

JOURNAL CO., LAWRENCE, KAN.

This Indenture, Made this 18<sup>th</sup> day of January in the year of our Lord one thousand eight hundred and ninety four between Alva R. Russ and Sarah E. Russ, his wife of Lawrence in the County of Douglas and State of Kansas of the first part, and William S. Sinclair, of same place of the second part,

**Witnesseth,** That the said party 1st of the first part in consideration of the sum of Six 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 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: Lots Nos. One Hundred and Fifty five (155) and One Hundred and Fifty seven (157), both on Kentucky Street in the City of Lawrence, being the homestead of the said parties of the first part.

with all the appurtenances, and all the estate, title and interest of the said party 1st 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 owner of the premises above granted, and seized of a good and indefeasible estate of inheritance therein free and clear of all incumbrances, and that they will warrant and defend the same in the quiet and peaceable possession of second party, his heirs and assigns forever, against all persons lawfully claiming the same.

This grant is intended as a Mortgage to secure the payment of the sum of Six Hundred Dollars according to the terms of one certain mortgage note this day executed and delivered by the said parties of the first part to the said party of the second part: due in three (3) years from date, with interest from date to maturity, or default as evidenced by coupons attached to said note, and interest after maturity, or default at the rate of ten per cent per annum, until fully paid. 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 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 party 1st of the first part, have thereto set their hand and seal the day and year first above written.

Signed and delivered in presence of

A. R. Russ (SEAL.)

Sarah E. Russ (SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS, } ss.  
County of Douglas

**Be it Remembered,** That on this 18<sup>th</sup> day of January, A. D. 1894, before me L. A. Night a Notary Public in and for said County and State, came Alva R. Russ and Sarah E. Russ 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 April 21 - 1895 L. A. Night Notary Public.

Recorded Jan 20 A. D. 1894, at 10 o'clock M.

James Brooks Register of Deeds.

The following is endorsed on the original instrument:  
The state herein described having been paid in full this mortgage is hereby released and the lien hereby created discharged of As witnesses my hand and this 28<sup>th</sup> day of December A.D. 1899, Attest A. G. W. Barrett H. C. Bensley

Recorded January 14<sup>th</sup> 1900, L. A. Night Register of Deeds (Assigned Book 3 Page 44)