

hand and affix my official Seal the day and year last above written.

{L.S.}

W. E. Orcutt

Notary Public

Recorded May 26th 1882 at 3 C. P. W.

H. J. McConnell

Register of Deeds

This Indenture made this twentieth day of May in the year of our Lord one thousand eight hundred and seventy eight between M. D. L. Warner and Jane C. Warner his wife of Leecompton Township in the County of Douglas and State of Kansas of the first part and Michael Fitzpatrick of the second part.

Witnesseth That the said parties of the first part in consideration of the sum of One Hundred and twenty five Dollars to them duly paid the receipt of which is hereby acknowledged have sold by these presents do grant bargain sell and mortgage to the said party of the second part his heirs and assigns forever all that tract or parcel of land situate in the County of Douglas and State of Kansas described as follows to wit That portion of the North West quarter of Section No. Thirteen (13), Township No. Twelve (12) of Range No. Seventeen (17), that lies South of the public highway that runs across said quarter section from east to west and describe as follows, Beginning at the South East corner of said quarter Section thence West on said quarter Section line One hundred and sixty rods (160) to the South West corner of said quarter thence North sixty five rods (65) to the road thence South Easterly along said road to the east side of said quarter Section thence South Eight rods (8) to the place of beginning containing thirty six and one half Acres with the appurtenances and all the estate title and interest of the said parties of the first part thence.

This parcel is intended as a mortgage to secure the payment of the sum of One Hundred and twenty five Dollars according to the terms of a certain promissory note with ten per cent interest payable in two years from date bearing the same date of this Instrument May 20th 1878.

And this conveyance shall be void if such payment be made as is herein specified. But if default be made in said payment or any part thereof as provided then this conveyance shall become absolute and it shall be lawful for said party of the second part his executors administrators and assigns at any time thereafter to sell the premises hereby granted or any part