

MISCELLANEOUS RECORD, No. 61

STATE OF NEBRASKA :
 : SS.
 COUNTY OF DOUGLAS : On this 2 day of June, A.D. 1923, before me the undersigned R. W. Barrett, a Notary Public, duly commissioned and qualified for and residing in said county, personally came Cassa L. Miller, now Mrs. D. M. Rush, D. M. Rush, wife and husband, and Kate F. Emmett & Calvin R. Emmett, wife & husband, to me known to be the identical persons whose names are affixed to the foregoing instrument and they acknowledged the same to be their voluntary act and deed.

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

Robert W. Barrett



State of Nebraska,)
) ss.
 Douglas County,)

Entered on Numerical Index and filed for Record in the Register of Deeds' Office of said County, the 26th day of June, A.D., 1923, at 11:10 o'clock A.M.

Harry Pearce,

Register of Deeds.

Compared by W&S.

4. PARTY WALL AGREEMENT.)
 William Rose, et al.)
 and)
 Arthur G. Rocheford)

PARTY WALL AGREEMENT

WHEREAS, William Rose and Rose Celak Rose, party of the first part, are the owners of the following described real estate situate in the County of Douglas, and State of Nebraska, to-wit:

The East Twenty-six (26) feet of Lot Four (4), in Block One (1), Drexel's Sub-division of Lots Fifty-one (51), Fifty-two (52) and Fifty-three (53) of S.E. Roger's Plat of Oklahoma Addition to the City of Omaha, as surveyed, platted and recorded.

And Arthur G. Rocheford, party of the second part, is the owner of the West thirty-two (32) feet of said Lot Four (4) Block One (1) Drexel's Sub-division of Lots Fifty-one (51), Fiftytwo (52) and Fifty-three (53) of S.E. Roger's Plat of Oklahoma Addition to the City of Omaha, as surveyed, platted and recorded, and

WHEREAS, the first party has erected a wall along the line between the two above described properties, which wall is of sufficient strength to sustain the building for which it is now being used, and in addition thereto such reasonable improvement as may be erected by Arthur G. Rocheford upon the adjoining property, and he is hereby granted the right and given authority to use same for such purposes. Said wall now occupies about a width of six inches of the property belonging to Arthur G. Rocheford and the balance of said wall, to-wit, about six inches occupies the portion of said Lot Four (4) belonging to William Rose and Rose Celak Rose.

It is agreed that the title to the land shall not be affected or changed by reason of this agreement and the said parties for themselves, their successors, heirs, executors, administrators and assigns do covenant with each other that the agreements herein contained shall be covenants running with the land as long as said wall may remain standing. In case said parties, or either of them shall wish to remove said wall from their premises, then and in that case they shall erect a new wall of equal value to take its place without cost or damage to the other party

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hereto.

Dated this 29th day of May, 1923.

Rose Celak Rose
William Rose
partys of the First Part.
Arthur G. Rocheford
Party of the Second Part.

STATE OF NEBRASKA.)
DOUGLAS COUNTY.) ss. On the 29th day of May 1923, before me, the undersigned, a Notary Public, personally appeared William Rose and Rose Celak Rose and Arthur G. Rocheford, they being the same parties whose names are subscribed to the above instrument, who are personally known to me, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

John D. Wear
Notary Public.



My commission expires the 10 day of April, 1928.

State of Nebraska,)
Douglas County,) ss. Entered on Numerical Index and filed for Record in the Register of Deeds' Office in said County, the 26th day of June, A.D., 1923, at 1:40 o'clock P.M.
Harry Pearce.
Register of Deeds.

Compared by W&S.

5. CERT'D. COPY OF DECREE.)
In the Matter of the Estate) IN THE COUNTY COURT OF DOUGLAS COUNTY NEBRASKA.
of) In the Matter of the Estate of)
Walfrid Jacobson, Dec'd.) Walfrid Jacobson, Deceased.) DECREE DISPENSING WITH
ADMINISTRATION.

This matter coming on for hearing this 11th day of June, 1923, on the petition of Herman W. Jacobson, for a decree of said court determining heirs at law and dispensing with regular administration of said estate, and the court being fully advised in the premises after hearing the evidence adduced in said matter, finds that notice of the hearing on said petition has been duly given as required by the order of said court and that no objections have been filed with respect to said petition; that said Walfrid Jacobson departed this life on the 25th day of October, 1905, intestate; that at the time of his death he was a resident of the State of Nebraska, and was possessed of the following described real estate situate in Omaha, Douglas County, Nebraska, towit: All that part of Lot 12 in Lindsay's addition to the city of Omaha, lying and situate north of the alley in said addition as surveyed, platted and recorded; that more than two years have elapsed since the death of said deceased and that no application has been made for administration of said estate in the state of Nebraska and that there are no claims or charges against said estate; that said Walfrid Jacobson left surviving him as his sole and only heirs at law, Herman W. Jacobson, Elmer G. Jacobson, son, Herbert J. Jacobson, son, Lydia M.E. Jacobson, daughter.

IT IS THEREFORE CONSIDERED ORDERED AND ADJUDGED that said above described real estate at the time of the death of said deceased descended free and clear of all claims to said above-