

**NOTICE OF HEARING CONCERNING
PARTITION FENCE COMPLAINT**

To: _____

(Complaining Landowner)

_____ **(Adjoining Landowner)**

Concerning the following two adjoining parcels of real estate:

Real estate owned by complaining landowner:

Section _____, Township _____, Range _____,
_____ County, Iowa.

Real estate owned by adjoining landowner:

Section _____, Township _____, Range _____,
_____ County, Iowa.

Each of you are hereby notified that the Township Trustees have received a written complaint requesting the said Trustees act as fence viewers to determine a complaint concerning the erection, maintenance, rebuilding, trimming or cutting back, or repairing of the partition fence between the above-listed properties.

Pursuant to Iowa Code §§ 359A.3 and 359A.4, the Township Trustees have scheduled a hearing concerning this complaint to determine the obligations, rights, and duties of the respective parties in this matter, and to assign to each owner the part which the owner shall erect, maintain, rebuild, trim or cut back, or pay for and fix the value thereof, and prescribe the time within which the same shall be completed or paid for, and in the case of repair, to specify the kind of repairs to be made.

Said hearing shall be held on the _____ day of _____, 20__, at _____ o'clock ____m., and it shall be held at the following location, with the parties to meet at the above-noted time at

_____. You may be present at this hearing and present any facts you desire for consideration in connection therewith.

If you fail to attend this hearing, the Township Trustees, acting as fence viewers, shall have the right in your absence to determine your obligations, rights, and duties of the respective parties in this matter, and to assign to you the part which you shall erect, maintain, rebuild, trim or cut back, or pay for and fix the value thereof, and prescribe the time within which the same shall be completed or paid for, and in the case of repair, to specify the kind of repairs to be made, pursuant to Iowa Code 359A.4.

Clerk - _____ Township
_____ County, Iowa

Acknowledgement of Service

The Undersigned landowner(s) hereby accepts due, timely and legal service of the Notice of Hearing Concerning Partition Fence Complaint on this _____ day of _____, 20____, at _____ (town or other location where the person received the notice)

Complaining Landowner

Complaining Landowner

Acknowledgement of Service

The Undersigned landowner(s) hereby accepts due, timely and legal service of the Notice of Hearing Concerning Partition Fence Complaint on this _____ day of _____, 20____, at _____ (town or other location where the person received the notice)

Adjoining Landowner

Adjoining Landowner

(If all interested parties do not sign the above *Acknowledgement of Service*, then those parties not signing must be served by the Sheriff at least five (5) days prior to the date set for the hearing.)

NOTE: If all interested parties do not sign Acknowledgment of Service, those not signing must be served personally by the Sheriff at least five (5) days prior to the date set for the hearing.

For publication requirements for serving notice to nonresidents, refer to Iowa Code § 359 A.7.

(A copy of this Notice to each party acknowledged or with proof of service shall be placed on record with the County Recorder.)

Sheriff's Return of Service

State of Iowa :
: ss
County of _____ :

The undersigned being duly sworn states that he/she serve the attached Notice of Hearing Concerning Partition Fence Complaint on the person(s) named below by delivering copies of the notice at the times and places set opposite the person(s)' respective names below:

<u>Person Served</u>	<u>Month</u>	<u>Day</u>	<u>Year</u>	<u>City or Township</u>	<u>County</u>	<u>State</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Subscribed and sworn to before my by _____, on this _____ day of _____, 200____.

Notary Public in and for Said State