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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

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AFFIDAVIT PERTAINING TO DIVISION OF FENCE

STATE OF IOWA :
:ss
COUNTY OF MADISON :

I, H. R. Vincent, being first duly sworn on oath state:

I am the owner of the following described real estate:

> The Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) and the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and, the Northwest Fractional Quarter (NW Fr.¼) of Section Nineteen (19), Township seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa,

and have owned all of said real estate for 35 or more years.

At the instigation of James and Waldron Rogan, the owners of the Northeast Quarter (NE¼) of said Section Nineteen (19), the partition fence between the land owned by me and the land owned by Rogans was divided as follows:

I was to build and maintain the fence on the North 40 rods of the partition line separating the North Half (N½) of each quarter section and also the North 40 rods of the partition line separating the South Half (S½) of each quarter section. In other words, it was agreed that I was to build and maintain the fence on the left-hand one-half of the partition fence separating my land from each of the Rogan 80's. Pursuant to such agreement, I built said fence as divided and have maintained such partition fence according to said division agreement for the past 35 years.

I further state that when I purchased the above described real estate located in Section 7, one Verle Chase, who then owned the real estate adjoining the South side of the Southeast Quarter of the Southwest Quarter (SE¼ SW¼), stated that the East 40 rods of the partition fence separating my land from his land was my fence to build and maintain. I agreed to this statement and since that time I have maintained the East 40 rods of the partition fence separating said Southeast Quarter of the Southwest Quarter (SE¼ SW¼) from the adjoining land on the South.

IND. ✓
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I further depose and say that all the remainder of the partition fences on said land located in Section 7 is divided whereby I am to build and maintain the partition fence on the right-hand one-half of the partition line.

Dated at Winterset, Iowa on this 15th day of April, 1976.

H. R. Vincent

Subscribed and sworn to before me by the said H. R. Vincent on this 15th day of April, 1976.

Shirley A. Webster
Notary Public in and for the State of Iowa