

the time when the money shall be actually paid. But any payments made on account of interest shall be credited in said computation, so that the total amount of interest collected shall be, and shall not exceed, the lawful rate of twelve percent., and said party of the second part, or its successors in trust, shall become and be at once entitled to the possession of said premises and all the emblements thereon and fixtures thereto attached, and to receive all rents, issues and profits thereof, and have full power to control the same, especially to prevent all waste of whatever nature by any person whomsoever, upon any part of said premises, during said foreclosure proceedings. Said premises shall be sold under said decree, and out of the proceeds of said sale there shall be paid - <sup>First</sup>: The costs of said suit. <sup>Second</sup>: All sums due said trustee or its successors in trust, or the legal holder of said note, for moneys advanced under any of the provisions of this deed, with twelve percent. interest thereon. <sup>Third</sup>: Said indebtedness, with interest as provided in this instrument, and costs. The remainder, if any, shall be paid said party of the first part or their legal representatives. All appraisement and stay laws are hereby expressly waived.

And, in case of the inability, or refusal, of the said party of the second part, or any of its successors in trust to act, then, and in that case, any attorney of record, residing within the State of Kansas, whom the said party of the third part, or the legal holder of said note, may in writing appoint, shall be, and he is hereby made successor in trust to the trustee herein before named, with like powers and authority.

And, the said party of the first part, for themselves, and their heirs, executors and administrators, covenant to and with the said party of the second part, and its successors in trust forever, and to and with any person or persons who may purchase said premises at any sale made under foreclosure of this trust deed, that the said party of the first part are lawfully seized in fee of the premises hereby conveyed, and have good right to sell and convey the same as aforesaid; that the said