

MORTGAGE RECORD

P. M. FORD, DEAN JOHN MARRIAGE, LAWYER, KANS.

This Indenture, Made this fourth day of April in the year of our Lord one thousand eight hundred and eighty nine between Daniel J. Shuted and Rachel Shuted his wife of the first part, and William Wilson of Los Angeles California of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Thirteen hundred DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have sold and by these presents do grant, bargain, sell and mortgage to the said party of the second part her heirs and assigns forever, all that tract or parcel of land situated in the County of Douglas and State of Kansas, described as follows, to-wit: Beginning at a point four and 1/2 chains south of the north East corner of the North East quarter of Sec. No. Eleven in Township No. Twelve Range No. Nineteen (T. 12 N. R. 19 E.) the corner being West forty (40) chains thence North Sixty (60) chains thence East thirty (30) chains thence North Sixty (60) chains thence East twenty (20) chains thence North Sixty (60) chains to place beginning containing 67 1/2 Acres of land more or less subject to two (2) Mortgages of \$100 each to W. B. Barclay one dated October 17, 1887 the other April 4, 1887.

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said

Parties of the first part

do hereby covenant and agree 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 save as above noted

This grant is intended as a Mortgage to secure the payment of the sum of Thirteen hundred Dollars

according to the terms of two (2) certain promissory notes this day executed and delivered by the said parties of the first part to the said party of the second part: for the sum of Six hundred and Fifty (650) dollars each, one due on or before year from date the other in two (2) years from date with interest from date until paid at the rate of eight (8) per cent per annum.

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 party of the second part her 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 party of the second part her 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 costs and charges of making such sales, and the overplus, if any there be, shall be paid by the party making such sale on demand to the said parties of the first part their heirs and assigns.

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

Signed and delivered in presence of

D. J. Shuted (SEAL.)

Rachel Shuted (SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS,

County of Douglas } ss.

Be it Remembered, That on this 4 day of April, A. D. 1889, before me, Wm. J. Sinclair, a Notary Public in and for said County and State, came Daniel J. Shuted and Rachel Shuted his wife to me personally

known to be the same persons 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.

My commission expires Apr - 13 - 1892.

Wm. J. Sinclair

Notary Public.

Recorded April - 4 - A. D. 1889, at 3 o'clock P. M.

James B. ...
Reg. of Deeds

In guarantee of mortgage on original instrument

In consideration of full pay-

ment of the within mortgage

I hereby release the same this

..... day of April, 1889

W. B. Barclay

Recorded April 11, 1891, Book 370 Page 607

(Released Not Book 370 Page 607)