STATE OF IOWA, MADISON COUNTY, ss.
Inst. No. 354 Filed for Record this 22 day of August 19 79 at 10:50 AM
Book 112 Page 698 Recording Fee $6.00 Mary E. Welty, Recorder, By Shirley G. Henry Deputy

# SETTLEMENT AGREEMENT CONCERNING LOCATION OF PROPERTY LINE

This Agreement made and entered into on this 3rd day of June, 1977, by and between Melvin M. Phillips and Wilma Phillips, husband and wife, as First Party, and R. Gary Watson and Jeanne C. Watson, husband and wife, as Second Parties,

WITNESSETH:

WHEREAS, First Party is the owner of the following described real estate, to-wit:

> Lot Ten (10) in Block Three (3) of W.A. Jenkins Addition to the Town of Winterset, Madison County, Iowa;

and

WHEREAS, Second Parties are the owners of the following described real estate, to-wit:

> Lot Nine (9) in Block Three (3) of W.A. Jenkins Addition to the Town of Winterset, Madison County, Iowa;

and

WHEREAS, a controversy has existed between the parties hereto and Clara M. Brittain as to the location of the western boundary line along the lot owned by the Second Party;

and

WHEREAS, the parties hereto desire to adjust the location of the boundary line between the properties described above as part of the settlement of the controversy which existed with Clara M. Brittain.

NOW, THEREFORE, IT IS AGREED between the parties hereto as follows:

1. The boundary line between the two properties described above is established as being located two feet (2') east of the survey line established by the survey of the engineering firm of Vance and Hochstetler on the 17th day of February, 1977. The boundary line is to established by

iron stakes located at the North and South ends of said boundary line, said stakes to placed by the parties hereto. If the parties hereto cannot mutually agree as to the exact location of said stakes, then said stakes shall be placed by the engineering firm of Vance and Hochstetler of Winterset, Iowa, and the costs of the survey locating such stakes shall be equally borne by the parties hereto.

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

Melvin M. Phillips

R. Gary Watson

Wilma Phillips First Parties

Jeanne C. Watson Second Parties

STATE OF IOWA )
) ss
COUNTY OF MADISON )

On this 11 day of June, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Melvin M. Phillips and Wilma Phillips, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

LEWIS H. JORMAN Iowa NOTARY

NOTARY PUBLIC

STATE OF IOWA )
) ss
COUNTY OF MADISON )

On this 3rd day of June, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. Gary Watson and Jeanne C. Watson, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

JOHN E. CASPER MY COMMISSION EXPIRES 9-30-77

JOHN E. CASPER, NOTARY PUBLIC