It is further agreed between the parties that this agreement shall be binding upon them, their grantees, administrators, heirs, devisees, successors or assigns and shall constitute and be construed as a covenant running with the said real estate.

In witness whereof we have hereunto affixed our signatures this 29th day of March, 1960.

G. C. Paullin B. M. Holiday
G. C Paullin B. M. Holiday

STATE OF IOWA MADISON COUNTY) SS.

On this 29th day of March, 1960, before me Emery L. Goodenberger, notary public in and for Madison County, Iowa, personally appeared G. C. Paullin and B. M. Holiday to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their volintary act and deed.

NOTARIAL SEAL

Emery L. Goodenberger Notary Public in and for Madison County, Iowa

Oscar A. Tuttle To Vern M. Ritter & Kenneth E. Ritter — #2396 — Fee $1.40

Filed for record the 11 day of May A. D. 1960 at 9:15 o'clock A.M.

Mary E. Welty, Recorder

PARTITION FENCE DIVISION AGREEMENT

THIS AGREEMENT made and entered into this 22nd day of April, 1960, by and between Oscar A. Tuttle, First Party, as owner of the following described real estate, to-wit:

> The South Half (½) of the Northwest Quarter (¼) of Section Three (3), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa,

and Vern M. Ritter and Kenneth E. Ritter, Second Parties, as owners of the following described real estate, to-wit:

> The Northeast Quarter (¼) of the Southwest Quarter (¼) and the East Half (½) of the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section Three (3), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa.

WHEREAS, the parties, as adjoining owners, are desirous of settling and establishing a division of the east-west partition fence between the tracts of real estate described above.

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

1. First Party shall build and maintain as his part of said partition line fence a lawful fence commencing at the Northwest corner of the real estate owned by Second Parties as described above and running thence East sixty (60) rods.

2. Second Parties shall build and maintain a lawful fence commencing

at the Northeast corner of the real estate owned by Second Parties as described above and running thence West sixty (60) rods.

3. It is agreed that that part of the partition fence to be built by First Party shall not be regarded as the division line between the real estate owned by the parties hereto, but shall in fact be built along the bank of the ditch following the division line as closely as possible.

4. Each of the parties hereto agree that this fence division agreement shall be binding on their heirs and successors in title and no change in any of the terms and conditions shall be binding on either of the parties unless reduced to writing and signed by the parties or their successors in interest.

Oscar A. Tuttle
Oscar A. Tuttle

V. M. Ritter
Vern M. Ritter
Kenneth E. Ritter
Kenneth E Ritter

STATE OF IOWA MADISON COUNTY) ss

On this 22nd day of April, 1960, before me, the undersigned, a Notary Public in and for said County, personally appeared Oscar A. Tuttle, Vern M. Ritter and Kenneth E. Ritter, 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.

NOTARIAL SEAL

Robert O. Frederick Notary Public in and for Madison County, Iowa.

Walnut Twp. Trustees #1654 Filed for record the 27 day of March
To A. D. 1961 at 9:00 o'clock A.M.
Russell D. Richards & wife VJS
and Henry Iiams Fee $1.60 Mary E. Welty, Recorder

ORDER OR DECISION - Fenceviewers Proceedings

Walnut Township, Madison County, State of Iowa:

On this 15th day of September, 1960, pursuant to written notice, the Township Trustees of Walnut Township, in above named County and State, acting in the capacity of Fenceviewers, met at the hour of 8 o'clock A. M., at Peru, Iowa to determine the controversy set out in said notice.

Location of said fence is Boundary line between the north fourteen (14) acres of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section twenty-seven (27), Township Seventy-four (74) North, Range Twenty-seven (27), West of the 5th P. M. in Madison County, Iowa.

The questions to be determined are: The division point of the above named fence.

After taking into consideration all facts and evidence available,