

and 130 feet in length; and,

WHEREAS, the party of the second part is desirous of acquiring and owning an undivided one half interest in the wall of said building; and

WHEREAS, the party of the first part is desirous of disposing of an undivided one half interest in said wall to said party of the second part:

NOW, THEREFORE, in consideration of the mutual benefits, the receipt of ^{which} ~~which~~ are hereby acknowledged, the parties hereto agree that the party of the ^{first} ~~first~~ part shall erect upon the dividing line between the properties herein described, a brick wall 130 Feet in length and 18 inches in width said wall to rest equally upon the properties herein described, to-wit : 9 inches on Lot S 25 ' of N 60' and 9 inches on Lot N 25 ' of S 40' and the parties hereto do hereby give grant and license, one unto the other their respective heirs, administrators, and assigns, the right to maintain such wall forever, upon said land so occupied, to-wit :- a strip of land on lots S 25 of n 60 in ^{Block} ~~Block~~ II 9 9 inches wide unto the party of the first part, his heirs, administrators and assigns, and a strip of land on N 25' of S 40' Lot 6 in Block II 9 , 9 inches wide ~~and~~ unto the party of the second part, his heirs administrators and assigns, for no other purpose than that herein set out .

It is further agreed by the parties hereto that the party of the first part shall proceed with the erection of the said wall at his own expense, and shall keep a true accurate and correct account of the actual cost of the construction thereof, and the actual cost of the material therein contained, in such manner and form that the actual cost of the erection of said wall may be correctly and accurately ascertained, and upon the completion of the said wall as herein set out the party of the second part his heirs, administrators or assigns, shall pay unto the party of the first part, his heirs, executors, administrators or assigns, one half, the actual cost of the said wall the cost of said wall is nine Hundred Dollars and shall thereupon become and be an owner of an undivided one half interest in said wall and entitled to full, free and uninterrupted use thereof equally with the party of the first part, his heirs, administrators and assigns, or said parties of the second part may elect to delay such payment until they desire to use said wall, which said ~~payment~~ ^{delay} shall entitle the party of the first part to interest upon the said sum so due at the rate of eight per cent per annum until the same shall be paid .

The party of the first part further agrees to construct said wall in a workman like manner to a height at least ⁶ feet and a length of 130 feet .

It is further agreed between the parties hereto for ^{themselves} ~~themselves~~, their heirs and assigns, that the compliance of the party of the second part with the conditions of payment herein provided for, shall vest in him, his heirs, executors, administrators and assigns, an undivided one half interest in and to the said wall, and all reasonable use of said wall, and shall also give him, his heirs, administrators and assigns, full right and power to cut into said wall to a depth not exceeding in any event 8 inches for any and all joist seats that be necessary or convenient in the erection and construction of a building ^{upon his} ~~upon~~ said property . and to ~~xxx~~ the use of the said wall in any ~~xxx~~ other manner necessary or convenient to the property ~~of~~ his said building, it being the intent of this contract that each of the parties hereto shall have