

214

MORTGAGE 12005 BOOK 149 (NO. 52C) 12064 BOOK 149

This Indenture, Made this 31st day of January 19 68, between  
Jerry D. Scrudder and Violet Scrudder, husband and wife  
and Fred E. Wilson and Judy Wilson, husband and wife  
of Douglas County, in the State of Kansas of the first part, and  
Douglas County State Bank, a corporation  
of Douglas County, in the State of Kansas of the second part:

Witnesseth, That said parties of the first part, in consideration of the sum of  
Two Thousand Three Hundred Sixty and 16/100 DOLLARS  
the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto  
said part y of the second part, its heirs and assigns, all the following REAL ESTATE situated in  
the County of Douglas and State of Kansas, to-wit:  
Lots Thirteen (13) and Fourteen (14), in Block Eighteen (18) in the City of Eudora.

Restrictions: These Lots must be used for residence purposes only, with a House  
of not less than 850 feet square of floor space, excluding porches, garages, and  
basement. House and/or garage must be not less than 34 feet from Walnut Street, nor  
less than 10 feet from either North or South Lot lines. It shall not be permissible to  
move a house, buildings or trailer house onto these Lots, nor to live in basement house  
only.

This mortgage is re-recorded to properly include the signatures of all owners  
of record.

To Have and To Hold the Same, Together with all and singular, the tenements, hereditaments and appur-  
tenances thereunto belonging, or in anywise appertaining, forever.

Provided Always, And these presents are upon this express condition, that whereas said  
parties of the first part one certain promissory note In writing to said part y of the second part, which the following  
have this day executed and delivered  
Now, if said parties of the first part shall pay or cause to be paid to said part y of the second part  
heirs or assigns, said sum of money in the above described note mentioned, together with the interest  
thereon, according to the terms and tenor of the same, then these presents shall be wholly discharged and void,  
and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any  
interest thereon, is not paid when the same is due, and if the taxes and assessments of every nature which are or  
may be assessed and levied against said premises or any part thereof, are not paid when the same are, by law  
made due and payable; then the whole of said sum and sums and interest thereon, shall, and by these presents,  
become due and payable, and said party of the second part shall be entitled to the possession of said  
premises.

In Witness Whereof, The said parties of the first part have hereunto set their hand the day  
and year first above written.

Executed in the presence of

Witnesses  
Jerry D. Scrudder  
Violet Scrudder  
Fred E. Wilson  
Judy Wilson

Douglas County, Kansas

Be It Remembered, That on this 31st day of January A. D. 19 68  
before me, Harold R. Schave  
In and for said County and State, came Jerry D. Scrudder  
to me personally known to be the same person who executed the within 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 June 28 19 71

Harold R. Schave Notary Public