast Corner of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27); then N89°41'23" West, 1319.55 feet to the Northwest Corner of said Section Twenty-seven (27); then S00°00'42" West, 1304.71 feet to the Southwest Corner of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27); then S89°40'50" East, 2640.03 feet to the Southeast Corner of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27); then S00°14'39" West, 1317.78 feet to the Southeast Corner of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27); then S89°43'05" East, 1334.96 feet to the Southeast Corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section Twenty-seven (27); then N00°02'49" East, 1019.86 feet along the East line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section Twenty-seven (27); then N89°04'24" West, 1319.47 feet; then N00°56'32" East, 357.57 feet; then N53°18'45" East, 350.04 feet; then N00°08'34" West, 176.49 feet; then N52°18'33" West, 371.59 feet to the East line of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27); then N00°14'47" East, 622.42 feet to the point of beginning, containing 113.51 acres, which includes 1.30 acres of existing public road right of way,