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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWACOMPUTER
RECORDED
COMPALED REC \$ 12.00AUD \$ R.M.F. \$ 1.00

Prepared by: Clint Hight, Box 32, Greenfield, IA 50849

515-743-6197

FENCE AGREEMENT

This partition fence agreement made on the 16th day of March, 1997, by Vincent Wildin and Katherine Wildin, husband and wife, (First Party) of Madison County, Iowa and Russell Utsler and Jeannie Utsler, husband and wife, (Second Party) of Madison County, Iowa.

The parties are adjoining landowners of real estate bounded in part by a common boundary, the descriptions of which are as follows:

First Party: Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section One (1), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M.

Second Party: Northeast Quarter (NE $\frac{1}{4}$) of Section One (1), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M.

The maintenance of partition fences is not and has not been regulated nor previously agreed upon.

The parties desire to bind themselves, their heirs and assigns to an agreement for the construction and maintenance of a partition fence so that their properties may hereinafter be separated by a good and sufficient fence and they and any future owners of their properties will have clearly defined duties with respect to the maintenance of that fence, all to the end that good relations between owners and tenants of the respective properties may be maintained.

In consideration of the mutual covenants contained herein, the parties agree as follows:

First Party covenants for himself, his heirs and assigns to erect and maintain the east-west fence from the center post west to the west terminal of the common boundary.

Second Party covenants for himself, his heirs and assigns to erect and maintain the east-west fence from the center post east to the east terminal of the common boundary.

The fence erected and maintained pursuant to this agreement shall be in compliance with the Code of Iowa, as amended.

IN WITNESS WHEREOF, the parties have executed this agreement on the date first above written.

Russell Utsler

Russell Utsler

Vincent Wildin

Vincent Wildin

Jeannie Utsler

Jeannie Utsler

Katherine Wildin

Katherine Wildin

STATE OF IOWA, MADISON COUNTY, ss:

On this 16th day of March, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Russell Utsler and Jeannie Utsler, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Lynn D. Utsler

NOTARY PUBLIC IN AND FOR SAID STATE

STATE OF IOWA, MADISON COUNTY, ss:

On this 16 day of MARCH, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Vincent Wildin and Katherine Wildin, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Lynn D. Utsler

NOTARY PUBLIC IN AND FOR SAID STATE

