

BOOK 144

KANSAS MORTGAGE

THIS MORTGAGE, Made this 1st day of June, in the year One Thousand Nine Hundred and Sixty-Six, by and between Atchison Drive-In Theatre Corporation, a Missouri corporation, of the County of Jackson, State of Missouri, party of the first part, hereinafter referred to as "Mortgagor", and Sunset Theatres, Inc., a Kansas corporation, of Brown County, Kansas, party of the second part, hereinafter referred to as "Mortgagee",

WITNESSETH THAT:

The Mortgagor for and in consideration of Forty-Eight Thousand Dollars (\$48,000.00), to it in hand paid by the Mortgagee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the Mortgagee and to its successors and assigns forever all of the following described land and improvements thereon situated in the County of Douglas, State of Kansas, to-wit:

Beginning at the Northwest corner of Section 35, Township 12 South, Range 19 East of the 6th Principal Meridian; thence East 1000 feet; thence South 750 feet; thence West 450 feet; thence Northwest a distance of 520.71 feet to a point 381.8 feet South and 181.8 feet East of the Northwest corner of said Section; thence West 181.8 feet; thence North 381.8 feet to the place of beginning, in the City of Lawrence, in Douglas County, Kansas,

Subject to easements, reservations, restrictions and agreements of record.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereof, including all fixtures and articles of personal property now or at any time hereafter attached to or used in any way in connection with the use, operation and occupation of the above described real estate, and any and all buildings now or hereafter erected thereon. Such fixtures and articles of personal property including, but without being limited to, all screens, awnings, storm windows and doors, window shades, venetian blinds, inlaid floor coverings, shrubbery, plants, stoves, ranges, refrigerators, boilers, tanks, furnaces, radiators, gas and oil burners, stokers, automatic water heaters, elevators, and all heating, lighting, plumbing, gas, electric, ventilating, refrigerating, air-conditioning and incinerating equipment of whatsoever kind and nature, except household furniture not specifically enumerated herein, all of which fixtures and articles of personal property are hereby declared and shall be deemed to be fixtures and accessory to the freehold and a part of the realty as between the parties hereto, their heirs, executors, administrators, successors and assigns, and all persons claiming by, through or under them and shall be deemed to be a portion of the security for the indebtedness herein mentioned and to be subject to the lien of this mortgage, provided that, however, - - - - -

Mortgagor, at its election, may from time to time sell or otherwise dispose of any of the above-described items of equipment and property, retaining any proceeds derived therefrom provided that Mortgagor shall, at the same time, replace the same with other items of comparable nature and of at least equal value, which shall thereupon become equipment and property subject to the terms of this Chattel Mortgage in lieu of the items so replaced.

TO HAVE AND TO HOLD the same, with all and singular, the hereditaments and appurtenances thereto belonging unto the Mortgagee and to its successors and assigns forever, provided always, and this instrument is made, executed and delivered upon the following conditions, to-wit:

WHEREAS, The Mortgagor is justly indebted to the Mortgagee in the principal sum of Forty-eight Thousand and no/100 - - - - - Dollars (\$48,000.00) and has agreed to pay the same with interest thereon according to the terms of a certain note or obligation in said principal amount, bearing even date herewith and made payable to the order of the Mortgagee and executed by the Mortgagor and ~~and assigned to the Mortgagee~~ given in part payment of purchase price, copies of which (omitting the signature) are as follows:

For Satisfaction of Mortgage See Book 157 Page 384
For Assignment of Mortgage See Book 145 Page 500