

Fee Paid in Johnson, County

78080 BOOK 129

MORTGAGE 629694

(42)

LANE PRINTING CO., KANSAS CITY, KANS.

THIS MORTGAGE, made this 19th day of August, 1961, by and between Virgil Schwartz and Myrtle Schwartz, husband and wife

of the County of Johnson and State of Kansas, herein called the first parties, and Robert B. Nusser, Ralph W. Nusser, Esther W. Graham, Tom C. Lewis and Dean L. Dufur

herein called second parties, WITNESSETH:

WHEREAS, the first parties, for and in consideration of the sum of Three Thousand Eight Hundred Fifty and no/100 (\$3,850.00) ----- DOLLARS

to them in hand paid by the said second parties the receipt whereof is hereby acknowledged, have granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell and convey unto the said second parties and to their heirs, successors and assigns forever, all of the following described tract, piece, and parcel of land in the following proportions, to-wit: Robert B. Nusser, an undivided 11/77th interest, share and ownership, Ralph W. Nusser, an undivided 20/77th interest, share and ownership, Esther W. Graham, an undivided 30/77th interest, share and ownership, Tom C. Lewis, an undivided 6/77th interest, share and ownership, Dean L. Dufur, an undivided 10/77th interest, share and ownership, in and to:

The West one-half of the Northwest 1/4 of Section 33, Township 14, Range 19, in Douglas County, Kansas, and Lot 2, Somerside, a subdivision of land in Johnson County, Kansas.

This is a second mortgage on each of the above described properties.

TOGETHER with all and singular the tenements, easements, hereditaments and appurtenances thereunto belonging, and all estate, right, title, interest and claim, either at law or in equity of the first parties and to said described real estate and the buildings, structures, improvements and facilities erected and to be erected thereon, and all fixtures, machinery, equipment, implements and apparatus now or hereafter attached to or used in connection with the said described premises.

TO HAVE AND TO HOLD the same unto the said second parties, and to their heirs, successors and assigns forever, provided always, and this instrument is made, executed, and delivered upon the following conditions, to-wit:

WHEREAS, the said first parties, have this day executed and delivered a certain promissory note in writing to the said second parties, a true copy of which is hereto attached and made a part hereof as follows, to-wit:

(See attached copy of Note)

PROMISSORY NOTE

Shawnee Mission, Kansas
August 19, 1961

For value received, eight months after the date hereof, we, the undersigned, Virgil Schwartz and Myrtle Schwartz, husband and wife, promise to pay, at the office of Ray Meitner and Company, Realtors, to the order of Robert B. Nusser, Ralph W. Nusser, Esther W. Graham, Tom C. Lewis, and Dean L. Dufur, their heirs, legal representatives or assigns the sum of Three Thousand Eight Hundred Fifty and no/100 (\$3,850.00) Dollars, with interest at the rate of six (6%) percent per annum until paid, said payees having and owning undivided shares in the proceeds hereof as follow:

Robert B. Nusser, an undivided 11/77 share
Ralph W. Nusser, an undivided 20/77 share
Esther W. Graham, an undivided 30/77 share
Tom C. Lewis, an undivided 6/77 share
Dean L. Dufur, an undivided 10/77 share

S/ Virgil Schwartz

Virgil Schwartz

S/ Myrtle Schwartz

Myrtle Schwartz

Secured by a second mortgage on the W 1/2 of NW 1/4 of Sect. 33, T. 14, R. 19, Douglas County, Kansas, and Lot 2, Somerside, a subdiv. in Johnson County, Kansas.

BOOK 534 PAGE 661