

No 5359 Equity

at the West end of the lot, as the lot as the same was conveyed in and by the deed from Markell to said William S. Bennett and the said Philipp M. Englebucht do hereby for themselves and their respective heirs and assigns mutually covenant and agree that the Northern Wall and wall of the dwelling house now erected in the lot or part of Lot of Ground hereby conveyed, shall be hereafter held, and owned jointly by the said parties hereto their heirs and assigns, as a party wall and that this agreement shall be perpetual, and be at all times construed into a covenant running with the land, and that the privilege to the use of the Hydrant water shall be alike in common with the said parties, to these presents, and their heirs and assigns and that the expense of keeping in Repair said Hydrant and Distress Streets belonging shall be at the joint expense of the owners of both properties and their heirs and assigns forever, together with all and singular the rights, members, privileges, advantages and appurtenances thereto belonging, or in anywise appertaining, and also that he the said William S. Bennett his heirs and assigns, the part of a lot or portion of ground and premises above described and herein mentioned to be, granted, bargained, and sold, with the appurtenances unto the said Philipp M. Englebucht his heirs and assigns, shall and will warrant and forever defend by these presents, against the claims of all persons whomsoever To Have, and to Hold the said herein described part of a lot or portion of ground and premises with the privileges and appurtenances thereto belonging unto the said Philipp M. Englebucht his heirs and assigns to the only proper use of the said Philipp M. Englebucht his heirs and assigns forever - In Testimony whereof the said William S. Bennett hath hereunto set his hand and seal on the day and Year first hereinbefore written, signed sealed and delivered in the presence of Jno. A. Simmons -

William S. Bennett

Which is thus Endorsed, Viz:

State of Maryland, Frederick County To-wit: Be it remembered and it is hereby certified, that on the day of the date of the foregoing indenture before me the subscriber a Justice of the Peace of the State of Maryland, in and for Frederick County aforesaid personally appears William S. Bennett, being known to me of my own personal knowledge to be the person who is named and described as and professing to be the party grantor to the foregoing deed or indenture, and doth acknowledge the said Indenture, or Instrument of writing to be his act and deed -

In Testimony whereof I herunto subscribe my name on the day and year first hereinbefore written -

Jno. A. Simmons

State of Maryland, Frederick County to-wit: - I hereby certify that the foregoing is a true Copy of the Original Deed as recorded in Liber B. C. No. 5. folios 406 & c - One of the Said Records of Frederick County.

In Testimony whereof I hereto set my hand and affix the seal of the Circuit Court for Frederick County this 12th day of November A. D. 1847.

W. Irving Parsons, Clerk.

