

84429

BOOK 134

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That Whereas, on the 11th day of September 1956, a certain mortgage was executed by ROBERT W. PAYNE and ERMA V. PAYNE, his wife, for the sum of Eleven Thousand Four Hundred and no/100 (\$11,400.00) Dollars, to DOUGLAS COUNTY STATE BANK, a Kansas corporation, mortgagee and subsequently assigned by said Douglas County State Bank to COMMERCE TRUST COMPANY, a Missouri corporation, said mortgage being recorded in Book 113 at page 299 of the Mortgage records of Douglas County, Kansas, and

WHEREAS, said Commerce Trust Company as Mortgagee has been requested and has agreed to release from the lien and operation of this Mortgage, a part of the property described in the above mentioned mortgage,

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar and other good and valuable considerations to it paid, the receipt of which is hereby acknowledged, said COMMERCE TRUST COMPANY does by these presents release, remise, quit claim, exonerate and discharge unto said ROBERT W. PAYNE AND ERMA V. PAYNE, their successors and assigns, all of that part of the mortgaged premises as hereinafter described, to-wit:

The East 70 feet of LOT 8 in the Subdivision of Tract "C" Sunset Hill Estate Subdivision in the City of Lawrence, more particularly described as follows: A tract beginning at the Southeast corner of Lot 8 in the Subdivision of Tract "C", Sunset Hill Estates, a subdivision in the City of Lawrence, thence North 126.5 feet; thence West 70 feet; thence South 126.5 feet; thence East 70 feet to the place of beginning,

to hold the same with the appurtenances, unto the said Robert W. Payne and Erma V. Payne, their heirs and assigns, forever freed, exonerated and discharged of and from the lien of said mortgage and every part thereof, Provided, always, nevertheless that nothing herein contained shall in any wise alter, affect, or diminish the lien or encumbrance of the aforesaid mortgage on the remaining part of the mortgaged premises, or the remedies of law, or the provisions of said mortgage providing for the recovery thereout of or against Robert W. Payne and Erma V. Payne, their heirs and assigns, the remainder of the principal sum with interest, secured by this mortgage.

IN WITNESS WHEREOF, said COMMERCE TRUST COMPANY has caused these presents to be executed by its Vice President and attested by its Assistant Secretary and its corporate seal to be affixed this 5th day of June 1963.

COMMERCE TRUST COMPANY

By

Walter B. Kelley

Vice President

ATTEST:

William R. McMillin,
Assistant Secretary