

FENCE AGREEMENT

This Agreement made and entered into this 8th day of December, 1988, by and between Donna Smith of R. R., Earlham, Madison County, Iowa, hereinafter referred to as First Party, and Curtis Highland and Dorothy Howell of R. R., Earlham, Madison County, Iowa, hereinafter referred to as Second Party, WITNESSETH:

WHEREAS, First Party owns the following described real estate located in Madison County, Iowa:

The Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Thirteen (13), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, EXCEPT A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 77 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Beginning at the West Quarter Corner of Section 13, T77N, R29W of the 5th P.M., Madison County, Iowa; thence North 89°33'07" East 367.01 feet along the north line of the SW¼ of said Section 13; thence South 00°00'00" 593.48 feet to the point of beginning. Said tract of land contains 5.000 Acres including 0.286 Acres of County Road Right of Way.

WHEREAS, Second Party owns the following described real estate located in Madison County, Iowa:

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 77 North, Range 29 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Beginning at the West Quarter Corner of Section 13, T77N, R29W of the 5th P.M., Madison County, Iowa; thence North 89°33'07" East 367.01 feet along the north line of the SW¼ of said Section 13; thence South 00°00'00" 593.48 feet to the point of beginning. Said tract of land contains 5.000 Acres including 0.286 Acres of County Road Right of Way,

which is adjoining, abutting, adjacent and contiguous to the above described real estate, and

WHEREAS, First Party has paid to Second Party the sum of \$855.88 which represents the total cost of fence material and labor necessary to erect a partition fence between the above described tracts of land owned by First Party and Second Party.

WHEREAS, Second Party has agreed to have said partition fence installed, and to maintain and replace said partition fence if necessary in the future.

NOW, THEREFORE, in consideration of the mutual promises

IND.
REC.
PAGE

FILED NO. 1172
BOOK 2 PAGE 75
Fence Record
1988 DEC -9 PM 3:45

MARY E. WELTY
RECORDER
MADISON COUNTY IOWA
Fee \$15.00

COMPUTER

#2. Fence Agreement

and agreements hereinafter set forth, and these parties do hereby agree and contract as follows:

- 1.- First Party shall pay to Second Party the sum of \$855.88 which represents the total cost of fence materials and labor to construct a partition fence between the real property owned by First Party and Second Party. That attached hereto marked Exhibit "A" is a list of fencing materials and costs for the same that First Party and Second Party mutually agreed upon to obtain the total fence cost of \$855.88.
- 2.- Second Party expressly agrees to install a 39 inch woven wire fence with 2 barbs on or before June 1, 1990. That Second Party acknowledges that they have received the sum of \$855.88 for the costs of fence materials and labor for the installation of said fence.
- 3.- That in consideration of First Party paying the total fence costs, Second Party expressly agrees to construct, maintain and replace said partition fence between the property owned by First Party and Second Party.
- 4.- It is further stipulated and agreed between First Party and Second Party that this instrument shall constitute a permanent and binding instrument, which shall run with the ownership of the two tracts of real estate described herein.

FIRST PARTY

Donna Smith
(Donna Smith)

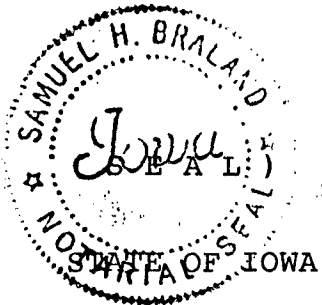
SECOND PARTY

Curtis Highland
(Curtis Highland)
Dorothy Howell
(Dorothy Howell)

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 8th day of December, 1988, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Donna Smith to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Samuel H. Braland
Notary Public in and for the
State of Iowa.

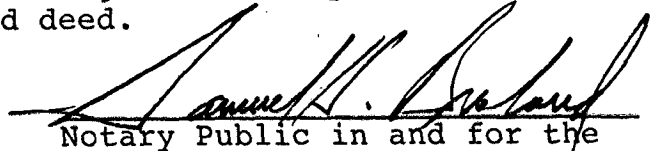


STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 8th day of December, 1988, before me, the undersigned, a Notary Public in and for the State of Iowa, personally

#3. Fence Agreement

appeared Curtis Highland and Dorothy Howell, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.


Notary Public in and for the
State of Iowa.

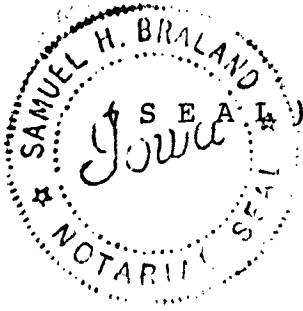


EXHIBIT "A"

1.- 2 rolls of barbed wire at \$22.88 per roll -----	\$ 45.76
2.- 3-6 inch by 8 inch posts at \$6.25 per post -----	\$ 18.75
3.- 4-5 inch by 8 inch posts at \$5.88 per post -----	\$ 23.52
4.- 60-6½ foot steel posts at \$1.89 per post -----	\$113.40
5.- Staples and fence clips -----	\$ 14.85
6.- 4 steel u braces at \$9.99 per brace -----	\$ 39.96
7.- 3 rolls of 39 inch woven wire at \$59.88 per roll -----	\$179.64
8.- Labor based on \$7.00 per rod for 60 rods -----	<u>\$420.00</u>
TOTAL FENCE COST -----	\$855.88