

such case they the said parties of the first part shall and will forthwith refund and they hereby covenant and agree to pay to the said parties of the second part their successors or assigns the said amount with interest thereon from the time of receiving it and upon the happening of either of such contingencies the said sum of money with the interest thereon shall be due and payable to the party of the second part their successors and assigns.

This Indenture further witnesseth that the said parties of the first part for the better securing the performance by them of their covenant and obligation above mentioned and the re-payment of the said amount with interest thereon from the time of receiving it to the said parties of the second part in the case above mentioned and in consideration of One Dollar to them paid by said parties of the second part the receipt of which is acknowledged have granted bargained sold conveyed and confirmed and by these presents do grant bargain sell convey and confirm unto the parties of the second part and to their successors and assigns forever All the property included in the lots seventy four - seventy five - seventy six and seventy seven on Miami Street in the town of Media in the county of Douglas and State of Kansas, Together with all and singular the tenements hereditaments and appurtenances thereto belonging or in any wise appertaining and the revenue and profits remainder and remainders rents issues and profits thereof: And also all the estate right title and interest whatsoever as well in law as in equity of the parties of the first part of in and to the same and every part thereof with the appurtenances: To have and to hold the above granted and described premises with the appurtenances unto the parties of the second part their successors and assigns, to their own proper use benefit and behoof forever. Provided always and these presents are upon this express condition that if the parties of the first part their successors or assigns shall will and truly keep perform and fulfil each of their covenants and obligations herein above contained and shall in the case hereinabove provided will and truly refund unto the said parties of the second part the said amount with interest thereon from the time of receiving it, then these presents and the estate hereby granted shall beare determine and be void. And the parties of the first part for themselves their successors and assigns do covenant and agree to and with the said parties of the second part that in case the said parties of the first part