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COMPARED

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

PARTITION FENCE AGREEMENT

WHEREAS, Corkrean Bros. and Molln Grazing Association is the owner of the following described real estate, to-wit:

Northwest Quarter (¼) of the Northeast Quarter (¼) and the Northeast Quarter (¼) of the Northwest Quarter (¼) and the Southwest Quarter (¼) of the Northwest Quarter (¼) of Section Nineteen (19), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M.,

and,

WHEREAS, Donald Bruett is the owner of the following described real estate, to-wit:

Southeast Quarter (¼) of the Northwest Quarter (¼) and the Southwest Quarter (¼) of the Northeast Quarter of Section Nineteen (19), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M.,

and,

WHEREAS, the said two tracts of land adjoin each other and it is desirable and necessary that there be maintained by the parties between the same a lawful partition fence:

NOW, THEREFORE, IT IS AGREED by and between the parties hereto that said partition fence between said tracts shall be constructed and maintained by them as follows:

1. The East Half of the fence between the SE¼ of the NW¼ and the SW¼ of the NE¼ of said Section owned by Bruett and the NE¼ of the NW¼ and the NW¼ of the NE¼ of said Section owned by Corkrean Bros. and Molln Grazing Association consisting of approximately 80 rods shall be erected and maintained by and at the expense of the above named Donald Bruett.

The West half of said fence consisting of approximately 80 rods shall be maintained by and at the expense of Corkrean Bros. and Molln Grazing Association.

2. The North half of the fence lying between the SE¼ of the NW¼ of said Section owned by Bruett and the SW¼ of the NW¼ of said Section owned by Corkrean Bros. and Molln Grazing Association consisting of approximately 40 rods shall be maintained by and at the expense of Donald Bruett.

The South half of said fence consisting of approximately 40 rods shall be maintained by and at the expense of Corkrean Bros. and Molln Grazing Association.

3. It is further agreed that the District Court of the State of Iowa, in and for Madison County, shall have full and complete authority to enforce this agreement or any part thereof and to do so in such manner as may be just and equitable in the premises.

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

IN WITNESS WHEREOF, we have affixed our signatures this 11th day of September, 1971.

Donald W. Bruett
Donald Bruett

Lola Bruett
Lola Bruett

CORKREAN BROS. AND MOLLN GRAZING ASSOCIATI

BY Patrick F. Corkrean
Patrick F. Corkrean, President

Larry M Corkrean
Larry M. Corkrean, Secretary

CORKREAN BROS. & MOLLN GRAZING ASSOCIATION - CORPORATE SEAL - IOWA

STATE OF IOWA, MADISON COUNTY, ss:

On this 11th day of October, A.D., 1971, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Donald Bruett and Lola Bruett 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 deeds.

LEWIS H. JORDAN Iowa NOTARIAL SEAL

Lewis H. Jordan
Notary Public in and for the State of Iowa

STATE OF IOWA, MADISON COUNTY, ss:

On this 21st day of March, A.D., 1972, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Patrick F. Corkrean and Larry M. Corkrean, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary respectively, of said corporation executing the within and foregoing instrument to which this is attached, that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Patrick F. Corkrean and Larry M. Corkrean as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

LOIS EVE WELCH Iowa NOTARIAL SEAL

Lois Eve Welch
NOTARY PUBLIC IN AND FOR SAID STATE