

That the  
of D. Hall  
Nebraska,  
Security  
paid by  
County,  
by sell and  
Hanner  
situated  
and State  
Section Six  
covenant  
good and  
sell and  
encumbr-  
to said pre-  
said Hanner  
described from

d for said  
and this  
identical  
entire and  
used.  
77.  
am.  
k.

Agreement.  
Fred & Henry Schmidt.

S. H. Little.  
Filed for Record May 26<sup>th</sup>  
A. D. 1877 at 10<sup>15</sup> A. M.  
ls clk.  
Dep.

This Indenture, made this 21<sup>st</sup> day of May  
A. D. 1877. between Fred Schmidt of Lincoln  
Lancaster County, Nebr. Henry Schmidt of Elkader  
Clayton Co. Iowa, and S. H. Little of Lincoln  
Lancaster Co. Nebr. Witnesses; That whereas  
the said Fred and Henry Schmidt are the  
owners in fee simple of a certain lot of land  
situated on C Street in said Lincoln and  
described as follows viz: Lot No seven (7)  
in Block No fifty four (54) and whereas

the said S. H. Little, is the owner in fee simple of a certain lot of land  
adjoining the above described land of said Fred & Henry Schmidt, described  
as follows, Lot No six (6) in Block No fifty four (54) and joining the Schmidt  
lot on the East, and whereas the said Schmidts propose to erect on their  
said lot of land a brick storeroom or building, and whereas they are  
desirous of having the wall between the two above described lots built one  
half on their said lot and one half on the said lot of said Little  
which will be for their mutual benefit, and the said Little has assented  
to the same, on the condition that he shall have the right of using the  
said wall as hereinafter expressed. Now the said parties above named for  
themselves and their respective heirs and assigns, hereby covenant and  
agree to and with each other in the manner following: First the said  
Little hereby agrees, that the Schmidts, may at any time, within sixty days  
of the date hereof, or later if weather is unfavorable, build a partition  
wall with stone foundation faced on both sides, upon the line between  
the said two lots, they may erect and maintain one half of the same  
on their and the said Little's lot of land, and may build the wall  
of such length, height and thickness as they may judge best, and  
in building said wall may enter with workmen and materials on said  
Little's lot and may dig in the same as far as may be necessary providing  
it be done without interfering with his said Little's convenient occupation of  
his said lot, and he the said Little further agrees, that whenever he shall  
make any use of said partition wall, for the benefit of any building  
he may hereafter erect or place on his the said Little's lot, he, his heirs  
or assigns will thereupon pay to said Schmidts, their heirs, executors, ad-  
ministrators or assigns, one half of the whole cost of said partition  
wall including the digging and laying the foundation and the cost  
of materials, as well as the building of said wall, provided never-  
theless, that if said Little (his heirs or assigns), shall make use  
of but a portion of said wall, for any building hereafter erected,  
then he, his heirs or assigns, shall only pay his proportion for the  
part used.

Second, and the said Schmidts hereby covenant and agree, that  
said Little his heirs or assigns may use said partition wall  
when so erected for the benefit of the building now standing on  
said Little's lot free of cost, And shall have the further right

to use it the said wall for any building he may hereafter erect or place on his said lot of land. Provided, he does not cut into said wall, beyond his own half thereof and paye the price above stipulated. In witness whereof, we the said Schmidt and Little have hereto set our hands the day and year first above written.

In Presence of:  
D. B. Alexander.  
W. H. Keefer.

Fred & Henry Schmidt.  
Samuel W. Little.

State of Nebraska. } ss.  
Lancaster County. }

On this 21<sup>st</sup> day of May, A. D. 1877, before me, W. H. Keefer a Notary Public in and for said County, duly commissioned and qualified, personally appeared Fred Schmidt and S. W. Little to me personally known to be the identical persons, whose names are subscribed to, and who executed the foregoing instrument, and severally acknowledged same to be their voluntary act and deed for the purpose therein mentioned.

Witness my hand and Notarial seal at Lincoln Nebraska the day and year last above written.

W. H. Keefer.  
Notary Public.

{Seal.}

Deed.

Burlington & Missouri River  
Railroad Co. in Nebraska.

Peter Johnson.  
Filed for Record May 26<sup>th</sup>  
A. D. 1877 at 2 <sup>45</sup> P. M.  
Geo. Kelk.  
Dep.

File No 9231.

Deed No. 711.

Know all Men by these Presents:  
That the Burlington and Missouri River  
Railroad Company in Nebraska, for the  
sum of Three Hundred Eight Dollars, to it  
paid by Peter Johnson of Waverly County,  
in the State of Nebraska. (the receipt of  
which is hereby acknowledged) doth hereby  
grant, bargain and sell, unto the said  
Peter Johnson the following described Real  
Estate, lying and being in the County of

Lancaster and State of Nebraska, to wit: The East Half of the North West-quarter (E. 1/2 N. 1/4) of Section Twenty nine (29) in Township Twelve (12) of Range Eight (8) East of Sixth Principal Meridian, containing according to the United States Survey Eighty acres, To Have and To Hold, to the said Grantee, and his Heirs and Assigns, forever to their own use and behoof. And the said grantor doth hereby agree with the said grantee, that at the executing of these presents, it is well certified of the premises, as of a good indefeasible estate in the fee simple, and hath good right to sell the same as is above written, and that the same are free from all incumbrances, except taxes for the year 1877, and thereafter. And furthermore, the said grantor doth covenant with the said grantee, his Heirs and Assigns their peaceable possession of the said premises against all lawful claims, forever to Warrant and Defend except against taxes as aforesaid.