

on account thereof. But if default be made by the parties of the first part in such payments or any part thereof or interest thereon, the taxes assessed on said premises then this conveyance shall become absolute and said promissory note and all taxes, penalties costs and interest thereon which may have been paid by the parties of the second part their executors administrators or assigns shall at the option of the legal holder hereof at once become and be due and payable and the legal holder hereof shall be entitled to immediate possession of the above described premises and to receive the rents issues and profits arising therefrom and it shall be lawful for said parties of the second part their executors administrators and assigns at any time thereafter to sell the premises hereby granted or any part thereof in the manner prescribed by law appraisement hereby waived or not at the option of the parties of the second part their executors administrators or assigns and out of all the moneys arising from such sale to retain the amount then due or to become due according to the conditions of this agreement together with the costs and charges of making such sale and attorneys fee for foreclosure of this mortgage the said fee to be due and payable on filing petition for foreclosure and the surplus if any then to be paid by the parties making such sale on demand to the said parties of the first part heirs or assigns.

In Witness Whereof The said parties of the first part have hereunto set their hands and seals the day and year first above written.

J. W. Apitz
M. E. Apitz

{seal}
{seal}

State of Kansas, Douglas County - ss.

Be it Remembered, That on this 12th day of August A.D. 1882. before me a Notary Public in and for said County and State came Frederick W. Apitz and Mary E. Apitz his wife to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

In Witness Whereof I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

Comm. expires July 12 1884. - John Charlton Notary Public
Recorded August 24th AD 1882 at 8³⁰ AM. - O. H. Hornold
Register of Deeds