

NOTICE OF HEARING

TO: Bonnie Baker
Complaining Party

R.R.1 Box 106

Winterset, Iowa 50273
Address

Steve Peglow
Responding Party

836 Hull Ave.

Des Moines, Iowa 50316
Address

FILED NO. 1139
fence
BOOK 2 PAGE 134

94 OCT 25 PM 2: 17

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

REC \$ 30.00

AUD \$ _____

R.M.F. \$ 1.00

COMPUTER
RECORDED
COMPARED

You are hereby notified that the Scott Township
Trustees, Madison County, acting as fence viewers under Chapter 113
of the Iowa Code, will meet to hear the fence controversy between the above-named
adjoining landowners on the 22 nd day of October, 1994, at
Nine o'clock A.m. at site of fence in dispute

You may be present and present any facts you desire for consideration in
connection therewith.

The partition fence in dispute is located at:

E½ of NE¼ of Section 10 of Scott Township of Madison County, Iowa

Govern yourselves accordingly.

Jean Algeo
Township Clerk

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Bonnie Baker
Rt 1 Box 106
Winterville, NC 28587

4a. Article Number
Z 780 280 849

4b. Service Type

Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery
10-14-94

5. Signature (Addressee)
Bonnie Baker

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Steve Pedron
830 Hill Ave
Des Moines, IA 50316
S Pedron

4a. Article Number
Z 780 280 850

4b. Service Type

Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery
10-14-94

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Scott TOWNSHIP, Madison COUNTY

Bonnie Baker
Complaining Party

R.R.1 Box 160
Winterset. Iowa 50273
Address

vs.

ORDER OF FENCE VIEWERS

Steve Peglow
Responding Party

836 Hull Ave.
Des Moines, Iowa 50316
Address

Now on this 22 day of October, 1994, 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 Scott Township Trustees, Madison County, State of Iowa, acting as fence viewers upon the request of one of the landowners, pursuant to Chapter 113 of the Code.

The Trustees, after providing all parties in interest 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 described real estate to-wit: (Insert full legal description.)

Legal Description of Real-estate of complaining party.

The Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the South Five(5) acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Three(3) and the East Half($\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten(10) except a tract of land commencing at the East Quarter Corner of Section Ten(10) in Township Seventy-five (75) North, Range Twenty-seven(27) West of the 5th P.M., Madison County, Iowa thence West 1330.5 feet to the Southwest Corner of the East $\frac{1}{2}$ (E $\frac{1}{2}$) of the Northeast Quarter(NE $\frac{1}{4}$) of said Section Ten (10), thence North 634.3 feet to the point of beginning; thence North 82° 56' East 173.6 feet; thence North 00° 11' East 977 feet; thence North 60° 05' East 174 feet; thence North 00° 20' East 500 feet; Thence North 44° 16' East 260.4 feet; thence West 510.9 feet; thence South 1771.6 feet to the point of beginning containing 10.0001 acres including 0.6009 acres of county road right-of-way.

4
Legal Description of Real-estate of Respondent.

Tract of land commencing at the East Quarter Corner of Section Ten (10), in township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence West 1330.5 feet to the Southwest Corner of the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Ten (10), thence North 634.3 feet; then North $00^{\circ} 11'$ East 977 feet; thence North $60^{\circ} 05'$ East 174 feet; thence North $00^{\circ} 20'$ East 500 feet; thence North $44^{\circ} 16'$ East 260.4 feet; thence West 510.9 feet; thence South 1771.6 feet to the point of beginning.

and

That there is a partition fence between said tracts of real estate which should be maintained and repaired according to Iowa law,

and

That the Trustees further find that the parties should build, repair and/or maintain their respective portions of said partition fence as is herein-after ordered.

IT IS THEREFORE HEREBY ORDERED AND ADJUDGED by the Trustees of said Township as follows, to-wit:

1. That the complaining party, his/her grantees and successors in interest shall erect and/or maintain that part of the said partition fence described as follows, to-wit:

2. That the responding party, his/her grantees and successors in interest shall erect and/or maintain that part of the said partition fence described as follows, to-wit:

Must erect your (Steve Pignone) portion of division fence according to Iowa Law. The following guidelines are to be adhered to: The top wire to be between 48-54 inches in height. The posts must be substantial posts and must be erected no more than 16 1/2 ft. apart. Wire must be fastened firmly to posts. The trustees suggest the wires be equally tight with Bonnie Baker's fence.

3. That said partition fence shall be a "lawful" or "tight" fence.

Lawful

4. (Insert other legal requirements to be made of one or both parties including date when work is to be completed.)

November 22, 1994

5. That the costs of this proceeding to be paid on entry of this Order shall be borne as follows:

Recording Fees	\$ <u>26⁰⁰</u>	Copy Fees	\$ <u>9¹⁶</u>
Trustee Fees	\$ <u>150⁰⁰</u>	Clerk Fees	\$ <u>50⁰⁰</u>

Complaining party shall pay \$ _____; responding party shall pay \$ 235¹⁶

IN WITNESS WHEREOF, we have hereunto signed our names as Trustees of the above captioned Township of the County of Madison, State of Iowa.

Dated at Winterset, Iowa, this 22 day of October, 1994.

TOWNSHIP TRUSTEES ACTING AS FENCE VIEWERS

Paul Hollingsworth
TRUSTEE

Alan W. Dee
TRUSTEE

Ben Allen
TRUSTEE

(At least two Trustees must sign.)

Attest:

Joan Alyse
Township Clerk

APPEALS MAY BE MADE BY FILING A NOTICE OF APPEAL WITH THE CLERK OF DISTRICT COURT WITHIN 20 DAYS AFTER THE DATE OF THIS DECISION.

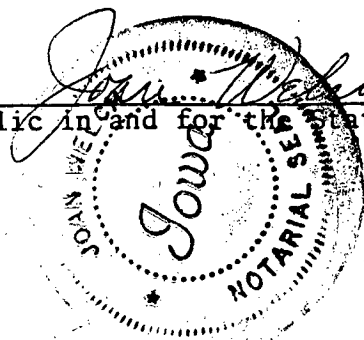
STATE OF IOWA, COUNTY OF Madison, SS.

I, Joan Alyse, being first duly sworn on oath depose and state that I am the Township Clerk of Sette 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 October 22, 1994; and that the foregoing Order is a true and correct copy of said Order as recorded in said Township book.

Joan Alyse
Township Clerk

Subscribed and sworn to before me by Joan Alyse
this 24 day of October, 1994.

Notary Public in and for the State of Iowa



(File one copy in the Township book and file one copy with the County Recorder. Each party to the Order should also have a copy his or her records.)