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FENCE AGREEMENT

THIS AGREEMENT made and entered into this 17 day of September, 1980, by and between FLOYD EIVINS and MARVIN A. EIVINS, hereinafter referred to as "First Parties" and MARIE VIRGINIA PLATT, hereinafter referred to as "Second Party", WITNESSETH:

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

> West Half (W½) of the Northeast Quarter (NE¼) and the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa; and

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

> The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Thirty-two (32), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa; and

WHEREAS, the parties hereto are desirous of entering into an agreement for the installation and maintenance of a partition fence between said tracts of real estate.

NOW THEREFORE, in consideration of mutual covenants hereinafter set forth, the Parties agree as follows:

1. First Parties shall erect and maintain the fence along the West one-half of the East-West fence and the South one-half of the North-South fence extending between the above-described tracts of real estate owned by the parties hereto.

2. Second Party shall erect and maintain the fence along the East one-half of the East-West fence and the North one-half of the North-South fence as it extends between the tracts of real estate above-described and owned by the parties hereto.

3. Both parties agree that they shall, within a reasonable time, install hog-tight fences on their respective portions of the East-West fence described above.

Both parties also agree that it is not necessary to install a new North-South fence at the present time.

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
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4. The parties hereto agree that thei Fence Agreement shall be recorded pursuant to Section 113.12 of the Code of Iowa and shall bind the parties hereto, their heris and subsequent Grantees.

Floyd Eivins

Floyd Eivins

Marvin A Eivins

Marvin A. Eivins

FIRST PARTIES

Marie Virginia Platt

Marie Virginia Platt

SECOND PARTY

STATE OF IOWA :
: ss
COUNTY OF MADISON :

On this 19 day of September, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Floyd Eivins and Marvin A. Eivins, 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.

Terri Walker

Notary Public in and for the State of Iowa.

STATE OF IOWA :
:ss
COUNTY OF MADISON :

On this 17th day of September, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Marie Virginia Platt, to me known to be the identical person named in and who executed the foregoing instrument, and acknolwedged that she executed the same as her voluntary act and deed.

J. Stephen Walters

Notary Public in and for the State of Iowa.