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for Mortgage Release see Book 160 Page 569

MORTGAGE

1164

BOOK 149

(No. 12A)

The Official Notary Public of Legal Branch, Lawrence, Kansas

This Indenture,

Made this 22nd day of December

A. D. 19 67, between Donald P. Benschoter and Edna Mae Benschoter, husband and wife,

of Lawrence in the County of Douglas State of Kansas

of the first part and E. Rice Phelps and Donald O. Phelps, Partners

d/b/a Lawrence Loan & Finance Company

of the second part.

Witnesseth, That the said part ies of the first part, in consideration of the sum of Seventy-Six Hundred and Thirty-Eight and no/100

DOLLARS

to them duly paid, the receipt of which is hereby acknowledged by ye said and by these presents do grant, bargain, sell and Mortgage to the said part ies of the second part their 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:

Lot No. Seventy Five (75) in Fairfax, and Addition to the City of Lawrence, Kansas; and the South Ten Feet of Lot No. Seventy-Four (74) in Fairfax, and addition to the City of Lawrence, Kansas

with all the appurtenances, and all the estate, title and interest of the said part ies of the first part therein.

And the said Parties of the First Part

do hereby covenant and agree that at the delivery hereof they are the lawful owner of the premises above granted, and seited of a good and lawfull estate of inheritance therein, free and clear of all incumbrances

This grant is intended as a mortgage to secure the payment of Seventy-Six Hundred Thirty-Eight and no/100

Dollars, according to the terms of one certain note this day executed and delivered by the

said Parties of the First Part

to the said part ies of the second part and payable in twenty-four (24) monthly installments of \$100.00 each and then thirty-six (36) monthly installments of \$145.50 each due on the 22nd day of each month and beginning January 22, 1968

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 their executors, administrators and assigns at any time thereafter, to sell the premises hereby granted, or any part thereof, in the manner prescribed 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 Parties of the First Part

their heirs and assigns

In Witness Whereof, The said part ies of the first part ha ye hereunto set their

hands and seal this day and year first above written.

Signed, Sealed and Delivered in presence of

Donald P. Benschoter (SEAL)

Edna Mae Benschoter (SEAL)

Edna Mae Benschoter (SEAL)

(SEAL)

STATE OF KANSAS,

Douglas

County

BE IT REMEMBERED, That on this 22nd day of December A. D. 19 67

before me, Wanda M. Carleton

a Notary Public

in and for said County and State, came Donald P. Benschoter and Edna

Mae Benschoter, husband and wife

to me personally known to be the same person s 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 December 12 19 70

Wanda M. Carleton Notary Public
Wanda M. Carleton



Recorded December 26, 1967 at 12:25 P.M.

Janice Boam Register of Deeds