

that at the delivery hereof 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 one of even date herewith to J. T. Pettyjohn & Co.

This grant is intended as a Mortgage to secure the payment of the sum of One Hundred Dollars according to the terms of Ten certain promissory notes this day executed and delivered by the said Michael & Catharine Dyer to the said party of the second part: said notes are \$10.00 each Due Six Months apart on April 1<sup>st</sup> and October 1<sup>st</sup> for five years from April 1<sup>st</sup> 1889 and bears interest until maturity and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payment, 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 parties 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, appraisement hereby waived or not at the option of the part of the second part, executors, administrators or assigns; and out of all the moneys arising from such sales, to retain the amount then due for principal and interest, together with the cost and charges of making such sales, and the surplus if any there be shall be paid by the parties making such sale, on demand, to the said Michael & Catharine Dyer their heirs and assigns.

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

Signed and delivered in presence of Michael Dyer (Real)  
Attest J. A. Julien Catherine Dyer (Real)  
J. W. Gibson

State of Kansas  
County of Johnson } ss.

Be it Remembered That on this 10 day of April A.D. 1889 before me J. A. Julien a Notary Public in and for said County and State came Michael Dyer and to me personally known to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal on the day and year last above written.

 J. A. Julien  
My commission Expires March 3. 1892. Notary Public  
Olathe Johnson Kas.

State of Kansas  
Franklin County } ss. Be it Remembered That on this 11<sup>th</sup> day of April A.D. 1889