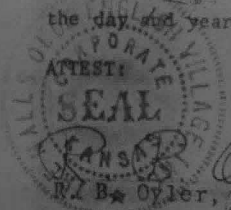


The covenants and agreements hereinabove contained shall bind and inure to the benefit of the respective heirs, executors, administrators, successors and assigns of the parties hereto. Reference herein to Mortgagor or Mortgagee shall be held in each case to include the person or persons, masculine or feminine, singular or plural, natural or superficial, described in this instrument.

Mortgagee before a sale hereunder, and the purchaser at the sale hereunder, shall be subrogated to the lien of any prior encumbrance or vendor's lien, if any, on said premises paid out of the money secured by this Mortgage, whether or not such prior lien or encumbrance has been released of record.

This Mortgage and the Note secured hereby are to be construed and enforced according to and governed by the laws of the State of Kansas, and is the Mortgage referred to in the Loan Agreement of even date herewith executed by Mortgagor and Mortgagee hereto and The Guardian Life Insurance Company of America.

IN WITNESS WHEREOF, Mortgagor has caused these presents to be duly executed the day and year first above written.



*R. B. Oyler*  
R. B. Oyler, Ass't. Secretary

THE MALLS OLDE ENGLISH VILLAGE, INC.

By *Frank O. Raley, Jr.*  
Frank O. Raley, Jr. - President

STATE OF KANSAS ) ss.  
COUNTY OF DOUGLAS)

BE IT REMEMBERED, That on this 12th day of August, A.D., 1969, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Frank O. Raley, Jr., President of THE MALLS OLDE ENGLISH VILLAGE, INC., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, and R. B. Oyler, Ass't. Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.



My Commission Expires: 8-11-72

*Naomi L. Adams*  
Notary Public  
Naomi L. Adams

Recorded August 13, 1969 at 8:30 A.M.

*Janet Beam* Register of Deeds