

or parcel of land situated in the County of Douglas and State of Kansas described as follows, to wit: Lot No 102 Massachusetts Street Lawrence Kansas including grain elevator and all machinery with the appurtenances and all the estate, Right and interest of the said parties of the first part therein And the said A. H. Whitcomb and S. S. Whitcomb do hereby covenant and agree that at the delivery hereof they 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 a prior Mortgage of sixteen hundred dollars. This Grant is intended as a Mortgage to secure the payment of the sum of eight hundred Dollars, according to the terms of one certain promissory note this day executed and delivered by the said A. H. Whitcomb and S. S. Whitcomb to the said F. M. Arnold payable at Lawrence Kansas as follows, to wit: Eight Hundred dollars on the first day of Jan 1892, with interest thereon at ten percent to the said party of the second part; and this conveyance shall be void if such payment be made as herein specified. But if default be made in such payment for 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 shall become due and payable, and it shall be lawful for 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 thereby waived or not, at the option of the party of the second part, his executors, administrators or assigns, and out of all the money arising from such sale to retain the amount then due for principal and interest, together with the costs and charges of making such sale, and including attorney's fee for foreclosure of this mortgage, the said fee to be due and payable on filing petition for foreclosure, and the overplus, if any there be, shall be paid by the party making such sale, on demand, to the said A. H. Whitcomb and S. S. Whitcomb, their heirs or 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, sealed & delivered in the presence of

A. H. Whitcomb

[L.S.]

Mary B. Whitcomb

[seal]

S. S. Whitcomb

[seal]

Nellie Wade Whitcomb

[L.S.]

State of Kansas, Douglas County, ss.

Be it Remembered, That on this Eleventh day of September A.D. 1891 before me a Notary Public in and for said County and State, came A. H. Whitcomb, Mary B. Whitcomb and S. S. Whitcomb 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 subscribed my name and affixed