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FILED NO. 1204
BOOK L PAGE 282
Fence Rec.
1978 DEC 11 PM 4:43
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 6.00

ORDER OF FENCE VIEWERS
CONCERNING DIVISION OF PARTITION FENCES

Two members of the Board of Trustees of Jackson Township of Madison County, Iowa, and one member of the Board of Trustees of Webster Township, Madison County, Iowa, met under the provisions of Chapter 113 of the Code of Iowa and as a panel of trustees pursuant to the provisions of Iowa Code Section 113.14. The parties involved have agreed that the panel of trustees shall determine the entire controversy existing between the parties, whether the partition fence lines involved lie in Jackson Township, Webster Township or on the township line. The parties involved are Carl Binns and Rose Binns and Walter B. Remington. Pursuant to the agreement of the parties and Chapter 113 of the Code of Iowa, said panel of fence viewers has jurisdiction over this controversy and pursuant to notice to the parties proceeded to meet on the 24th day of November, 1978, to determine said controversy. Said panel of fence viewers makes the following decision and order:

1. The East - West partition fence between certain land owned by Carl Binns and Rose Binns, described as follows:

Blocks 5 and 6, Original Town Plat of Webster, Madison County, Iowa,

and certain land owned by Walter B. Remington, described as follows:

Blocks 3 and 4, Original Town Plat of Webster, Madison County, Iowa,

is hereby divided as follows:

a. The West 20 rods of said fence shall be erected, maintained and constructed by Walter B. Remington;

b. The East 20 rods of said fence shall be erected, maintained and constructed by Carl Binns and Rose Binns; and

c. The panel of fence viewers finds that Walter B. Remington has constructed his portion of the fence. Carl Binns and Rose Binns are given until December 24, 1978, in which to construct their portion of said partition fence.

2. The decision of the Jackson Township Trustees, Webster Township Trustees and Jackson and Webster Township Trustees filed in the Recorder's Office of Madison County, Iowa, on December 5, 1966, on pages 138 - 142 of

of Fence Record No. 1, is hereby ratified and confirmed. The parties are hereby ordered to repair the portion of the partition fence which was divided and assigned to that party or that party's successor in interest by said decision of the fence viewers in 1966.

3. The costs of this proceeding are hereby taxed one-half against Walter B. Remington and one-half against Carl Binns and Rose Binns.

Dated this 24 day of Nov, 1978.

JACKSON TOWNSHIP TRUSTEES and
WEBSTER TOWNSHIP TRUSTEES, acting
as Fence Viewers

Russell L. Leeper

Philip L. Moore

Howard Dean

ATTEST:

Russell J. Frey
Clerk of Jackson Township

~~Clerk of Webster Township~~

CERTIFICATION AND AFFIDAVIT

The undersigned, being first duly sworn on oath, hereby states that the above and foregoing Order is a true and correct copy of an order entered by the trustees of Jackson Township and Webster Township, Madison County, Iowa.

Russell J. Frey
Russell J. Frey, Clerk of Jackson Township, Madison County, Iowa

Elmer Coffman
Elmer Coffman, Clerk of Webster Township, Madison County, Iowa

Subscribed and sworn to before me this 7 day of Dec., 1978.

Jerrold B. Oliver
Notary Public in and for the State of Iowa

JERROLD B. OLIVER
MY COMMISSION EXPIRES
September 30, 1979