

WHEREAS, John R. Klippenstein and Maria Klippenstein, hereinafter referred to as first party, are the owners of a commercial building located at and upon part of Lots numbered One Hundred fifty-three(153) and One Hundred fifty-four(154) in the original Town of Friend, Saline County, Nebraska; and,

WHEREAS, Albin B. Nabity, hereinafter referred to as Second party, is the owner of a part of Lots numbered One Hundred fifty-three(153) and One Hundred fifty-four(154) which adjoins the property of the First Party on the east side thereof; and,

WHEREAS, Second Party is about to erect a building upon his part of Lots numbered One Hundred fifty-three(153) and One Hundred fifty-four(154) which building is to be of masonry construction;and,

WHEREAS, Second Party desires to insert the beams and floor members of his building into and use the east wall and footings of the above mentioned commercial building of First Party as a party wall.

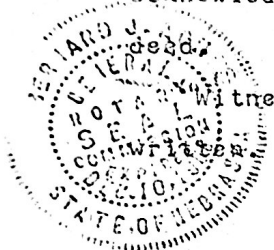
NOW THEREFORE, this Agreement made this 10th day of July, 1961 by and between John R. Klippenstein and Maria Klippenstein, husband and wife, First Party, and Albin B. Nabity, Second Party, for and in consideration of Two Hundred Dollars (\$200.00) in hand paid by Second Party, the receipt of which is hereby acknowledged by First Party, First Party hereby grant to and covenant with Second Party, his heirs, executors, administrators and assigns that he and they may in the erection of said masonry construction building insert the footings, beams, floor members and roof members thereof into the wall of the above mentioned commercial building owned by First Party so as to use First Party's East wall as a Party Wall, and that the same may there remain so long as said wall shall stand. The covenants aforesaid are to run with the land and to bind the parties hereto, their heirs and assigns.

WITNESS our hands this 10th day of July, 1961.

John R. Klippenstein
Maria Klippenstein
(First Party)
Albin B. Nabity
(Second Party)

State of Nebraska)
County of Saline) ss:

On this 10th day of July, 1961, before me, the undersigned a Notary Public, duly commissioned and qualified for said county, personally came JOHN R. KLIPPENSTEIN and MARIA KLIPPENSTEIN, Husband and Wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and

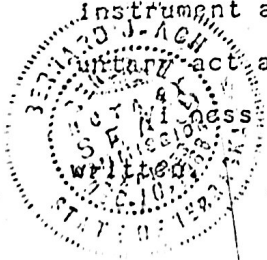


Witness my hand and Notarial Seal the day and year last above

Bernard J. Ach
Notary Public

State of Nebraska)
County of Saline) ss:

On this 10th day of July, 1961, before me, the undersigned a Notary Public, duly commissioned and qualified for said county, personally came ALBIN B. NABITY to me known to be the identical person whose name was affixed to the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.



Witness my hand and Notarial Seal the day and year last above

Bernard J. Ach
Notary Public

AGREEMENT

JOHN R. KLIPPENSTEIN & WF.

WITH

ALBIN B. NABITY

THE STATE OF NEBRASKA }
SALINE COUNTY }

Entered in numerical index and filed for record in the County Clerk's Office of said County,

the 11th day of

July 1961 at

11 o'clock a 2 30 minutes

A.M., and Recorded in Book 104 of

Deeds on page 257

Bernard J. Ach
County Clerk

FROM, CHARGE, & RETURN:
BERNARD J. ACH
FRIEND, NEBR.

CHARGE: \$2.20

VOL.	ALPH. IND.	FILED	INDEXED	RECORDED
11.	104	104	104	104
1. Register of Deeds				