



Document 2014 2068

Book 2014 Page 2068 Type 06 049 Pages 6

Date 8/20/2014 Time 2:50 PM

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INDX ✓
ANNO ✓
SCAN ✓
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Prepared by/Return to: Kathleen Law, 700 Walnut, Suite 1600, Des Moines, IA 50309; 515-283-3116

BOUNDARY LINE AGREEMENT

The parties to this agreement are Stephen F. Dryden and Patricia L. Dryden, husband and wife, ("Drydens") and Patrick K. Waldron and Paula J. Waldron, husband and wife, ("Waldrons").

The following material facts caused the parties to make this agreement.

a. Drydens have been the owners since July 2012 of the property legally described as:

Parcel "H" located in the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) and the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Seventy-Six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, containing 53.50 acres, as shown in Plat of Survey filed in Book 2009, Page 3562 on November 24, 2009, in the Office of the Recorder of Madison County, Iowa.

(the "Drydens' Property").

b. Waldrons have for many years been the owners of the property legally described as:

Parcel "B" located in the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirteen (13), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, containing 23.433 acres, as shown in Plat of Survey filed in Book 2, Page 678 on May 6, 1996 in the Office of the Recorder of Madison County, Iowa

(the "Waldrons' Property"). The Drydens' Property and the Waldrons' Property are together referred to as the "Properties."

c. The Plat of Survey of Parcel "B" filed in Book 2, Page 678 of the Madison County Records (the "Parcel B Survey") was prepared by J.M. Hochstettler over 13 years before he prepared the Plat of Survey of Parcel "H" recorded in Book 2009, Page 3562 of the Madison County Records (the "Parcel H Survey"). Copies of the Parcel B Survey and the Parcel H Survey (together, the "Surveys") are attached to this Agreement as Exhibit "A".

d. Part of the boundary line of each of the Surveys is a diagonal line that follows the Southeast bank of the North River.

e. Because the Surveys were prepared several years apart, the location of the Southeast bank of the North River as shown on the Parcel B Survey differs from the location of the Southeast bank of the North River as shown on the Parcel H Survey.

f. Because the location of the Southeast bank of the North River on the Surveys does not match, there is an overlap between the Properties on the northern portion of this part of the Properties and a gap between the Properties on the southern portion of this part of the Properties.

g. Over the years the owners of the Properties have recognized the Southeast bank of the North River as part of the boundary line between the Properties, wherever located and as it changes from time to time.

h. Waldrons and Drydens desire, and by this agreement to confirm, that the true and legally recognized diagonal boundary line between the parts of the Properties located in the SE1/4 NE1/4 of Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa is and shall be the Southeast bank of the North River as currently located and as it changes from time to time.

In consideration of the above, and one dollar and other valuable consideration the parties, pursuant to Section 650.17, Code of Iowa, 2013, agree as follows:

1. The true and legally recognized boundary line between the diagonal portion of the boundary line of the part of Drydens' Property located in the SE1/4 NE1/4 of Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa and the diagonal portion of the boundary line of the part of Waldrons' Property located in the SE1/4 NE1/4 of Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa is and shall be the Southeast bank of the North River, as such bank changes from time to time, the location of which as of the date of the survey is documented on the survey attached as Exhibit "B".

2. This agreement shall run with the land and shall be binding upon the parties' heirs, successors, and assigns as provided in Section 650.17, Code of Iowa, 2013.

[SIGNATURES BEGIN ON NEXT PAGE]

Signature: Stephen F. Dryden
Stephen F. Dryden

Signature: Patricia L. Dryden
Patricia L. Dryden

STATE OF IOWA, Dallas COUNTY) SS:

This record was acknowledged before me on July 23, 2014, by Stephen F. Dryden and Patricia L. Dryden, husband and wife.

Matthew C. Garwood

STAMP  Matthew C. Garwood Notary Public

Signature: Patrick K. Waldron
Patrick K. Waldron

Signature: Paula J. Waldron
Paula J. Waldron

STATE OF IOWA, Madison COUNTY) SS:

This record was acknowledged before me on Aug 7, 2014 by Patrick K. Waldron and Paula J. Waldron, husband and wife.

Dianna Lillie
Dianna Lillie Notary Public

STAMP 

EXHIBIT
A

J. M. Hochstetler,
Iowa Registered Land Surveyor
To
The Public

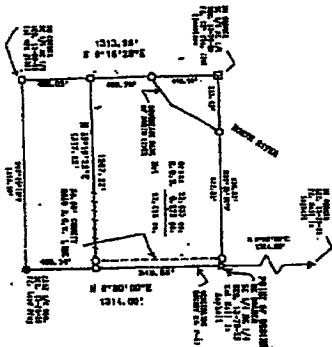
SURVEY
Dated March 20, 1996
Filed May 6, 1996
Record 2, Page 678

States: This plat of survey corrects and supersedes plat of survey recorded
March 4, 1996 in Farm Plat Book 2, Page 649.
See Plat shown following.

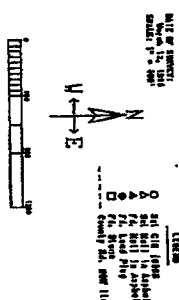
FILED NO. **3044**
BOOK **2** PAGE **678**
96 MAY -6 PM 3:45
MICHELLE LUTSLEY
REGISTERED
LAND SURVEYOR
WADSWORTH COUNTY, IOWA

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSSET, IOWA (515)442-5122
CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSSET, IOWA 50273
JAMES H. HOCHSTETLER, 170 WEST GREEN ST., WINTERSSET, IOWA 50273

THIS PLAT OF SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A REGISTERED LAND SURVEYOR IN THE STATE OF IOWA. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
MICHELLE LUTSLEY
REGISTERED LAND SURVEYOR
WADSWORTH COUNTY, IOWA
1996

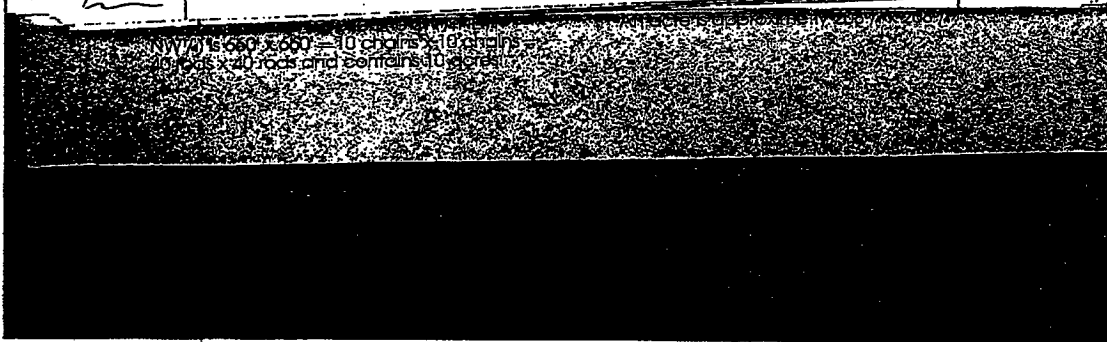


THIS PLAT OF SURVEY CORRECTS AND SUPERSEDES PLAT OF SURVEY RECORDED
MARCH 4, 1996 IN FARM PLAT BOOK 2, PAGE 649.
SEE PLAT SHOWN FOLLOWING.



LEGAL DESCRIPTION:
That certain tract of land situated in the northwest quarter of the north
east quarter of section 24, township 33 N., range 13 W., section 24,
north, range 13 west of the 6th P.M., Wadsworth County, Iowa.
The north boundary of the tract is the centerline of the
road shown on the plat. The east boundary of the tract is the
centerline of the road shown on the plat. The south boundary of the
tract is the centerline of the road shown on the plat. The west
boundary of the tract is the centerline of the road shown on the
plat. The area between the centerlines of the roads shown on the
plat and the boundaries of the tract is not included in this
survey.

SHEET #9



Entry #38
(Real Estate Described in the Caption Hereof)

J. M. Hochstetler
Iowa Registered Land Surveyor
To
The Public

PLAT OF SURVEY
Certified November 24, 2009
Filed November 24, 2009 at 1:41
P.M.
Book 2009, Page 3562

See Plat shown following.

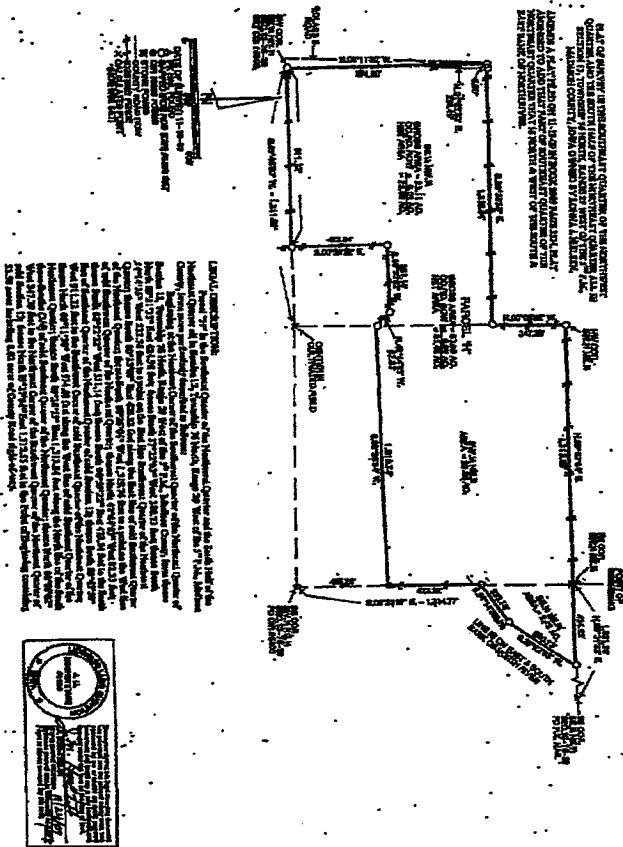
LISA SHIRTS, COUNTY RECORDER
MADISON COUNTY IOWA

Book 2009 Page 3562 Type 80 600 Paper 1
Date 11/24/2009 Time 1:41 PM
Fee Amt \$7.00

TRUCK
AMOUNT
BOOKS
CHECK

VANCE & HOCHSTETLER, P.C. - CONSULTING ENGINEERS - WINTERSSET, IOWA - 50278

CHARLES T. VANCE - 710 WEST GREEN ST., WINTERSSET, IOWA - 5178 482-3888
JAMES M. HOCHSTETLER - 110 WEST GREEN ST., WINTERSSET, IOWA - POC: 5178-482-8048

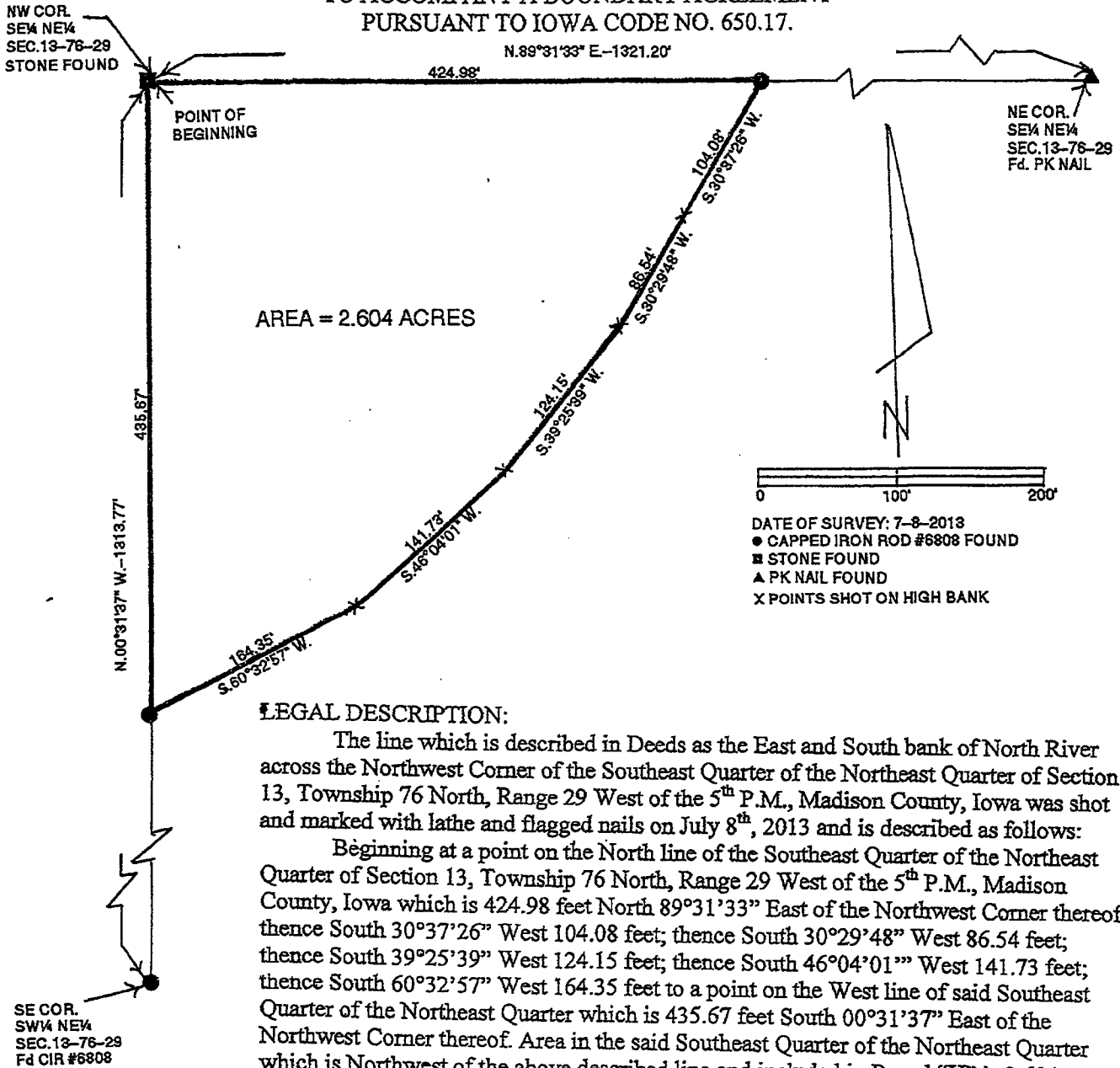


SHEET #19

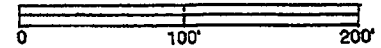
ADDITIONAL COPY
PLEASE RETAIN WITH
PROJECT

EXHIBIT
B

PLAT OF SURVEY ESTABLISHING THE CURRENT EAST AND SOUTH BANK
 OF NORTH RIVER ACROSS THE SOUTHEAST QUARTER OF THE NORTHEAST
 QUARTER OF SECTION 13, TOWNSHIP 76 NORTH, RANGE 29
 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA
 TO ACCOMPANY A BOUNDARY AGREEMENT
 PURSUANT TO IOWA CODE NO. 650.17.



AREA = 2.604 ACRES



DATE OF SURVEY: 7-8-2013
 ● CAPPED IRON ROD #6808 FOUND
 ■ STONE FOUND
 ▲ PK NAIL FOUND
 X POINTS SHOT ON HIGH BANK

LEGAL DESCRIPTION:

The line which is described in Deeds as the East and South bank of North River across the Northwest Corner of the Southeast Quarter of the Northeast Quarter of Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa was shot and marked with lathe and flagged nails on July 8th, 2013 and is described as follows:

Beginning at a point on the North line of the Southeast Quarter of the Northeast Quarter of Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa which is 424.98 feet North 89°31'33" East of the Northwest Corner thereof thence South 30°37'26" West 104.08 feet; thence South 30°29'48" West 86.54 feet; thence South 39°25'39" West 124.15 feet; thence South 46°04'01" West 141.73 feet; thence South 60°32'57" West 164.35 feet to a point on the West line of said Southeast Quarter of the Northeast Quarter which is 435.67 feet South 00°31'37" East of the Northwest Corner thereof. Area in the said Southeast Quarter of the Northeast Quarter which is Northwest of the above described line and included in Parcel "H" is 2.604 acres.

The gross area of Parcel "B" based on the surveyed line will be 23.257 acres with 0.975 acres of County Road right-of-way leaving a net taxable area of 22.282 acres.

LICENSED LAND SURVEYOR

J. M.
HOCHSTETLER

#6808

IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

J. M. Hochstetler

J. M. HOCHSTETLER
 License number 6808 Date 7/26/13
 My license renewal date is December 31, 2018
 Pages or sheets covered by this set: 1

SE COR.
SW¼ NE¼
SEC. 13-76-29
Fd CIR #6808

NW COR.
SE¼ NE¼
SEC. 13-76-29
STONE FOUND

NE COR.
SE¼ NE¼
SEC. 13-76-29
Fd. PK NAIL