

Agreement.

This Agreement, made this 26th day of October, 1908, by and between J. E. Peirce of the first part, and J. J. Daly of the second part.

Witnesseth That, whereas, the first party is the owner of lot three (3) and the second party is the owner of lot four (4) in block seventy three (73) of the Truncite of Tulsa, Tulsa County, State of Oklahoma, and the first party, desires to construct at once a brick wall on the boundary thereof, extending from the front along said boundary line between said lots a distance of approximately one hundred and ten (10) feet, including the necessary excavations and cement foundation thereof, said wall being for the first story seventeen (17) inches thick, and for the second story thirteen (13) inches thick, said wall to be constructed so as to extend not to exceed nine (9) inches over on the lot of either of the parties hereto, and the second party hereby consenting to pay for one half of said partying wall upon the terms and conditions hereinafter provided, it is therefore hereby covenanted and agreed by the second party with the first party, that the said second party will pay for one half of the expense of the construction of said partying wall whenever said second party either sells said lot four (4) or constructs a building connecting to and using said partying wall, by paying one half of the cost thereof, which shall not exceed one half of ten dollars (\$10) per thousand for brick laid in wall, and one half of six dollars (\$6.00) per yard for concrete for foundation, all of which, as a condition precedent for such obligation, shall be constructed and built in a good, substantial, workmanlike manner.

The above agreement is hereby made obligatory and binding upon the heirs, executors, personal representatives and assigns of the parties hereto. In witness whereof, we have hereunto set our hands the day and year first above written.

J. J. Daly.

J. E. Peirce.

State of Missouri }
Sealed County } 55

Before me Leonard H. Shiem, a notary Public in and for said County and State, on this 26th day of October, 1908 personally appeared J. J. Daly, to me known to be the identical person who executed the within and foregoing instrument