

This Indenture, Made this 12th day of February A. D. 1902, between B. R. Fogarty and Lydia A. Fogarty, his wife, of Douglas County, in the State of Kansas of the first part, and of Bank of Richland, Private Bank, Albert Ness, owner, of Shawnee County, in the State of Kansas of the second part:

Witnesseth, That said part ies of the first part, in consideration of the sum of Eleven hundred fifty AND 100 DOLLARS, the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto said part y of the second part, his heirs and assigns, all the following described REAL ESTATE, situated in Douglas County, and State of Kansas, to-wit:-

All of the west half (1/2) of the south west fractional quarter of section No. Thirty one (31) in Township No. Thirteen (13) South of Range No. Eighteen (18) East of the 16th R.M.

To Have and to Hold the Same, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever:-

Provided, Always, And these presents are upon this expressed condition, that whereas said B. R. Fogarty and Lydia A. Fogarty, his wife, ha A this day executed and delivered one certain promissory note in writing to said part y of the second part, of which the following is a copy of: Richland, Kansas Feb. 12 1902
Feb. 12 1902 after date, I, we, or either of us, promise to pay
Bank of Richland, Private Bank, Albert Ness, owner on order
Eleven hundred fifty no Dollars, at Bank of Richland, Richland,
Kansas, for value received, with interest at seven percent per
annum from date until paid. interest payable annually.
Postoffice
No
B. R. Fogarty
Lydia A. Fogarty

Now, If said part ies of the first part shall pay or cause to be paid to said part y of the second part, his heirs or assigns, said sum of money in the above described note mentioned, together with the interest thereon, according to the terms and tenor of the same, then these presents shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid, when the same is due, and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part thereof are not paid when the same are by law made due and payable, then the whole of said sum and sums, and interest thereon, shall, and by these presents become due and payable, and said part y of the second part shall be entitled to the possession of said premises.

In Witness Whereof, The said part ies of the first part ha ve hereunto set their hand the day and year first above written.

B. R. Fogarty
Lydia A. Fogarty

STATE OF KANSAS, } SS:
Shawnee County,

Be it Remembered, That on this 12th day of February A. D. 1902, before me the undersigned, a Notary Public in and for the County and State aforesaid, came B. R. Fogarty and Lydia A. Fogarty, his wife,

who are personally known to me to be the same person who executed the within instrument of writing, and such person have duly acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand, and affixed my Notarial Seal, the day and year last above written.

John H. Cary Notary Public.

Recorded Feb. 14th A. D. 1902, at 9 o'clock A. M.

Shawnee Register of Deeds.

The following is enclosed on the original instrument.
\$ 1100.00 Richland, Kans., Feb. 11th 1902, Receivers of B. R. Fogarty & wife
The within named Mortgage, the sum of Eleven hundred fifty and no/100
Dollars, in full satisfaction of the within mortgage,
Bank of Richland
Private Bank
Albert Ness, Sole owner
Recorded Feb. 13th 1902.
A. W. Armstrong,
Register of Deeds.

