

339

Reg. No. 4,364  
Fee Paid \$132.50

MORTGAGE

BOOK 155 19510

16-2-T. W.

Hall Litho. Co., Topeka

THIS INDENTURE, Made this 1st day of December A. D. 19 69

between Frank R. Schuette and Genevieve A. Schuette, husband and wife

of Douglas County, in the State of Kansas

, of the first part

and Chester Lutz and Ethel J. Lutz, husband and wife, as joint tenants, with right of survivorship, and not as tenants in common

of Jackson County, in the State of Kansas

, of the second part:

WITNESSETH, That said parties of the first part, in consideration of the sum of

Fifty-Three Thousand and no/100 and 100 DOLLARS,

the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto survivor of them and the survivor's

said parties of the second part, the/ heirs and assigns, all the following described Real Estate,

situated in Douglas County, and State of Kansas to wit:

The Northeast 1/4 of Section 26, less r/w of A. T. & S. F. Railway;  
 The Southeast 1/4 of Section 23; and beginning at the Northwest corner of the Southwest 1/4 of Section 25, thence south 64 rods to the center of Wakarusa Creek, thence down the center of said creek to the north line of said quarter section, thence west to the place of beginning, containing 4 acres, more or less; and  
 beginning at the northeast corner of the Southeast 1/4 of Section 26, thence West 66 rods to the center of Wakarusa Creek, thence down the center of said creek to the east line of said quarter section, thence north 64 rods to the place of beginning, containing 12 acres, more or less,

all in Township 13 South, Range 17 East of the 6th P. M., being an undivided 3/4ths interest.

Said parties of the first part do hereby covenant and agree that at the delivery of this instrument they are the lawful owners of the premises above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances except None and that they will warrant and defend the same against all claims whatsoever.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

Said parties of the first part hereby agree to pay all taxes assessed on said premises before any penalties or costs shall accrue on account thereof, and to keep the said premises insured in favor of said mortgagee in the sum of None DOLLARS in some insurance company satisfactory to said mortgagee.

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said Frank R. Schuette and Genevieve A. Schuette, husband and wife

have this day executed and delivered their certain promissory note in writing to said parties of the second part, of which the following is a copy:

COPY

\$53,000.00

HOLTON, KANSAS Dec 1, 19 69

Upon Payment by Government of Land

located in Douglas County in Clinton Reservoir (3/4 int in 336 acres), or March 2, 1974 whichever after date we or either of us promise to pay to the order of  
 / Chester & Ethel J. Lutz EQS is sooner.

AT THE KANSAS STATE BANK IN HOLTON  
HOLTON, KANSAS

-Fifty Three Thousand &amp; No/100-

DOLLARS

For value received, with interest at the rate of 8 per cent per annum from March 2, 1970 and if not paid at maturity to draw 10 per cent from maturity, until paid. Interest due and payable semi-annually. The drawers and endorsers severally waive presentment for payment, protest, and notice of protest and non-payment of this note.

Berryton, Kansas  
 P. O. (Secured by 1st RE Loan on Above Land)

Frank R. Schuette

Genevieve A. Schuette

No. Due