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1982 JUL -2 PM 4:19

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

PARTITION FENCE AGREEMENT

THIS AGREEMENT made and entered into by and between EDITH P. GILLESPIE and FARMERS & MERCHANTS STATE BANK, WINTERSET, IOWA, TRUSTEES OF THE RAYMOND R. GILLESPIE TRUST U/W RAYMOND R. GILLESPIE, DECEASED, as first parties, and HOWARD E. FORD and MARLENE M. FORD, as second parties, WITNESSETH:

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

> The Northwest Quarter (NW¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa;

and,

WHEREAS, Howard E. Ford and Marlene M. Ford are the owners of the following-described real estate, to-wit:

> The North Half (N½) of the Southwest Quarter (SW¼) and the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa;

and,

WHEREAS, the parties hereto are desirous of establishing of record the agreement between them as to the division of the partition fence on the south side of first parties' premises and the north side of second parties' premises.

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

1. First parties shall build and maintain a tight partition fence on the east half (½) of said partition line, and second parties shall build and maintain a tight partition fence on the west half (½) of said partition line.

2. Each party agrees to either build a new fence or put the present fence on the premises in a good condition prior to October 1, 1981.

3. This agreement shall be construed as a covenant running with the land and shall be binding on the parties hereto, their heirs and assigns, until modified or changed in writing.

Dated this 11 day of July, 1981.

Edith P. Gillespie
Edith P. Gillespie

FARMERS & MERCHANTS STATE BANK
WINTERSET, IOWA
By Eugene W. DeRaad
Trustees of the Raymond R. Gillespie Trust
First Parties

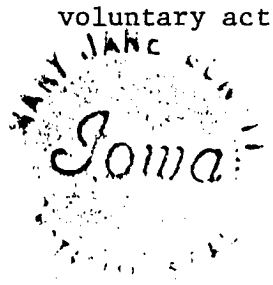
Howard E. Ford.
Howard E. Ford
By Marlene M Ford (agent)

Marlene M Ford.
Marlene M. Ford

Second Parties

STATE OF IOWA :
: ss
MADISON COUNTY :

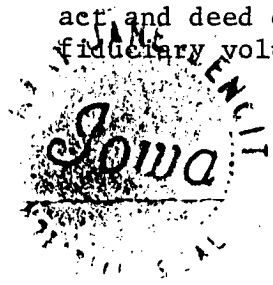
On this 11th day of July, 1981, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared EDITH P. GILLESPIE to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she, as such fiduciary, executed the same as the voluntary act and deed of herself and of such fiduciary.



Mary JAne Benoit, Notary Public in and for the State of Iowa

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 11th day of July, 1981, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared EUGENE W. DeRAAD, to me personally known, who, being by me duly sworn, did say that he is the President of the Farmers & Merchants State Bank, Winterset, Iowa, the corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said EUGENE W. DeRAAD acknowledged the execution of said instrument to be the voluntary act and deed of said corporation and of said fiduciary, by it, by him and as such fiduciary voluntarily executed.



Mary Jane Benoit, Notary Public in and for the State of Iowa.

STATE OF IOWA :
MADISON COUNTY : ss

On this 2nd day of July, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARLENE M. FORD AND MARLENE M. FORD AS AGENT FOR HOWARD E. FORD 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, Notary Public in and for the State of Iowa.

