

This Indenture, Made this 6<sup>th</sup> day of January A. D. 1890, between  
Mary A. Counts and S. T. Counts, wife and husband,  
 of Douglas County, in the State of Kansas of the first part, and  
Mary B. Schnelly  
 of Douglas County, in the State of Kansas of the second part:

Witnesseth, That said parties of the first part, in consideration of the sum of  
Four hundred Fifty AND no DOLLARS,  
 the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto said part of of  
 the second part, his heirs and assigns, all the following described REAL ESTATE, situated in  
Douglas County, and State of Kansas, to-wit:-

The south east quarter (1/4) of the south west quarter (1/4) of section Twenty  
 six (26) Township Fourteen (14) Range Twenty (20). Also beginning at  
 the south west corner of the east half (1/2) of the west (1/2) of  
 the south west quarter (1/4) of sect. (Twenty six (26) Township  
 Fourteen (14) Range twenty (20), thence east thirty five (35) Rods,  
 thence north thirty (30) rods, thence west about thirty five  
 (35) rods, thence south thirty four (34) rods to the place of beginning, containing forty four (44) acres,  
 more or less.

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

Mary A. Counts and S. T. Counts  
 ha A this day executed and delivered One certain promissory note in writing to said part of of the second part,  
 of which the following is a copy:-

For value received we hereby promise to pay to the order of James B. Schnelly, Four hundred  
 Fifty dollars xx five years after date with interest at the rate of six percent per  
 annum, payable annually xx according to the tenor of 5 interest coupons of  
 twenty seven dollars each. xx Principal and interest to bear 10 percent after  
 maturity. Privilege granted to pay \$100.00 or multiple at any  
 interest paying time.

Now, If said parties of the first part shall pay or cause to be paid to said part of 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 of of the second part shall be entitled to the possession of  
 said premises.

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

Mary A. Counts  
S. T. Counts

STATE OF KANSAS, }  
Douglas County, } ss:

Be it Remembered, That on this 8 day of Jan. A. D. 1890, before me the  
 undersigned, a J. C. Hair, a Notary Public in and for the County and State aforesaid, came  
Mary A. Counts & S. T. Counts, her husband,

who to me personally known to me to be the same person who executed the within instru-  
 ment of writing, and such person duly acknowledged the execution of the same.  
 In Testimony Whereof, I have hereunto set my hand, and affixed my official  
 Seal, the day and year last above written.

J. C. Hair, Notary Public.  
 My Commission term expires Aug 6 1904.  
 Recorded Jan. 10 A. D. 1890 5, at 8 o'clock A. M.  
L. F. Korman, Register of Deeds.

The following is enclosed on the original instrument:  
 \$450.00 as per 1-1508. Received of Mary A. Counts &  
 S. T. Counts her husband the within mortgage, the sum of  
 four hundred and fifty & no/100 Dollars in full satisfaction  
 of the within mortgage. Mary B. Schnelly.

Recorded Jan 24 1890  
 A. W. Combs, Register of Deeds.