

**344.09 PARTY ERECTING MORE THAN SHARE.**

If there is a controversy between occupants of adjoining lands as to their respective rights in any partition fence and the fence viewers decide that either occupant has voluntarily erected or otherwise become the proprietor of more than that occupant's just share of the fence before a complaint was made, the other occupant shall pay for the share of the fence assigned to the other to repair and maintain. The value of the fence must be ascertained and recovered pursuant to section 344.05.

**History:** (7256) *RL s 2756; 1985 c 265 art 6 s 1; 1986 c 444*