

Miscellaneous Record, No. 17, Madison County.

Agreement between) Filed for Record May 21st A.D. 1910 at 9.10 o'clock A.M.

L.M. Alexander & Agreement(
S.D. Alexander)

Recording Fee 1.40

George Hill Recorder.
By Daisy Hill Deputy.

STIPULATION. Exhibit "A".

WHEREAS, S.D. Alexander is the owner of the West Half of Section Thirty-two (32), and that portion of the East Half of Section Thirty-one (31) lying between the right of way of the Chicago, Rock Island and Pacific Railway Company and the public highway running East and West through said Half Section, all in Township Seventy-six (76) North, of Range Twenty-seven (27), West of the 5th P.M., Iowa, and also the North West Quarter and the West Half of the North West Quarter of the South West Quarter of Section Five (5) in Township Seventy-five (75) North, of Range Twenty-seven (27), West of the 5th P.M., Iowa, and WHEREAS, L.M. Alexander is the owner of all that part of the East Half of said Section Thirty-one (31) not owned by the said S.D. Alexander and the said Railway Company, and also all that portion of Section Six (6) in Township Seventy-five (75) North, of Range Twenty-seven (27), West 5th P.M. Iowa, lying North of Middle River abutting upon the East line of said Section, and WHEREAS, The Section line between Sections Thirty-one and Thirty-two in Township 76, North, of Range 27, and between Sections 5 and 6 in Township 75 North, of Range 27, West 5th P.M. Iowa, and the corner stones by which said lines or corners are determined are lost, destroyed and in dispute. NOW THEREFORE, It is hereby agreed by and between the parties hereto that Frank McNutt County Surveyor of Polk County, Iowa, shall locate and re-establish that portion of the Section line between said Sections 5 and 6 lying North of Middle River, and that portion of the Section line between said Sections 31 and 32 lying North of the said right of way of the said Railway Company, and also that portion of the said section line lying South of the highway running East and West through said lands; and the said Surveyor shall erect a stone or other visible monument on the said lines so established by him at each of the following corners, to-wit: One at the North West Corner of said Section 32, and one at the South West Corner of the North West Quarter of said Section 32, and one at the intersection of said West line of said Section 32 with the North line of the right of way of said Railway Company, and one at the intersection of said Section line with the South line of the public highway running East and West through the West Half of said Section 32, and one at the North West Corner of said Section 5, and one --the North Bank of Middle River on the West line of said Section 5, and one at the South West Corner of the North West Quarter of the South West Quarter of said Section 5: and said Surveyor shall also cause temporary stakes to be set along the said Section lines between the monuments above mentioned at convenient distances to enable said lines to be located by the parties desiring to erect a fence thereon. It is further agreed that the said Surveyor shall attach his report of said survey to this agreement and that the same shall be filed in the office of the Recorder of Madison County, Iowa, and duly recorded, and the line so established by said surveyor shall be taken and accepted by the parties hereto as the true boundary lines between their said lands. And it is further agreed that each of the parties hereto are to pay one half of the expenses of establishing said lines. It is further agreed that the fence to be built and run between the said lands of the parties which will run from the public highway running East and West through said Sections 31 & 32, South on the Section line between said Sections 31 & 32 and said Sections 5 & 6, shall be by the said Surveyor divided in to four divisions or parts of equal length, and the North one fourth to be erected and maintained by L.M. Alexander, and the next division to the South to be erected and maintained by S.D. Alexander, and the next division South by L.M. Alexander, and the next or South division thereof to be erected and maintained by S.D. Alexander. The said L.M. Alexander is to furnish and properly set posts on the said North one fourth proper for woven wire and to place the necessary barbed wire thereon, but S.D. Alexander is to furnish and place on said posts of said North one fourth and also the second one fourth all woven wire to be put thereon, and the fence on the remaining two fourths to be built in a good substantial manner and to consist of not less than four barbed wires. And it is also agreed that the old fence already standing on or near the said line shall be used in building the two south fourths of said fence, the same to be shared equally between the parties. Each of the parties hereto are to proceed promptly with the erection of said fence, and especially the portion thereof on which the said woven wire will be placed as soon as the said lines are located and established by said Surveyor and as soon as the said S.D. Alexander begins the erection of his said share of said fence. Witness our hands this 14th day of April 1910.

S.D. Alexander.
L.M. Alexander.

State of Iowa Madison County SS:

Be it remembered that on this 14th day of April 1910 before me a Notary Public in and for said County, personally appeared S.D. Alexander, to me known to be the identical person who signed the foregoing instrument, and personally to me acknowledged the execution thereof to be his voluntary act and deed.

NOTARIAL

SEAL

F.E. Nicholson
Notary Public in and for Madison
County, Iowa.

State of Iowa Madison County SS:

Be it remembered that on this 14th day of April 1910, before me a Notary Public in and for said County, personally appeared L.M. Alexander, to me personally known to be the identical person who signed the foregoing instrument and personally to me acknowledged the execution thereof to be her voluntary act and deed.

NOTARIAL

SEAL

F.E. Nicholson.
Notary Public in and for Madison County, Iowa

WINTERSSET, IOWA; May 19th 1910.

Survey and marking lines and corners between Sections 5-6-31 and 32 Township 75 and 76 North, Range 27 West of the 5th P.M. Iowa. Begin at North West Corner of Section 6-75-27 run East on Township line Var. 9°15 set stone at 5511.60 feet East for Corner of Sections 5-6-31 and 32 Township 75 and 76 North, Range 27 West of 5th P.M. Iowa. Witness Burr Oak 12" South East 13.5 feet Red Oak 12" North 10.75 feet, Red Oak

16" West 49.00 feet. Begin at Corner Sections 5-6-7-and 8 Township 75 North, Range 27 West of the 5th P.M. Iowa, run North Var 8°00' set stone at 1310.37 feet set stone at 2620.74 for $\frac{1}{4}$ Section Corner between Sections 5 and 6 Set stone at 3931.11 feet, at 5214.60 feet Section Corner run North between Sections 31 and 32 Var 10°00' set stone at 1311.35 feet set stone at 1566.7 feet for South line of East and West Highway. set stone at 2622.71 feet for $\frac{1}{4}$ Section Corner between Sections 31 and 32 set stake at North line of C.R.I & P.R.R. Right of way on Section line. set stone at 3934.05 feet, at 5245.40 feet set stone for Corner of Sections 31-32-29 and 30 Township 76 North, Range 27 West of the 5th P.M. Iowa. set stakes for Four divisions of fence from South line of East and West Highway South to stone at South West Corner of North West Quarter of South West Quarter of Section 5-75-27. 1 Division is 1367.74 feet South of E & W Highway 2nd Division is 2735.48 feet South of E & W Highway, 3rd Division is 4103.22 feet South of E. & W Highway, 4th Division is 5470.96 feet South of E & W Highway.
Report of Surveyor to be attached to agreement Exhibit "A" hereto attached.
Frank McNutt Surveyor.