

and articles of personal property now or hereafter located upon or used in connection with the operation of said premises, all of which fixtures and articles of personal property shall be deemed to be fixtures and accessories to the freehold and a part of the realty as between the parties hereto and subject to the lien of this mortgage.

It is expressly understood and agreed that this is intended as a mortgage to secure the payment of a certain promissory note executed this date by Mortgagor to Mortgagee in the principal amount of \$340,000.00, and payable according to its terms.

To have and to hold the same, with all the easements, rights, privileges and appurtenances aforesaid thereunto belonging unto Mortgagee and to its successors and assigns forever.

WHEREAS Mortgagor covenants and agrees that at the delivery hereof they are the lawful owners of the premises hereinabove granted and are seized of a good and indefeasible estate of inheritance therein, free and clear of all encumbrances except two certain mortgages, to-wit:

A mortgage executed November 15, 1965, and recorded November 19, 1965, in Book 142 at Pages 257-264, in the office of Register of Deeds, Douglas County, Kansas, to The First National Bank of Kansas City, a national banking corporation, securing a note in the principal amount of One Million Dollars, which mortgage, by instrument executed December 5, 1966, and recorded December 7, 1966, in Book 145 at Pages 246-7, in the office of Register of Deeds, Douglas County, Kansas, was assigned to John Hancock Mutual Life Insurance Company;

and,

A mortgage executed December 8, 1965, and recorded December 16, 1965, in Book 142, at Pages 399-402, in the office of Register of Deeds, Douglas County, Kansas, to City Bond and Mortgage Company, a corporation, securing a note in the principal amount of \$450,000.00, which mortgage, by instrument executed February 15, 1966, and recorded February 22, 1966, in Book 143 at Page 46, in the office of Register of Deeds of Douglas County, Kansas, was assigned to Sun Life Assurance Company of Canada.