

Dean C. Tate & Wf.

#4570

Filed for record the 27 day of
November A.D. 1936 at 10:08 o'clock
A.M.

To

Fee \$.80 ✓

Valda C. Bishop, Recorder
Pearl E. Shetterly, Deputy

Hudson Burr & Wf.

PARTITION FENCE AND BOUNDRY LINE AGREEMENT

Articles of agreement entered into this 28th day of October, 1936,
by and between Dean C. Tate and Prudence Tate, husband and wife, of
Wayne County, State of Michigan, hereinafter referred to as First Parties,
and Hudson Burr and Charlotte Burr, husband and wife, of McLean County,
Illinois, hereinafter referred to as Second Parties, WITNESSETH:

WHEREAS, First Parties are the owners of that portion of the North
Three-fourths ($N\frac{3}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty (20)
Township Seventy-six (76) North, Range Twenty-seven (27), West of the
Fifth Principal Meridian, lying West of the Public Highway, situated in
Madison County, Iowa, and Second Parties are the owners of the South
One-fourth ($S\frac{1}{4}$) of the said Southeast Quarter ($SE\frac{1}{4}$) of said Section
Twenty (20), lying West of the Public Highway; and,

WHEREAS, a fence is now located near but not on the true boundary
line between said tracts of land, a portion of said fence being to the
south of said true boundary line and a portion thereof being to the
north thereof; and,

WHEREAS, the parties hereto desire to agree upon and establish the
true boundary line between said tracts of land and for the establishing,
constructing and maintaining of a partition fence on said true boundary
line and fixing the portion thereof to be established, constructed and
maintained by each; and

WHEREAS, John A. Burriss, a civil engineer, of Des Moines, Iowa, has
made a survey of said tracts of land and has located the boundary line
between the same as being a line described as follows, to-wit:

Beginning in the west line of the Southeast
Quarter ($SE\frac{1}{4}$) of said Section Twenty (20) at the
west post of the existing fence aforesaid; running
thence easterly on the north side of said existing
fence a distance of 1160 feet to a gas pipe placed
by said Burriss at a point 6 feet north of said
existing fence; running thence easterly to a gas
pipe placed by said Burriss at the easterly side of
a cultivated tract of land and 7 feet south of the
existing fence; thence easterly to the westerly line
of the public highway at a point 1 foot south of the
easterly post of the existing fence, located as
aforesaid, near but not on the true boundary line,
and at a distance of approximately 2320 feet from
place of beginning.

NOW, THEREFORE, in consideration of the foregoing and of the

mutual covenants and agreements of the parties hereto herein contained, it is hereby agreed, as follows:

1. That the true boundary line between the said tracts of land aforesaid, so owned by the parties hereto, respectively, is and shall be the aforesaid line located and established by the said John A. Burriss.

2. First Parties shall remove the west 1160 feet of the existing fence and shall construct and hereafter maintain on the west 1160 feet of the said line, so fixed and agreed upon as the true boundary line between said tracts of land, a good and sufficient lawful fence.

3. Second Parties shall remove the east 1160 feet of the existing fence located near but not on said true boundary line and shall construct and hereafter maintain on the east 1160 feet of said true boundary line a good and sufficient lawful fence.

4. The said existing fence shall be removed and the new fences, hereinbefore provided for, shall be constructed on or before June 1, 1937.

5. The agreements herein contained shall run with the land and be binding on the parties hereto, their heirs, executors, administrators, successors and assigns.

Prudence Tate
Dean C. Tate
First Parties.
Hudson Burr
Charlotte Burr
Second Parties.

STATE OF MICHIGAN, COUNTY OF WAYNE, SS:

On this 14 day of Nov. 1936, personally appeared before me, Emanuel C. Lindman, a Notary Public in and for the County and State aforesaid, Dean C. Tate and Prudence Tate, husband and wife, personally to me known to be the identical parties named in and who signed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Emanuel C. Lindman
Notary Public in and for Wayne County
Michigan. Notary Public, Wayne County
Mich. My Commission Expires May 15,
1939.

(NOTARIAL SEAL)

STATE OF ILLINOIS, COUNTY OF McLEAN, SS:

On this 20th day of November, 1936, personally appeared before me, Donald M. Davison, a Notary Public in and for the County and State aforesaid, Hudson Burr and Charlotte Burr, husband and wife, personally to me known to be the identical parties named in and who signed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL

SEAL

Donald M. Davison, Notary Public
in and for McLean County, Illinois