

Lots One Hundred and Twenty-six (126) and One Hundred and Twenty-eight (128) on Newton Street in the City of Baldwin, County of Douglas, State of Kansas, with the appurtenances and all the Estate, Title and interest of the said parties of the first part therein. And the said Mary M. Learitt + D. L. Learitt 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 encumbrances.

This Grant is intended as a Mortgage to secure the payment of the sum of One Hundred Thirty + $\frac{1}{2}$ Dollars, according to the terms of one certain note this day executed by the said Mary M. Learitt + D. L. Learitt to the said party of the second part. And this conveyance shall be void if such payment be made as is herein specified. But if default be made in such payment, or any part thereof, or interest thereon, or if the taxes on said land are not paid when the same becomes due and payable, or if the insurance is not kept up thereon, as provided herein, then this conveyance shall become absolute, and the whole sum remaining unpaid shall immediately become due and payable, at the option of the holder thereof; 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 waived," and out of all moneys arising from such sale, to retain the amount then unpaid of principal and interest, together with the costs and charges of making such sale and the overplus if any there be, shall be paid by the parties making such sale, on demand, to the said Mary M. Learitt and D. L. Learitt heirs and assigns.

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

Signed, Sealed and Delivered in
the presence of C. H. Ridgway

Mary M. Learitt (Seal)

D. L. Learitt (Seal)

State of Kansas } ss.
Franklin County }

Be it Remembered, that on this 15th day of October A.D. 1891, before me a Notary Public in and for said County and State, came Mary M. Learitt and D. L. Learitt Wife + Husband, 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 my official seal on the day and year last above written.

(L.S.)

Chas H. Ridgway

Notary Public

commission expires 15th day of June 1892.

Recorded March 5, 1896, at 5²⁵ O'clock P.M.

James Brooks

Register of Deeds