

erection of said brick building when built as aforesaid, freely and lawfully, but in a workmanlike manner, and without damage to the property of the parties of the first part, make use of such southern wall of the building belonging to the parties of the first part, or so much thereof as the party of the second part, his heirs and assigns, may desire, as a party wall, to be constructed and used as such forever.

It is further agreed that in case either party, their heirs or assigns, desire to build a building longer than the present wall herein described, the same shall be on a line with the present wall, and if either party shall desire to build more than one story high, the wall shall be on top of and on the same line as the present wall or any extension thereof; and when either party shall extend the said wall, the other party shall have the right to use as a party wall and join the same by paying the other party one-half the cost of such wall as he shall use. It is agreed that the wall herein described and any extension thereof, shall at all times be and the same is a party wall.

And the parties hereto do hereby mutually agree for and with themselves, their heirs and assigns, that if it shall hereafter become necessary or desirable to repair or rebuild the whole or any portion of said party wall, the expense of such repairing or rebuilding shall be borne equally by the parties hereto, their heirs or assigns, as to so much and such portion of said party wall as the parties hereto, their heirs and assigns, shall or may at the time of rebuilding or repairing be used in common for the purpose aforesaid, and that whenever said party wall or such portion thereof shall be rebuilt, it shall be erected on the same spot and on the same line, and be of the same size, and the same or similar material, and of like quality with the present wall.

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