AGREEMENT FOR DIVISION OF FENCE

THIS AGREEMENT, made and entered into by and between CYRUS B. McDONALD AND MARJORIE JEAN McDONALD, hereinafter referred to as "first party" and DALE G. THOMPSON AND SANDRA THOMPSON, hereinafter referred to as "second party", WITNESSETH:

WHEREAS, second party has purchased from first party the following-described real estate, to-wit:

> Commencing at the Southwest Corner of the North-east Quarter (NE¼) of Section Thirty-five (35), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., running thence North 910 feet, thence East 266 feet, thence South 910 feet, thence West 266 feet to the point of beginning.

WHEREAS, the parties hereto are desirous of reducing to writing an agreement as to the division and maintenance of the partition fence separating said premises purchased by second party from the remainder of the real estate owned by first party.

NOW THEREFORE, IT IS AGREED that the first party has built the partition fence on the north and east sides of the premises purchased by second party. First party agrees to maintain the partition fence on the west side and on the west half of the north side of the premises purchased by second party, and second party is the owner of and agrees to maintain the partition fence on the east half of the north side of the premises purchased by them and all of the partition fence on the east side of said premises.

This agreement shall be construed as a covenant running with the land owned by the respective parties hereto.

Dated at Winterset, Iowa, this 3rd day of February, 1982.

Cyrus B. McDonald

Cyrus B. McDonald

Marjorie Jean McDonald

Marjorie Jean McDonald

FIRST PARTY

Dale G. Thompson

Dale G. Thompson

Sandra F. Thompson

Sandra Thompson

SECOND PARTY

FILED NO. 1080
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1982 FEB 11 AM 8:11

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

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 8th day of February, A. D. 19 82, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared

DALE G. THOMPSON and SANDRA THOMPSON

to me known to be the identical persons named in and who executed the within and foregoing instrument, **to which this is attached,** and acknowledged that they executed the same as their voluntary act and deed.

Ruth Flanders

Notary Public in and for the State of Iowa

RUTH FLANDERS NOTARIAL SEAL IOWA

IOWA STATE BAR ASSOCIATION
Official Form No. 11 (Trade-Mark Registered, State of Iowa, 1967)
P-4521 This Printing: July 14, 1976

(Section 558.39, Code of Iowa)

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 3rd day of February, A. D. 19 82, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared

CYRUS B. McDONALD and MARJORIE JEAN McDONALD

to me known to be the identical persons named in and who executed the within and foregoing instrument, **to which this is attached,** and acknowledged that they executed the same as their voluntary act and deed.

Shirley A. Webster

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

NOTARIAL SEAL IOWA
SHIRLEY A. WEBSTER
MY COMMISSION EXPIRES
September 30, 1984

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