ORDER OF FENCE DIVISION

On September 29, 1981, the Jackson Township Trustees of Madison County, Iowa, meeting as fence viewers under Iowa Code Chapter 113 held a hearing to determine a controversy existing between parties. Upon hearing, the Trustees hereby find as follows:

Jerold Morris Boyle and Patrice A. Boyle own the real estate legally described as:

> The North Half (1/2) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4) and the East Twelve (12) acres of the South Half (1/2) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Four (4), Township Seventy-six (76) North, Range Twenty-nine (29) West of the Fifth P.M., Madison County, Iowa.

Howard Eugene Ford owns the real estate legally described as:

> Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Four (4), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

The respective parties have made written demand upon the other to erect and install a proper partition fence as prescribed by law. A fence controversy therefore exists subject to the jurisdiction of the Jackson Township Fence Viewers. On September 21, 1981, the Fence Viewers by Resolution set the time and place of hearing upon such controversy and prescribed the notice to be given to the above interested parties. The Township Clerk thereupon duly and timely served notice of hearing upon these interested parties. The returns of service on such notices are now on file with the Township Clerk. At said hearing the above parties appeared and presented evidence relating to the controversy. Upon considering such evidence and having heard the statements of all parties, the Fence Viewers do hereby render the following determination concerning the division of this partition fence.

IT IS HEREBY ORDERED that Jerold Morris Boyle and Patrice A. Boyle, their successors and assigns, hereafter referred to as Boyle, shall own, erect and maintain a tight fence on the north 847 feet of this partition fence between the above described parcels of real estate. Boyle shall install a steel gate on said partition fence at the south end thereof where such partition fence ends at the north bank of North River. Boyle shall complete the erection of said fence on or before November 15, 1981.

Compared

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FILED NO. _____
BOOK 2 PAGE 9
Fence Record
1981 OCT -7 AM 10:25

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $6.00 paid

IT IS FURTHER ORDERED that Howard Eugene Ford, his successors and assigns, hereafter referred to as Ford, shall own and maintain a tight fence from the south bank of North River south to the south end of said partition fence between the above described parcels of real estate. In addition, Howard Eugene Ford shall own, erect and maintain the flood gap upon and across North River from the north bank thereof to the south bank thereof connecting the fences of the respective parties.

IT IS FURTHER ORDERED that Boyle may assist Ford in the maintenance of the flood gap with all expenses for material and labor, if any, payable by Ford.

IT IS FURTHER ORDERED that the costs hereof are hereby taxed one-half (1/2) to each party.

Dated on this 10 day of October, 1981.

JACKSON TOWNSHIP TRUSTEES,

By Harlow Finney
Harlow Finney, Trustee

By Phillip R Moore
Phillip R. Moore, Trustee

By Russell Leeper
Russell Leeper, Trustee

Attest:

Russell J Frey
Russell J. Frey,
Jackson Township Clerk

STATE OF IOWA)
) ss
MADISON COUNTY)

The undersigned, being first duly sworn on oath, hereby states that the undersigned is the duly appointed Clerk of Jackson Township, Madison County, Iowa, and the above and foregoing Order is a true and correct copy of an Order entered by the Trustees of Jackson Township, Madison County, Iowa, which has been duly entered of record at length by the undersigned Clerk in the official record book of the Jackson Township Trustees.

Russell J Frey
Russell J. Frey, Jackson Township Clerk

Subscribed and sworn to before me on this 10 day of October, 1981.

SARAH W. CORRELL NOTARIAL SEAL Iowa

Sarah W. Correll
Notary Public

R. Frey, Fee 4, Winterset