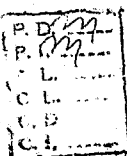


No 4069



J. A. Friend et al.

To

Contract.

J. N. Berry

Know all Men By These Presents:

That we, J. A. Friend and Simon Jones for and in consideration of the sum of one dollar and other valuable considerations to them paid by the Central Building Company, a corporation of Texas, Indian Territory, do hereby stipulate and agree with said Central Building Company and its assigns;

First: That The Central Building Company is the owner of the easterly fifty feet of lots nine and ten in block eighty nine in the City of Tulsa, Indian Territory, having a frontage of fifty feet on East Second Street and one hundred feet on Boston Avenue, the lot and block lines being parallel with said streets.

Second: That J. A. Friend and Simon Jones are the owners of the three story brick building, fronting on East Second Street known as the Friend and Jones Building, which building has a depth running northward of ninety feet, the center of the east wall of which building is situated and located fifty feet west of and parallel with Boston Avenue, the half of said east wall being located on the ground owned by the said Central Building Company, to which half of said J. A. Friend and Simon Jones have no interest nor do they claim any ownership therein.

Third: The Central Building Company intend to erect a five story building on the ground owned by it, to-wit, the easterly fifty feet of lots nine and ten in said block eighty nine and will use so far as may be desirable the wall above described.

Fourth: The said J. A. Friend and Simon Jones for the consideration above expressed and with full knowledge of above conditions, hereby agree that they will make no further additions to the said east wall of the said Friend and Jones building either by building same higher or extending it further to the northward, nor will they cause or permit any structure, appliance or obstacle to be erected above the present three story wall or within eight feet of said wall or any addition to the wall at the north end thereof or within eight feet of said north end in such manner that will obstruct the air, light or ventilation of the building to be erected by the said Central Building Company.

Fifth: This agreement is binding upon the said J. A. Friend and Simon Jones, their heirs, administrators, representatives, assigns