

of the second part his 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 party 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 for principal and interest together with the costs and charges of making such sale and the surplus if any there be shall be paid by the party making such sale on demand to the said parties of the first part or their heirs or assigns.

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

Signed Sealed & Delivered in Presence of
C. L. Saniter

Andrew J. Fogerty
Elmira E. Fogerty

State of Kansas, Douglas County ss.

Be it Remembered That on this 26 day of May A. D. 1884 before me Henry Hiatt a Notary Public in and for said County and State came Andrew J. Fogerty and Elmira E. Fogerty, 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.

ES

Henry Hiatt
Notary Public.

My commission expires Oct. 12th 1884.

Recorded August 1st 1885 at 3 O'clock P.M.

Alf. Hannold
Register of Deeds.