

2.

Auditorium Annex Building and Canal desires to accomplish additional second story construction involving such existing party wall and the additional party wall extending to the north toward the aforesaid alley, including the right to increase the height of the 12 inch east wall of the Auditorium Annex Building which is contiguous to the aforesaid existing party wall for the purpose of providing a watertight roof and wall for the proposed second story construction by Canal; and

WHEREAS, the Auditorium and Canal desire all of the 12 inch party wall extending 6 inches on each side of the common property line to be and remain a party wall for themselves and their respective successors and assigns as a perpetual agreement to run with both parcels of land above described.

NOW, THEREFORE, in consideration of the mutual agreements and the payment by Canal to the Auditorium of the consideration of \$550.00, receipt whereof is herewith acknowledged, the parties agree as follows:

The 12 inch party wall extending six inches on each side of the common property line of the parties herein described as running from the 14 foot alley S. 6-14 E. 196.3 feet to East North Street shall be a party wall and shall henceforth remain the common property of the parties, their respective heirs and assigns, and the parties hereto, their heirs and assigns, shall have equal rights in all respects to such wall. The parties hereby covenant, promise, grant, and agree that the Auditorium and Canal, their successors and assigns, shall and may at all times hereafter have the full and free use and privilege of joining to the party wall, as well below as above the surface of the ground and along the whole length or any part of the length thereof, for any building which either or both may desire to have occasion to erect on their property.

(CONTINUED ON NEXT PAGE)