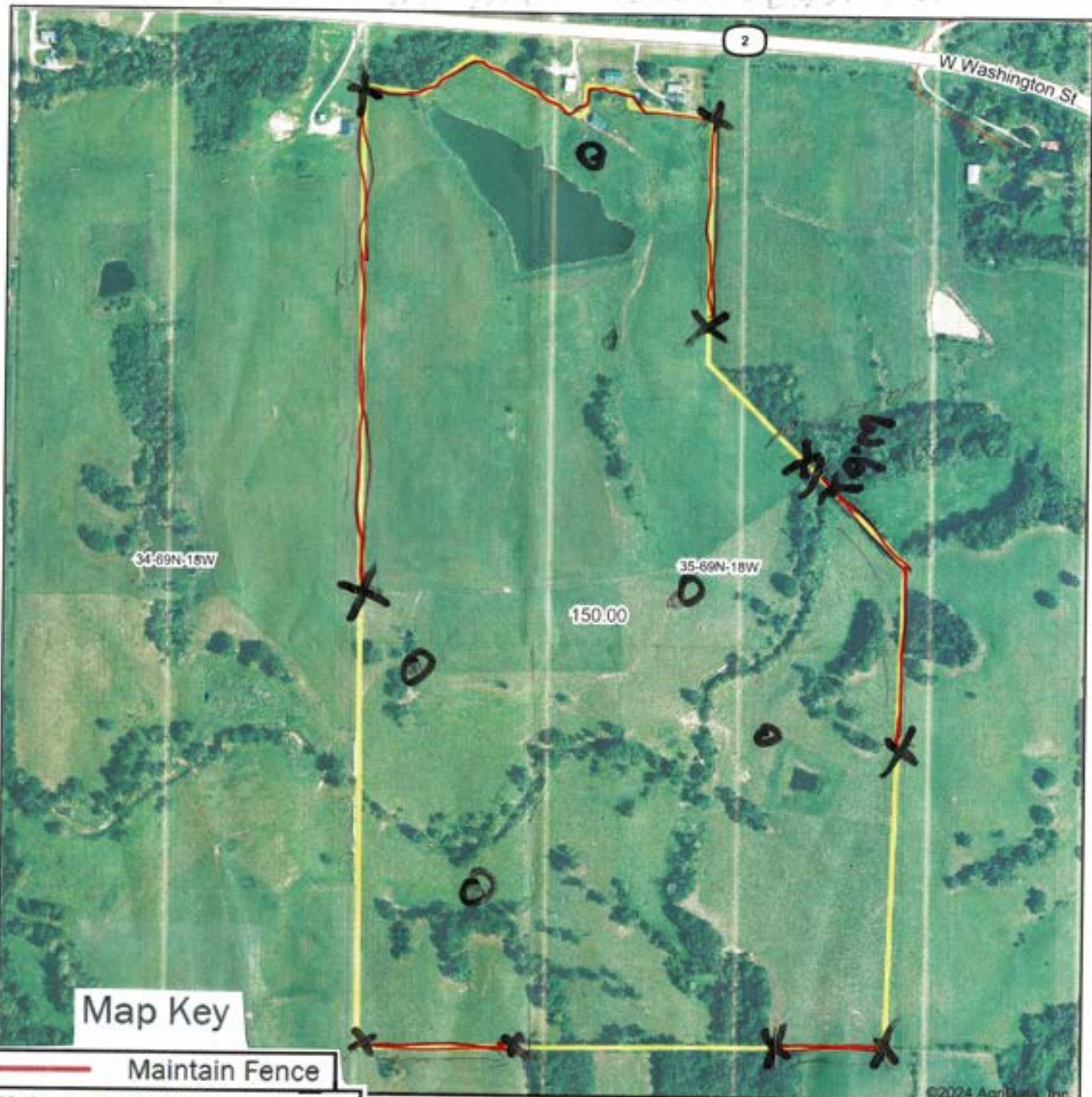


Howard  
Can't

see well enough to do water tanks  
we will go in when Kenny is in

### Aerial Map



### Map Key

- Maintain Fence
- W.G. Maintain Water Gap (1)
- Piped Livestock Watering Tanks (5)

Boundary Center: 40° 44' 2.37, -92° 54' 7.89



35-69N-18W  
Appanoose County  
Iowa



HOWARD & KENNY PLACED RED FLAGS AT KEY POINTS ON FENCES.



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Date 12/27/2012 Time 11:43 AM

Rec Amt \$17.00

ENTR *KK*  
COMP  
INDX  
SCAN

Teddy Walker, Recorder  
Appanoose Co. IOWA

*PD 1700  
return  
Underwood*

Preparer Information: James R. Underwood, 202 North 12<sup>th</sup> St., P.O. Box 725, Centerville, Iowa 52544  
Return to: James R. Underwood, 202 North 12<sup>th</sup> St., P.O. Box 725, Centerville, Iowa 52544

### FENCING AGREEMENT

BE IT REMEMBERED that on this <sup>5<sup>th</sup></sup> 21 day of December, 2012, Davis E. Burgher and Sandra Burgher, husband and wife, who are the owners of the following real estate:

THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 34, LYING SOUTH OF THE ABANDONED RAILROAD RIGHT OF WAY, EXCEPT THE NORTH 60 FEET LYING SOUTH OF THE RAILROAD RIGHT OF WAY, AND EXCEPT THAT PART DEEDED TO THE STATE OF IOWA FOR HIGHWAY PURPOSES; AND THE EAST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 34, EXCEPT BEGINNING AT THE SOUTHEAST CORNER, THENCE 325 FEET NORTH ALONG SAID SECTION LINE, THENCE WEST 300 FEET, THENCE SOUTH 325 FEET, THENCE EAST 300 FEET TO BEGINNING, ALL IN TOWNSHIP 69 NORTH, RANGE 18 WEST OF THE 5<sup>TH</sup> P.M., APPANOOSE COUNTY, IOWA.

and Howard Davis and Joyce Davis, husband and wife, who are the owners of the following real estate:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST 47 RODS OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 69 NORTH, RANGE 18 WEST.  
AND  
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 69 NORTH, RANGE 18 WEST, EXCEPT THE HIGHWAY EASEMENT, AND EXCEPT A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35. A PARCEL OF SAID SECTION 35 CONTAINING 1.353 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD.

Davis E. Burgher and Sandra Burgher, husband and wife, and Howard Davis and Joyce Davis, husband and wife, have negotiated the following fencing agreement pursuant to Sections 359A.12 & 359A.13 of the 2011 Iowa Code.

### I APPORTIONMENT OF FENCE

Burgher shall erect and maintain the fence starting at the gate located on the South property line owned by Howard Davis and Joyce Davis located in the Northwest Quarter of the Southwest Quarter in Section 35 to the South end of the twin gates located in the Southwest Quarter of the Northwest Quarter in Section 35.

Davis shall erect and maintain the fence approximately 1995 to 2000 feet along the North end of the Bell Air Township line located in the Northwest Quarter of the Northwest Quarter in Section 35.

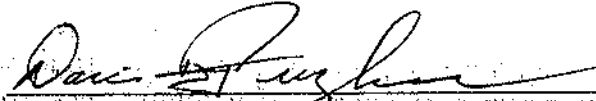
Burgher shall then be responsible to maintain the water gap on the Bell Air and Vermillion Township line located in the Northeast Quarter of the Southeast Quarter of Section 34, Township 69 North, Range 18 West, Appanoose County, Iowa.

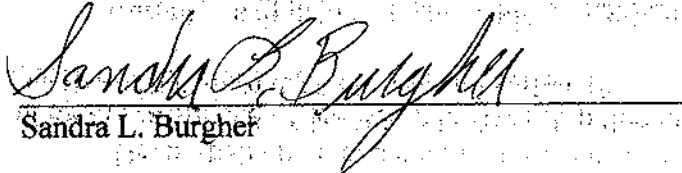
## II MANNER OF CONSTRUCTION

Corners and braces shall be installed at the beginning and termination of each party's respective portion of the Fence. Line posts shall be installed at a distance of not greater than 12 feet apart alternating between at least 1 wood post followed by not more than 2 steel posts and affixed thereto shall be not less than 5 barb wires stretched taut with at least 36 barbs per rod of at least 4 points, the top wire being not less than 48 inches nor more than 54 inches above ground level.

## III DURATION

This agreement shall be in effect for the period established by Section 359A.13 of the 2011 Code of Iowa.

  
\_\_\_\_\_  
Davis E. Burgher

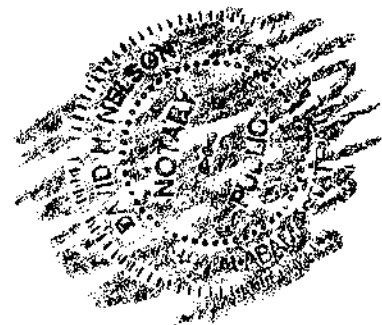
  
\_\_\_\_\_  
Sandra L. Burgher

STATE OF ~~IOWA~~ COUNTY OF ~~APPANOOSE~~ ss:  
*Alabanza Baldwin*

This instrument was acknowledged before me on this 21 day of November, 2012, by Davis E. Burgher and Sandra L. Burgher.

  
\_\_\_\_\_  
Notary Public in and for said State

My Commission Expires  
03/20/2016



Howard Davis  
Howard Davis

Joyce Anne Davis  
Joyce Anne Davis

STATE OF IOWA, COUNTY OF APPANOOSE, ss:

This instrument was acknowledged before me on this 20<sup>th</sup> day of December, 2012, by Howard Davis and Joyce Anne Davis.

Carla Underwood  
Notary Public in and for said State

