

66801 Book 119

MORTGAGE

(No. 52A) 10

Boyles Legal Blanks - Cash Stationery Co., Lawrence, Kansas

This Indenture, Made this 21st day of August
A. D. 1958, between Thomas M. Walburn, Sr. and Imogene Walburn, husband and wife,

of _____, in the County of Douglas and State of Kansas
of the first part, and O. H. Garber and Florence Garber, husband and wife, as
joint tenants with right of survivorship and not as tenants in
common of the second part.

Witnesseth, That the said parties of the first part, in consideration of the sum of
Three Thousand Five Hundred-----DOLLARS,
to them duly paid, the receipt of which is hereby acknowledged, ha ve sold and by these presents do
grant, bargain, sell and Mortgage to the said part ies of the second part or the survivor
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 the Southeast corner of the Southwest Quarter of
Section 13, Township 13 South, Range 18 East of the Sixth Principal
Meridian; thence West to a point 3,112 feet West of the Southeast
corner of Section 13, Township 13, Range 18; thence North 650 feet
more or less to the center of Wakarusa River; thence Southeast down
the center of said river to the East line of said Southwest Quarter;
thence South 200 feet more or less to the point of beginning, con-
taining 4.15 acres, more or less

with all the appurtenances, and all the estate, title and interest of the said part ies of the first part therein.
And the said first parties
do hereby covenant and agree that at the delivery hereof they are the lawful owner 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 Five Hundred-----
Dollars, according to the terms of one certain mortgage note this day executed and delivered by the
said Thomas M. Walburn, Sr. and Imogene Walburn to the
said part ies 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 part ies of the second part heirs and assigns executors, administrat-
ors and assigns, at any time thereafter, to sell the premises hereby granted, or any part thereof, in the manner pre-
scribed by law; 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 overplus, if any there be, shall be paid by the part ies
making such sale, on demand to said first parties heirs and assigns

In Witness Whereof, The said part ies of the first part ha ve hereunto set their
hand S and seal S the day and year first above written.
Signed, Sealed and delivered in presence of
Thomas M. Walburn, Sr. (SEAL)
Imogene Walburn (SEAL)
Imogene Walburn (SEAL)

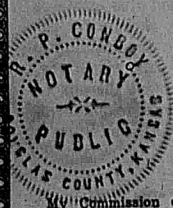
STATE OF KANSAS,
Douglas County ss:

BE IT REMEMBERED, That on this 21st day of August A. D. 1958
before me, the undersigned Notary Public
in and for said County and State, came Thomas M. Walburn, Sr. and
Imogene Walburn, husband and wife,
to me personally known to be the same persons who executed the foregoing instrument
of writing, 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.

My Commission expires October 12 1959

Notary Public



RELEASE
I the undersigned, owner of the within mortgage, do hereby acknowledge the full payment of the
debt secured thereby, and authorize the Register of Deeds to enter the discharge of this mortgage
of record. Dated this 17 day of Sept 1964.

O. H. Garber
Florence Garber Mortgagee.

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