AGREEMENT FOR DIVISION OF PARTITION FENCE

THIS AGREEMENT, made and entered into by and between MARIE E. BRANT, hereinafter referred to as "Brant", and MAX H. HOLMES and LINDA H. HOLMES, hereinafter referred to as "Holmes", WITNESSETH:

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

Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-two (32), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa

and,

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

Southwest Quarter ($SW\frac{1}{4}$) of Section Thirty-two (32), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

and,

WHEREAS, the parties hereto are desirous of agreeing upon the division of the partition fence separating their respective tracts of real estate.

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

1. Brant agrees to build and maintain the east 80 rods of the partition fence separating the premises, and Holmes agrees to build and maintain the west 80 rods of said partition fence.

2. Nothing herein contained shall prevent the parties from altering the actual location of the partition fence as they may mutually agree. However, such alteration shall not change the portions for which the respective parties are legally obligated to maintain under the terms of this Agreement. Either party may build his portion of the fence on his own land as a matter of convenience other than the true boundary line separating the respective premises and the location of such fence built as a matter of convenience shall not be construed as establishing a different boundary line other than that of the **Government Survey.**

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BOOK 2 PAGE 15
1982 MAR 15 AM 10: 40
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $6.00

3. This Agreement shall be binding upon the heirs, successors, and assigns of the respective parties hereto and shall be construed as a covenant running with the land.

Marie E. Brant

Max H. Holmes

Linda H. Holmes

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 13th day of March, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Marie E. Brant to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Notary Public in and
for the State of Iowa.

STATE OF IOWA :
: SS
POLK COUNTY :

On this 5th day of March, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Max H. Holmes and Linda H. Holmes to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

GEOFFREY C. CROWELL ★ Iowa ★ NOTARIAL SEAL

Notary Public in and
for the State of Iowa.