

JOURNAL CO., LAWRENCE, KAN.

This Indenture, Made this 25<sup>th</sup> day of February in the year of our Lord one thousand eight hundred and ninety two between Timothy Lavin & wife Mary Jane Lavin of Lawrence in the County of Douglas and State of Kansas of the first part, and Robert Berry of said town & County of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Twenty six hundred & forty six 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 his 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: The N. E. fractional quarter of Section two (2) of Township Thirteen (13) Range seventeen containing one hundred & fifty seven (157) acres according to government survey

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, at the delivery hereof, they are the lawful owners of the premises above granted, and seized of a good and indefeasible state of inheritance therein free and clear of all incumbrances

This grant is intended as a Mortgage to secure the payment of the sum of Twenty six hundred & forty six dollars (\$2646.00)

according to the terms of four certain promissory notes this day executed and delivered by the said Timothy Lavin to the said party of the second part: each for the sum of five hundred & sixty one dollars interest at 6 per cent payable annually on or before three years from date. One on or before six years from date. One on or before nine years from date. One on or before ten years from date said notes dated March 11, 1892.

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 his 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 his executors, administrators or assigns; and out of all 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 Timothy Lavin 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

L. A. Edson

E. J. E. Edson

Timothy Lavin

Mary Jane Lavin

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS, } ss.  
County of Douglas

Be it Remembered, That on this 25<sup>th</sup> day of February, A. D. 1892, before me L. A. Edson, a Notary Public in and for said County and State, came Timothy Lavin & wife Mary Jane Lavin

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 Nov 5 1893

L. A. Edson

Notary Public.

Recorded Feb 9 A. D. 1892, at 10<sup>25</sup> o'clock M.

James Brooks

Register of Deeds

*the following is enclosed on the original instrument -  
The notes herein described having been paid in full, this mortgage is hereby released, and the lien thereby created is discharged. The witness my hand, this 28<sup>th</sup> day of March A.D. 1902.  
Margaret A. Berry, Executrix  
for Estate of Robert Berry.*

*Recorded Feb. 24-1902 -*

*L. A. Edson,*

*Register of Deeds,*

*Deputy.*