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FILED NO.
BOOK 29 PAGE 109
1970 DEC 22 AM 11: 19
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
2 pgs.
Fee 2.50

REED

AGREEMENT FOR DIVISION OF PARTITION FENCE

THIS AGREEMENT, made and entered into this 30th day of November, 1970, by and between LAWRENCE E. GARDNER and LEONA M. GARDNER, husband and wife, hereinafter referred to as "Gardners", and CLARENCE G. LUCAS and BELLEZORA LUCAS, husband and wife, hereinafter referred to as "Lucases", for the purpose of dividing the partition fence on adjoining tracts of real estate, WITNESSETH:

IT IS AGREED between the parties hereto that the Partition Fence Agreement entered into between the parties hereto under date of April 29, 1970, and recorded in Fence Record 1 at page 156 thereof in the office of the County Recorder of Madison County, Iowa, is hereby set aside and held for naught.

IT IS FURTHER AGREED that Gardners are the owners of real estate located in Section Thirty-four (34), Township Seventy-six (76) North, Range Twenty-seven (27) lying North of a line described as follows:

> Commencing at the Northwest Corner of the East Half (E½) of the Southeast Quarter (SE¼) of Section Thirty-four (34), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., thence South 2.5 chains, thence West, 11° South 12.7 chains, thence South, 31° West 3.5 chains, thence West, 2° South 2.8 chains, thence West, 10° North 5.3 chains, thence West, 33° South 6.6 chains, thence West, 1° North 3.9 chains, thence North 22° West 1.9 chains, thence West, 7° South 6 chains, thence West, 32° North 1.2 chains, thence West, 5° South 5.5 chains to the West line of the East One-fourth (E 1/4) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Thirty-four (34).

IT IS FURTHER AGREED that Lucases are the owners of real estate lying South of said line, and the parties hereto are desirous of dividing the partition fence separating their respective tracts of real estate.

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

1. Lucases shall erect and maintain the partition fence on the west half of said boundary line and Gardners shall erect and maintain the partition fence on the east half of said boundary line.

2. This agreement shall be construed as a covenant running with the land and shall be binding upon the heirs and assigns of the parties hereto.

Lawrence E. Gardner
Lawrence E. Gardner

Leona M. Gardner
Leona M. Gardner

Clarence G. Lucas
Clarence G. Lucas

Bellezora Lucas
Bellezora Lucas

STATE OF IOWA :
COUNTY OF POLK : ss

On this 3rd day of December, 1970, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared LAWRENCE E. GARDNER and LEONA M. GARDNER 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.

GENEVIEVE R. LUBBERS NOTARIAL SEAL

Genevieve R. Lubbers
GENEVIEVE R. LUBBERS Notary Public in and for the State of Iowa

STATE OF IOWA :
COUNTY OF MADISON : ss

On this 18th day of December, 1970, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared CLARENCE G. LUCAS and BELLEZORA LUCAS 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.

SHIRLEY A. WEBSTER NOTARIAL SEAL

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