

second part; and it shall be lawful for the 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 sale, to retain the amount then due or to become due according to the conditions of this instrument, together with the costs and charges of making such sale and the overplus, if any there be, shall be paid by the party making such sale, on demand, to the said Party of the first part his heirs and assigns.

In Witness Whereof, The said party of the first part hath hereunto his hand and seal the day and year last above written.

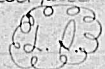
Signed, sealed & delivered in the presence of

Asa J. Warren [Seal]

Jennie Watt
State of Kansas
County of Douglas^{ss.}

Be it Remembered, That on this 16th day of April A.D. 1891 before me Hugh Blair a Notary Public in and for said County and State came Asa J. Warren an unmarried man 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



Hugh Blair

My Commission Expires 28th Decr. 1893

Notary Public

Recorded April 18, 1891 at 3¹⁰ o'clock P.M.

James Brooke
Register of Deeds

Whereas, William A. Marshall and L. E. Marshall his wife by mortgage bearing date of April 1st 1889 for the consideration therein mentioned and to secure the amount therein specified, did convey and mortgage certain lands therein described, of which the land hereinafter described is a part unto Edward Russell, and now said Russell at the request of the said Marshall has agreed to give up and surrender the lands hereinafter described, to the said Wm A. and L. E. Marshall or their assigns, and to hold and retain the residue subject to said mortgage.

Now this Indenture, Witnesseth: That the said Edward Russell in pur-