

M O R T G A G E 50202 BOOK 105

This Indenture, made this 3rd day of September A.D. 1953 between Allan V. Phillips and his wife, Eunice L. Phillips of Lawrence, in the County of Douglas and State of Kansas, of the first part and Clarence A. Miller, of the second part.

Witnesseth, That the said parties of the first part, in consideration of the sum of

Three Thousand and no/100 -----Dollars

to them duly paid, the receipt of which is hereby acknowledged, have sold and by these presents to 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 situated in the County of Douglas and State of Kansas, described as follows to-wit:

Beginning at a point in the center line of Warren Street extended West from the City of Lawrence which is 13.32 chains East and 19.246 chains and 214 feet South of the Northwest corner of the Northwest Quarter of Section 36, Township 12, Range 19, East of the Sixth P.M., thence West along the said center line of Warren Street extended 311 feet, thence North 190 feet 10 inches, thence East parallel to said center line of Warren Street extended, 275 feet; thence South to said center line of Warren Street extended 190 feet 10 inches; it being the intention to convey a tract 275 feet East and West and 190 feet 10 inches, North and South, out of the Southeast corner of what is known as the Hubach place on West Warren Street, reserving, however, a driveway 36 feet wide on the East side of said tract herein conveyed, and

Beginning at a point 190 feet and ten inches North and 36 feet West of a point in the center line of Warren Street (now Ninth Street) extended West from the City of Lawrence which is 13.32 chains East and 19.246 chains and 214 feet South of the Northwest corner of the Northwest Quarter of Section 36, Township 12, Range 19, East of the Sixth Principal Meridian, said point of beginning being at the Northeast corner of the tract conveyed by H. B. Kibler and Holly Blaker Kibler, husband and wife, to Ronald E. Kimber and Minnie Mae Kimber by deed dated July 22, 1937, recorded July 23, 1937 in Book 138 at page 430 in the Office of the Register of Deeds of Douglas County, Kansas, thence West 275 feet along the North line of said Kibler tract to the Northwest corner thereof, thence North 23.17 feet, thence East parallel with the North line of said Kibler tract 275 feet; thence South 23.17 feet to the place of beginning,

with all the appurtenances and all the estate, title and interest of the said parties of the first part therein.

And the said parties of the first part do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances. This grant is intended as a mortgage to secure the payment of

Three Thousand and no/100-----Dollars

according to the terms of one certain note this day executed and delivered by the said parties of the first part to the said party of the second part, and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payments, or any part thereof, or interest thereon, or the taxes, or if the insurance is not kept up thereon, then this conveyance shall become absolute, and the whole amount shall become due and payable, and it shall be lawful for the said party 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